

DEALING WITH SEALED MATERIALS IN ECF

Filing Sealed Materials In ECF

After logging into CM/ECF and entering your appeal number, select the “Sealed Briefs and Motions” category. These events were specifically designed to allow for submission of sealed pleadings and briefs. You may file a sealed motion, response, or brief in this manner. Failure to select the “Sealed Briefs and Motions” category will result in your pleading being filed as a public document. Counsel are responsible for ensuring that sealed materials are filed using these events. In addition, please note that if you are submitting a motion to seal materials simultaneously with the sealed materials themselves, you should use these events. That is the case even if the motion to seal is not submitted as sealed. You may file the sealed materials as an attachment to the “sealed motion filed” docket event.

Viewing Sealed Materials on the Court Docket

With regard to all sealed materials, parties should note remote public access (that is, PACER access) is available only to parties and attorneys in the case who have entered an appearance *and* who are registered to file via CM/ECF. Note that PACER access must be done via ECF, as outlined below.

After the court approves your ECF registration you will need to link your ECF account to your PACER account. This is quite important, as it will be the only way you will be able to view sealed pleadings in a case if you are counsel of record. You will only need to do this once. To link your accounts, please do the following:

- a. Log into ECF.
- b. Select “PACER Report” from the Reports Menu.
- c. The PACER login screen will appear. Enter your PACER login and password, and check the “Make this my default PACER login” box.
- d. Click Login.
- e. You will need to log out of ECF and log back in for the change to take effect.

You will now be able to access PACER directly from your ECF account. If

you are counsel of record in a case, this is the only way you will be able to view sealed documents in that proceeding. Please note you will not be able to view sealed materials in your case if you access the docket via the public PACER site.

Notices of Docket Activity in Sealed Cases or for Sealed Pleadings

If/When you receive a Notice of Docket Activity in a sealed case, or for a pleading that has been sealed, you must be logged in to ECF before clicking the “Document” link in order to see the sealed document and/or the court docket.