

[Important Change to ECF Sealed Document Procedures Due to CM/ECF System Breach](#)

The Administrative Office of the United States Courts has provided [notice](#) of a national breach of the CM/ECF system and has called upon courts to implement new security procedures to protect Highly Sensitive Documents. Given the limited number and nature of documents that are filed under seal by the bankruptcy court, the court construes this request to apply to all motions to seal documents filed in this court. The bankruptcy court is working to update its motion to seal protocols, and is awaiting further guidance and direction from the Administrative Office of the Courts on this matter.

In the interim, the bankruptcy court is revising its “Electronically Filing Sealed and Redacted Documents” guideline (the “Guideline”) as follows:

Step 2 under the “CM/ECF Filing Sequence For Sealed Documents” is stricken, and the moving party shall not electronically file the document(s) at issue. Instead, the moving party shall contact and inform chambers that it is filing a motion to seal a document. After notifying chambers, the moving party shall place the document(s) in question into an envelope that identifies on its cover the bankruptcy case/adversary proceeding caption and states in bold, upper case language that it contains “PROPOSED DOCUMENT(S) TO BE FILED UNDER SEAL.” The moving party shall securely seal the envelope and cause the envelope to be delivered and deposited into the court’s drop-box located in the San Francisco or San Jose courthouse. The court shall physically secure the document(s) in question.

Paragraph 4 of the Guideline shall now read as follows:

A. If Motion is Granted: The proposed document(s) Filed Under Seal will remain sealed and become part of the record, but will not be electronically filed. The Clerk will annotate the original docket entry as follows: PROPOSED SEALED DOCUMENT(S) APPROVED-REFER TO DOCKET ENTRY #_.

B. If Motion is Denied: The proposed document will remain in the secure possession of the court and will not be placed on the electronic docket. The Clerk will annotate the original docket entry as follows: PROPOSED SEALED DOCUMENTS DENIED-REFER TO DOCKET ENTRY #_.

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