

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF THE UNITED STATES

IN RE: )  
PROCEDURES FOR THE FILING, )  
SERVICE, AND MANAGEMENT OF ) General Order No. 24-GO-02  
HIGHLY SENSITIVE DOCUMENTS. )

ORDER

This Order modifies and supersedes General Order 22-06.

WHEREAS, in response to recent disclosures of wide-spread breaches of both private sector and government computer systems, federal courts have added new security procedures to protect highly sensitive documents filed with the courts;

THE COURT FINDS that, pursuant to Civil Rule 5(d)(3)(A) and Criminal Rule 49(b)(3)(A), good cause exists to allow all parties to file certain highly sensitive documents (HSDs) outside of the court’s electronic filing system.

THEREFORE, IT IS HEREBY ORDERED that, effective as of the date of this order, and until such time as the court orders otherwise, the filing of certain highly sensitive documents shall be subject to the procedures and requirements set forth below.

**1. Highly Sensitive Documents**

a. The following types of materials (and associated documents) may be deemed highly sensitive documents: ex parte sealed filings relating to national security investigations, cyber investigations, and especially sensitive public corruption investigations, and documents containing a highly exploitable trade secret, financial information, or computer source code belonging to a private entity, the disclosure of which could have significant national or international repercussions.<sup>1</sup>

b. Exclusions: Most materials currently filed under seal do not meet the definition of an HSD and do not merit the heightened protections afforded to HSDs. The form or nature of the document, by itself, does not determine whether HSD treatment is warranted. Instead, the focus is on the severity of the consequences for the parties or the public should the document be accessed without authorization. Most presentence reports, pretrial release reports, pleadings related to cooperation in criminal cases,

---

<sup>1</sup> This guidance does not apply to classified information, which should be handled according to the Classified Information Procedures Act (CIPA) and the Chief Justice’s Security Procedures related thereto, 18 U.S.C. app 3 §§ 1, 9. The Chief Justice’s Security Procedures (criminal prosecutions) and the Department of Justice regulation 28 C.F.R. § 17.17(c) (civil actions) govern classified information in any form in the custody of a court.

social security records, administrative immigration records, applications for search warrants, interception of wire, oral, or electronic communications under 18 U.S.C. § 2518, and applications for pen registers, trap, and trace devices would not meet the HSD definition.

c. A party may request that a document listed above, or other document a party believes to be highly sensitive, (i.e., trade secrets) be designated as an HSD by filing a motion with the court requesting a hearing without revealing the nature of the document or attaching the proposed HSD.

**2. Filing of Authorized HSDs**

a. A party filing an HSD shall submit to the clerk's office the HSD in paper format, and, if applicable, the certificate of service and court order authorizing the treatment of the document as highly sensitive. The HSD may be submitted on a secure electronic device (i.e., USB drive) with prior permission of the court.

b. A party filing a document which quotes or references the contents of an HSD shall electronically file the document in the ordinary course, except that the portions of the document quoting or referencing the HSD shall be redacted. The party shall file and serve an un-redacted version of the filing in the same manner as set forth in Section 2(a) for HSD.


**3. Service of Highly Sensitive Court Orders**

If the court determines that a court order contains highly sensitive information, the clerk's office will file and maintain the order in a secure paper filing system or a secure standalone computer system that is not connected to any network and will serve paper copies of the order on the parties via mail.

**4. Removal of Existing HSDs or Highly Sensitive Cases from the Court's Electronic Filing System**

Upon motion of a party or upon its own motion, the court may determine that a document that has been filed electronically is highly sensitive and direct that the HSD be removed from the court's electronic filing system and maintained by the clerk's office in a secure paper filing system or a secure standalone computer system that is not connected to any network.

ENTERED FOR THE COURT on July 3, 2024

  
\_\_\_\_\_  
Sara Darrow  
Chief United States District Court