

# U.S. DISTRICT COURT DISTRICT OF NEW JERSEY OFFICE OF THE CLERK

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### NOTICE TO THE BAR SEPTEMBER 25, 2025

## CHANGES TO ELECTRONIC ACCESS TO AND SERVICE OF SEALED DOCUMENTS

Notice is hereby given to the Bar and all interested parties that, effective September 23, 2025, in accordance with guidance from the Administrative Office of the United States Courts and consistent with the entry of this Court's Standing Order 2025-05, the procedures for the storage and service of all electronically filed sealed documents are as follows.

### What Remains the Same

- Sealed documents must continue to be filed in the Court's Electronic Case Filing (ECF) system in accordance with Local Civ. R. 5.2.
- Users will continue to receive a Notice of Electronic Filing (NEF) when case activity occurs, including when a sealed document is electronically filed in ECF.
- Applications to treat sealed documents as Highly Sensitive Documents (HSDs), to be filed in paper form outside the ECF system, may continue to be made in accordance with <u>Standing Order</u> 2024-03.

### What's New

- Sealed documents filed electronically will no longer be accessible or viewable through the ECF or PACER systems by non-court users.
- While the docket text will be publicly available, the PDF copy of the document will not be accessible or viewable by non-court users. Users should avoid clicking on the link in the NEF, to avoid a fee charge by PACER for viewing a blank placeholder file.
- Sentencing Memoranda submitted pursuant to <u>Standing Order 20-01</u> shall be submitted to the Court only via first class mail or hand delivery. No emails will be accepted. All deadlines contained in the Standing Order will be strictly enforced.

### **New Service Procedure**

- Service of sealed documents will not be accomplished by electronically filing in the ECF system.
- Service must be accomplished outside of ECF by other appropriate means, as provided by the applicable Federal R. Civ. Pro. 5 (b)(2) only. To obtain access to an electronically filed sealed document, users should rely on the copy served by their adversary. If an external filer is filing a document under seal, the external filer is responsible for serving same upon the adversary. Service of filed documents outside the ECF system must be followed by the filing of proof of service in the ECF system. If the Court files a document under seal, the Court will serve same either by first-class mail or other secure means approved by the issuing judge. Additional copies of sealed documents will require a court order and applicable copy fees will apply.

• Local Civil Rule 5.2  $\P$  (14) (b) does not apply for sealed filings.

Questions about the filing of and access to sealed documents should be directed to the Court's ECF Help Desk email: <a href="mailto:ecfhelp@njd.uscourts.gov">ecfhelp@njd.uscourts.gov</a>