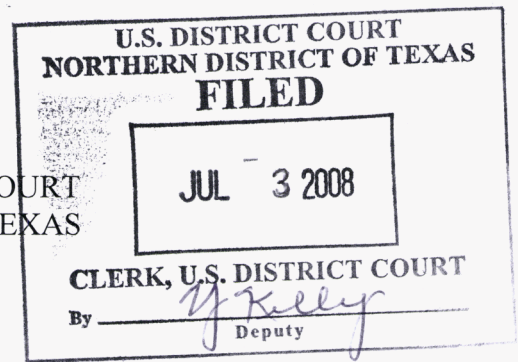


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Special Order No. 2-69



1. By Special Orders Nos. 2-67 and 2-68, the District Judges of this Court amended local civil rules LR 1.1(f), 3.1, 4.1, 5.1(b), 5.1(d), 5.1(e), 7.4, 11.1(d), 15.1, 53.1, 72.2, 77.1(a), 79.1(a), 79.3, 79.4, 81.1, 81.2, and 83.13; adopted LR 1.1(g), 3.2, 5.1(f), and 6.1; amended local criminal rules LCrR 1.1(f), 49.1, 49.2(b), 49.2(f), 49.5(d), 55.1(a), 55.3, 55.4, and 57.13; and adopted LCrR 1.1(g), 45.1, and 49.2(g).
2. Following the receipt of public comment, the Court has made additional revisions to proposed amended LR 79.3 and proposed amended LCrR 55.3. The revised versions of these proposed amended rules are attached to this order. The Court has otherwise determined to amend the local civil and criminal rules as set forth in the attachments to Special Orders Nos. 2-67 and 2-68.
3. Accordingly, the Court hereby adopts the amendments to the local civil rules and local criminal rules set out in the attachments to Special Orders Nos. 2-67 and 2-68, as further revised by this order. These amendments shall take effect on September 1, 2008 and apply to all proceedings in civil and criminal actions thereafter commenced and, insofar as just and practicable, all proceedings in civil and criminal actions then pending.

4. The Clerk of Court is directed to make the necessary distribution.

SO ORDERED.

July 3, 2008.



SIDNEY A. FITZWATER
CHIEF JUDGE

As adopted by the court and issued for public comment, the rules are shown in regular font. The revisions adopted by the Court following receipt of public comment are **redlined** and ~~stricken out~~.

LR 79.3 Sealed Documents.

- (a) A party may file under seal any document that a statute or rule requires or permits to be so filed. The term “document,” as used in this rule, means any pleading, motion, other paper, or physical item that the Federal Rules of Civil Procedure permit or require to be filed.
- (b) If no statute or rule requires or permits a document to be filed under seal, a party may file a document under seal only on motion and by permission of the presiding judge.
 - (1) When a party files on paper a motion for leave to file a document under seal, the clerk ~~will~~ **must** file **the motion** under seal ~~the motion for leave~~. **The party must attach as an exhibit to the motion a copy of the document to be filed under seal.** ~~A copy of the document sought to be filed under seal must be attached as an exhibit to the motion for leave.~~ The party must also submit with the motion ~~for leave~~ the original **and a judge’s copy** of the document ~~sought~~ to be filed under seal. The original of the document must neither be physically attached to the motion nor made an exhibit to the motion. If leave to file the document under seal is granted, the clerk ~~will~~ **must** file the original of the document under seal.
 - (2) When a party files by electronic means a motion for leave to file a document under seal, the party may file the motion ~~for leave~~ under seal and must attach the proposed sealed document as an exhibit. If leave is granted, the party ~~will~~ **must** file the document under seal by electronic means.

LCrR 55.3 Sealed Documents.

- (a) A party may file under seal any document that a statute or rule requires or permits to be so filed. The term “document,” as used in this rule, means any pleading, motion, other paper, or physical item that the Federal Rules of Criminal Procedure permit or require to be filed.
- (b) If no statute or rule requires or permits a document to be filed under seal, a party may file a document under seal only on motion and by permission of the presiding judge.
 - (1) When a party files on paper a motion for leave to file a document under seal, the clerk ~~will~~ **must** file **the motion** under seal ~~the motion for leave~~. **The party must attach as an exhibit to the motion a copy of the document to be filed under seal.** ~~A copy of the document sought to be filed under seal must be attached as an exhibit to the motion for leave.~~ The party must also submit with the motion ~~for leave~~ the original **and a judge’s copy** of the document ~~sought~~ to be filed under seal. The original of the document must neither be physically attached to the motion nor made an exhibit to the motion. If leave to file the document under seal is granted, the clerk ~~will~~ **must** file the original of the document under seal.
 - (2) When a party files by electronic means a motion for leave to file a document under seal, the party may file the motion ~~for leave~~ under seal and must attach the proposed sealed document as an exhibit. If leave is granted, the party ~~will~~ **must** file the document under seal by electronic means.