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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSLYNN HAMMERS, et al.,

Plaintiffs,

v.

COUNTY OF SACRAMENTO, et al.,

Defendants.

No. 2:15-cv-01800-KJM-AC

ORDER

This matter is before the undersigned pursuant to Local Rule 302(c)(1). Plaintiffs have filed a stipulated protective order that would cover documents related to a juvenile court proceeding. The stipulated protective order states, in relevant part, that “[i]f juvenile case file records (includes both Court records and records produced by the parties) are attached to a document filed or submitted to the court in the civil case, such records should be filed under seal in accordance with the Eastern District local rules.” ECF No. 5-1 at 4. To the extent this proposed order creates an entitlement to file confidential information under seal, it is improper.

The court’s Local Rule 141 sets forth the requirements for a party seeking to file documents under seal. Local Rule 141(a) states that “[d]ocuments may be sealed only by written order of the Court, upon the showing required by applicable law.” A Court order is required for each sealing request. “To ensure that documents are properly sealed, specific requests to seal must be made even if an existing protective order, statute, or rule requires or permits the sealing

1 of the document.” L.R. 141(a).

2 Local Rule 141(b) sets forth the procedure for seeking to file documents under seal and
3 states in pertinent part:

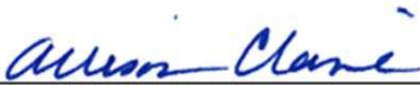
4 [T]he ‘Notice of Request to Seal Documents’ shall be filed
5 electronically . . . The Notice shall describe generally the
6 documents sought to be sealed, the basis for sealing, the manner in
7 which the ‘Request to Seal Documents,’ proposed order, and the
8 documents themselves were submitted to the Court, and whether
9 the Request, proposed order, and the documents were served on all
10 other parties.

11 Rule 141(b) further requires that “[t]he ‘Request to Seal Documents’ shall set forth the statutory
12 or other authority for sealing, the requested duration, the identity, by name or category, of persons
13 permitted access to the documents, and all other relevant information.”

14 In light of the foregoing instructions, which specifically require that motions to seal be
15 filed even in the face of an existing protective order, the court finds the stipulated protective order
16 to be procedurally improper and in violation of Local Rule 141. If the parties wish to file certain
17 documents under seal they must make a motion showing such an order is appropriate under the
18 applicable law. Accordingly, THE COURT HEREBY ORDERS that:

- 19 1. The parties shall refile a revised stipulation and proposed protective order that corrects
20 the deficiencies set forth in this order; and
- 21 2. If, upon further consideration, the parties determine that there is no need for a court
22 order due to a private agreement between them, they shall withdraw their stipulation and
23 proposed protective order.

24 DATED: January 4, 2016

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26 _____
27 ALLISON CLAIRE
28 UNITED STATES MAGISTRATE JUDGE