

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

John Doe, *minor child, by and through*)
his Guardian, Jane Doe,)
)
Plaintiff,)
)
v.)
)
South Carolina Department of Social)
Services, *et al.,*)
)
Defendants.)

C/A No.: 8:13-cv-01772-GRA

ORDER
(Written Opinion)

This matter comes before this Court on Plaintiff’s Consent Motion for Leave to File Unredacted Document Under Seal and to Maintain Confidentiality of Settlement Amount. ECF No. 174.


Plaintiff seeks “to maintain the confidentiality of the dollar figures redacted” from the Petition to Approve a Minor Settlement. *Id.* Plaintiff asks this Court to allow the redacted Petition to remain on the public record, and that an unredacted Petition be filed under seal. *Id.* Plaintiff argues that this would protect “an emotionally vulnerable minor who has been through the traumatic experiences that are the subject of this litigation,” from the possibility of “opportunistic relatives and members in the community.” *Id.* While the “public has a strong interest in access to court documents,” *Martin v. Am. Honda Motor Co.*, 940 F. Supp. 2d 277, 278 (D.S.C. 2013), the Local Rules preserve “the ability of the presiding judge to seal a settlement” if “a particularly vulnerable party needs to be shielded from the glare of an otherwise newsworthy settlement.” Joseph F. Anderson Jr., *Hidden from the Public*

by Order of the Court: The Case Against Government-Enforced Secrecy, 55 S.C. L. Rev. 711, 723 (2004).

In this case, Plaintiff is a foster child living with extended family in a very small community following a traumatic and particularly sensitive event. ECF No. 174. The Eighth Judicial Circuit Family Court has ordered that Plaintiff should not be returned to his biological parents due to “an unreasonable risk of harm.” ECF No. 175-1. Additionally, there is no risk that keeping the settlement amount confidential will cause future harm to the public because the Boys Home of the South “has ceased operations and will soon be filing a plan of dissolution.” ECF No. 174. These actions alleviate concerns that a “threat to public safety will be hidden behind a secrecy agreement.” *Id.* Furthermore, all Defendants involved in this settlement agreement have consented to this Motion, *id.*, as well as Defendant South Carolina Department of Social Services, ECF No. 176. Accordingly, based on the especially vulnerable Plaintiff involved in this action and the lack of serious harm to the public interest, this Court finds it appropriate to allow Plaintiff to file the Petition under seal and maintain the redacted version in the public record.

IT IS THEREFORE ORDERED that Plaintiff’s Consent Motion for Leave to File Unredacted Document Under Seal and to Maintain Confidentiality of Settlement Amount is GRANTED.

IT IS SO ORDERED.



G. Ross Anderson, Jr.
Senior United States District Judge

February 7, 2014
Anderson, South Carolina