FILING DOCUMENTS UNDER SEAL AS REQUIRED BY LOCAL RULE 5005-6

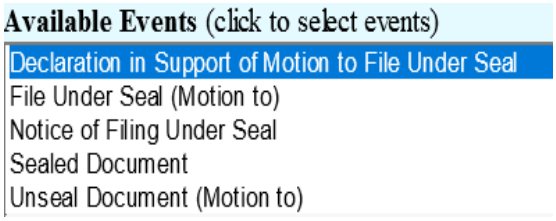
While the general rule is that documents filed in a bankruptcy case are public records open to examination, under Section 107 of the Bankruptcy Code and Bankruptcy Rule 9018, the court may order that certain documents be filed under seal. Documents filed under seal are not available for review by the public. Documents ordered to be filed under seal are to be electronically filed on the CM/ECF docket using the specific docket event designated for sealed documents. Any party excepted from filing electronically must file the sealed document with the court in a sealed envelope containing the pleading caption and referencing the motion or order authorizing sealing. Any sealed documents filed on paper will be scanned and electronically sealed on the docket, then destroyed by the Clerk's office.

The following process is to be used to file a document under seal:

1. As stated above, a document can be electronically filed under seal only pursuant to order of the bankruptcy judge. Therefore, before filing any documents under seal, a motion to file the document(s) under seal is to be filed. The motion should explain why the document(s) needs to be filed under seal without disclosing the information that is to be sealed since the motion itself will be electronically filed and available to the public. Such a motion can normally be granted without hearing, so a proposed order should be uploaded after filing the motion.

   There is a Sealed Events category located under both the Bankruptcy and Adversary

menus that have sealed-related docket events that are to be used:



2. After the motion is filed, the proposed sealed document will need to be electronically filed using the Sealed Document event. By using this specific event, the document will be restricted from public view. If the sealed document is inadvertently filed with the incorrect docket event, please contact the ECF Help Desk at AZBml_All_DQA@azb.uscourts.gov

3. If the motion to seal is denied, the sealed document will be deleted from the docket.

4. In rare cases, the nature of the matter/documents to be filed under seal are such that even filing a motion to file the documents under seal may itself defeat the purpose of filing under seal. In such circumstances, the motion, proposed order and sealed documents should all be filed on paper with a cover letter to the bankruptcy judge explaining why it is necessary to keep the motion itself sealed.