

UNITED STATES COURT OF APPEALS

District of Columbia Circuit

MARK J. LANGER
Clerk of Court



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NOTICE

Update to Court Operations – January 21, 2021

In light of recent disclosures of widespread breaches of both private sector and government computer systems, the Court has adopted new security procedures to protect highly sensitive documents (HSDs) that, if improperly disclosed, could cause harm to the United States, the Federal Judiciary, litigants, or others. Parties are now required to file HSDs in paper form (or, if digital media, on a secure electronic device such as an encrypted USB drive). These documents will be maintained in the Clerk's Office in a secure paper filing system or a secure independent electronic storage system.

The designation of a document as highly sensitive is typically made by the district court or originating agency. Documents that have previously been designated by the district court or an agency as highly sensitive will presumptively be treated in the same manner by this Court. Examples of HSDs include (1) applications for search warrants or for electronic surveillance; (2) information that could reasonably be expected to harm national security or cause exceptionally grave damage or injury to any person, entity, institution, or interest of the United States; and (3) closely-held trade secrets.

The following types of sealed documents typically will **not** qualify as HSDs: (1) presentence reports and related documents; (2) pleadings related to cooperation in criminal cases; (3) Social Security records; (4) administrative immigration records; and (5) most sealed documents in civil cases. These sealed documents will continue to be subject to existing procedures for restricted access and may be submitted to the Court by email at SealedFilings@cadc.uscourts.gov pursuant to the Standing Order dated April 1, 2020.

Any party that intends to file an HSD or has a question about whether a particular document meets the definition of HSD should contact the Clerk's Office at 202-216-7310 for additional guidance.

Mark J. Langer
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