



UNITED STATES DISTRICT COURT District of Minnesota

John R. Tunheim, Chief Judge
Kate M. Fogarty, Clerk

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Duluth, MN 55802
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118 South Mill Street
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PUBLIC NOTICE

Date: March 18, 2019
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LOCAL RULE AMENDMENTS EFFECTIVE APRIL 1, 2019

The United States District Court for the District of Minnesota has approved amendments to Local Rule 5.6 and the Joint Motion Regarding Continued Sealing Form. A summary of the amendments is provided below. To view the amendments in full, visit the Court's website at www.mnd.uscourts.gov, or contact the Office of the Clerk of Court.

On June 4, 2018, the Court issued for public comment proposed amendments to LR 5.6 and the Joint Motion Regarding Continued Sealing Form. After reviewing the public comments and the recommendations of the Federal Practice Committee, on November 13, 2018, the Court reissued for public comment additional proposed amendments to Local Rule 5.6, Filing Documents Under Seal in Civil Cases. After consideration of the public's comments and the recommendations of the Court's Federal Practice Committee, chaired by Steve Wells, the Court approved the amendments to take effect on April 1, 2019. Below is a summary of the amendments.

- Amendments throughout LR 5.6 clarify that the procedures of LR 5.6 also apply to objections filed under LR 72.2.
- Amendments to LR 5.6(d)(1) clarify that the document filed under temporary seal must be filed as a separate document (e.g., ECF No. 15) or as a separate attachment (e.g., ECF No. 15-3).
- The amendments add a new subsection, LR 5.6(d)(1)(C), to address what happens to a document that is under temporary seal upon the disposition of the case. This situation will arise when a document is filed under temporary seal and the case is disposed of – such as by remand, transfer, dismissal, or entry of judgment – before the process described in LR 5.6(d)(2) has run its course.

- The amendments to LR 5.6(d)(2) clarify that when only part of a document contains confidential information, the parties must identify precisely what information must remain sealed and what information may be disclosed. The proposed Advisory Committee Note explains that parties may meet the requirements of LR 5.6(d)(2) by specifying where the information is in the document or by submitting proposed redactions. The Joint Motion Regarding Continued Sealing Form has been revised to conform with the amendments to LR 5.6(d)(2).
- All other amendments are intended to be stylistic only.