CLERK'S OFFICE U.S. DISTRICT, COURT AT ROANOKE, VA FILED

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

AUG 1 1 2025

LAURA A. AUSTIN, CLERK

IN RE:

PROCEDURES FOR THE

FILING OF STANDING ORDER

SEALED DOCUMENTS) No. 2025-9

In response to recent cyberattacks directed at public and private sector computer systems, including attacks directed at the judiciary, information technology specialists have advised this Court of the need to take additional steps to better secure our case management system. Public users enjoy direct access to this Court's electronic filing system through PACER and CM/ECF, and while this access creates cybersecurity vulnerabilities, there is a vital need to preserve the integrity of this critical public resource.

The Court FINDS that the best way to secure our case management system and ensure continued constitutional and common-law access to all <u>public</u> Court records is to require that all sealed documents be filed only in paper format. This measure preserves the integrity of the PACER and CM/ECF systems by shielding documents properly designated as <u>non-public</u> from unauthorized electronic access by nefarious actors.

Importantly, this Standing Order does not change the criteria that permit a document to be filed under seal; instead, it changes the process for filing a sealed document. As contemplated by Federal Rule of Civil Procedure 5(d)(3)(A) and Federal Rule of Criminal Procedure 49(b)(3)(A), the Court finds that good cause exists to adopt this updated filing procedure.

Accordingly, it is hereby **ORDERED** that, effective as of the date of this Standing Order, and until such time as the Court orders otherwise, all sealed documents shall be subject to the "hard copy" handling requirements applicable to documents treated as Highly Sensitive Documents

("HSD"). These handling requirements are set forth in Paragraph 4(b)-(d) of Standing Order No.

2024-5 providing the procedure for the filing, service, and management of HSD. The Clerk's Office

of this Court will be available to assist counsel and pro se parties and answer questions regarding the

updated procedures for submitting sealed material.

Rules governing sealing materials can be found in Local General Rule 9. To the extent that

Local Rule conflicts with this Standing Order, this Standing Order governs. Although sealed materials

that do not qualify as HSD will be handled following the HSD hard copy filing procedures, these

materials should be referred to in relevant submissions as "Sealed" documents rather than as "Highly

Sensitive Documents." Any materials that are permissibly filed under seal without the need for an

accompanying motion to seal, such as a Fed. R. Crim. Pr. 35 motion for reduced sentence, may

continue to be filed under seal without a motion.

Any questions about how a sealed document should be filed with the Court pursuant to this

Standing Order should be directed to the Clerk's Office in Roanoke, at 540-857-5100.

It is **SO ORDERED**.

Entered: August 11, 2025.

Elizabeth K. Dillon

Chief United States District Judge

/s/Elizabeth K. Dillon