

January 18 2022

Clerk, U.S. District Court
District of Montana
Missoula DivisionIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

IN RE:

UNSEALING OF COURT RECORDS

STANDING ORDER No. BMM-17

This Order modifies and supersedes Standing Order No. DLC-52 for the United States District Court for the District of Montana, entered January 23, 2020.

IT IS HEREBY ORDERED that sealed case files shall be presumptively considered suitable for unsealing after the case file has been closed for a period of three years or more. Such case files shall be unsealed unless the parties are able to show cause why the case file should be sealed permanently, or for some lesser fixed period. The following cases/matters shall be excluded from this Order:

1. Criminal cases involving a juvenile defendant
2. Cases containing tax return information, including the identity of taxpayers;
3. All grand jury proceedings;
4. All miscellaneous criminal matters including requests for pen registers, trap and trace devices, tracking devices, wire taps, the disclosure of IRS tax returns, and/or the appointment of an attorney pre-indictment;
5. All attorney discipline or CJA billing matters.

To effectuate this order, the clerk of this court shall, on an annual basis, compile a report of all sealed cases that have been closed for a period of three years or longer, excluding those cases set forth above. As to each such case, the clerk shall notify the parties that the case will be unsealed unless one or more of

the parties is able to show cause why the case file should be sealed permanently, or for some lesser fixed period. The parties shall have no fewer than 21 days from the date of the clerk's notice in which to respond and show cause.

Attempts to show cause why a case file should remain sealed shall be considered and resolved via written order by the presiding judge or, in the event the presiding judge is no longer serving on the court, by the chief judge or his or her designee. In the absence of a timely response to the clerk's notice, the clerk shall unseal the case in question pursuant to this order.

At the conclusion of the annual review process, the clerk shall make a report to the court of all cases unsealed pursuant to this order.

The clerk of court is directed to post this order on the court's public website, and to notify the judicial officers of this district and the Local Rules Committee of the entry of this order.

DATED this 18th day of January, 2022.



Brian Morris, Chief Judge
United States District Court