

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA**

IN RE: PROCEDURES FOR THE FILING,  
SERVICE, AND MANAGEMENT OF  
HIGHLY SENSITIVE DOCUMENTS

General Order No. 2025-07

**GENERAL ORDER**

**WHEREAS**, federal courts are updating their security procedures to uniformly protect highly sensitive documents (HSDs), a narrow subset of sealed documents that must, for their protection, be stored outside the court's electronic systems;

**THE COURT FINDS** that, pursuant to Federal Rule of Civil Procedure 5(d)(3)(A) and Federal Rule of Criminal Procedure 49(b)(3)(A), good cause exists to adopt the revised HSD Guidance, which includes a standard definition of HSDs, and factors to be considered by judicial officers in determining if a document is an HSD.

**THEREFORE, IT IS HEREBY ORDERED** that, effective as of the date of this order and until such time as the court orders otherwise, the filing of certain highly sensitive documents shall be subject to the procedures and requirements set forth below. This General Order supersedes any and all inconsistent provisions in existing local rules or other general orders of this court.

**1. Documents and Materials Subject to the Order**

- a. **Definition:** A Highly Sensitive Documents (HSD) is a document or other material that contains sensitive, but unclassified, information that warrants exceptional handling and storage procedures to prevent significant consequences that could result if such information were obtained or disclosed in an unauthorized manner. Although frequently related to law enforcement materials, especially sensitive information in a civil case could also qualify for HSD treatment.
  - i. **Examples of HSDs:** Examples include ex parte sealed filings relating to: national security investigations, cyber investigations, and especially sensitive public corruption investigations; and documents containing a highly exploitable trade secret, financial information, or computer source code belonging to a private entity, the disclosure of which could have significant national or international repercussions.
  - ii. **Exclusions:** Most materials currently filed under seal do not meet the

definition of an HSD and do not merit the heightened protections afforded to HSDs. The form or nature of the document, by itself, does not determine whether HSD treatment is warranted. Instead, the focus is on the severity of the consequences for the parties or the public should the document be accessed without authorization. Most presentence reports, pretrial release reports, pleadings related to cooperation in criminal cases, social security records, administrative immigration records, applications for search warrants, interception of wire, oral or electronic communication under 18 U.S.C. § 2518, and public applications for pen registers, trap and trace devices would not meet the HSD definition.

- b. HSDs vary in their physical form and characteristics. They may be paper, electronic, audiovisual, microform, or other media. The term “document” includes all recorded information, regardless of its physical form or characteristics.
- c. The court may, on its motion or on motion of a party, direct that a document, other than those listed in 1.i. above, be designated as an HSD. A party requesting that a document be designated as an HSD shall electronically file a “Notice of Manual Filing” and then manually submit to the clerk’s office an envelope containing two paper copies of: the motion requesting the document(s) be sealed and designated as an HSD; the document(s) for which HSD status is being requested; a memorandum stating the rationale for requesting HSD status; and proposed Order with the court.

## **2. Filing of Documents Deemed to be HSDs in Paragraph 1.a.**

- a. A party filing an HSD shall electronically file a “Notice of Manual Filing” and then manually submit to the clerk’s office an envelope which contains two paper copies of the HSD and the certificate of service.
- b. The required documents, unfolded, shall be submitted to the clerk’s office in a sealed envelope marked “HIGHLY SENSITIVE DOCUMENT.” The outside of the envelope shall be affixed with a copy of the Notice of Electronic Filing (NEF) of Notice of Manual Filing.
- c. The clerk’s office will maintain the HSD in a secure paper filing system.

### 3. Service of Highly Sensitive Court Orders

If the court determines that a court order contains highly sensitive information, the clerk's office will file and maintain the order in a secure paper filing system and will serve paper copies of the order on the parties via U.S. mail.

### 4. Removal of Existing HSDs or Highly Sensitive Cases from the Court's Electronic Filing System

Upon motion of a party or upon its own motion, the court may determine that a document, case, or any portion of it, that has been filed electronically is highly sensitive and direct that the HSD or case be removed from the court's electronic filing system and maintained by the clerk's office in a secure paper filing system.

**IT IS SO ORDERED**, this 13<sup>th</sup> day of May 2024.

/s/ Holly A. Brady  
Holly A. Brady, Chief Judge

/s/ James T. Moody  
James T. Moody, Judge

/s/ Philip P. Simon  
Philip P. Simon, Judge

/s/ Theresa L. Springmann  
Theresa L. Springmann, Judge

/s/ Joseph S. Van Bokkelen  
Joseph S. Van Bokkelen, Judge

/s/ Jon E. DeGuilio  
Jon E. DeGuilio, Judge

/s/ Damon R. Leichty  
Damon R. Leichty, Judge

/s/ Cristal C. Brisco  
Cristal C. Brisco, Judge

/s/ Gretchen S. Lund  
Gretchen S. Lund, Judge