

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Office of the Clerk

Notice of the Court's Adoption of the Following Standing Order

Effective Date: February 1, 2016

(1) Change in Process for Submitting Sealed Materials in Excerpts of Record

Effective February 1, 2016, excerpts of record containing sealed materials shall be submitted in a separate volume restricted to only those sealed documents.

Rather than moving to file the entire excerpts of record under seal, a party shall submit any document(s) it wishes to seal as a separate, final volume clearly titled "UNDER SEAL." This separate volume shall be accompanied by either (1) a notice of filing under seal under Circuit Rule 27-13(b) that references the reason for the seal, e.g. a rule, statute or district court order or (2) a motion under Circuit Rule 27-13(c). Only the separate volume of sealed materials shall be submitted in paper pursuant to Circuit Rules 25-5(b)(1) and 27-13(a). All other volumes of the excerpts must be submitted electronically.

This separate volume is exempt from the reverse chronological order requirement and may include documents that would otherwise be included in the first volume of multi-volume excerpts. The pagination and volume number, however, must follow consecutively from the preceding non-sealed volume(s). Sealed excerpts that exceed 300 pages shall be filed in multiple volumes.

For Frequently Asked Questions, go to <http://www.ca9.uscourts.gov/cmecf/faqs/er/>

(2) Hearings are Presumed Open to the Public Absent an Order from this Court

Effective February 1, 2016, this Court clarifies its presumption that all hearings will be open to the public absent an express order from this Court to the contrary.

The Court will not close oral argument to the public in any type of case, even when the case itself or the briefs or excerpts of record have been filed under seal. A party seeking a closed hearing shall move for such extraordinary relief at least 14 days before the scheduled argument date and explain with specificity why such relief is required and whether any less extreme alternative is available.