

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In re

HIGHLY SENSITIVE DOCUMENTS

Administrative Order

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Whereas, in response to recent disclosures of wide-spread breaches of both private sector and government computer systems, federal courts are adding new security procedures to protect highly sensitive documents filed with the courts; and

Whereas, the Court finds good cause to require that parties file certain highly sensitive documents outside of the Court's electronic filing system;

Now, 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 following procedures and requirements:

1. Subject to the limitations of 11 U.S.C. § 107 or unless the Court orders otherwise, papers filed in cases before this Court are public records and open to examination;

2. For good cause, the court may designate particular papers as a Highly Sensitive Document ("HSD"). Papers may be designated as an HSD in one of three ways. First, a prospective filer of papers may move that documents not yet filed be treated as an HSD. Second, any interested party may move that particular papers already filed be placed under seal as an HSD. Third, the Court on its own motion may direct that a particular paper be treated as an HSD.

3. To the extent that it is not already filed, an HSD shall be filed with the Clerk of Court in paper form. With special permission of the presiding judge, the document may also be filed as a disk or other electric format that does not interface with any computer network.

4. To the extent that it has already been filed with the Clerk of Court, the Court may direct that the HSD be removed from the Court's electronic filing system and maintained by the clerk's office in a secure paper filing system.

5. The Clerk of Court shall maintain each HSD as a sealed document, until such time as the Court enters an Order of removal or destruction. Upon the designation of an HSD, the Clerk shall make an informational entry on the case docket indicating that an HSD has been filed with the Court.

6. In each case, the presiding judge may impose such conditions or limitations on access as that judge may deem to be prudent and appropriate.

Dated: January 28, 2021



HONORABLE CARL L. BUCKI  
Chief Judge, United States Bankruptcy Court

