

**FILED**

**JUN 10 2015**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

IN RE: )  
PUBLIC ACCESS TO ) ADMINISTRATIVE ORDER NO. 172  
SEARCH WARRANT PROCEEDINGS )

**ADMINISTRATIVE ORDER**

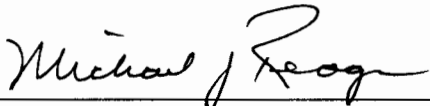
“Documents that affect the disposition of federal litigation are presumptively open to public view.” *In re Specht*, 622 F.3d 697, 701 (7th Cir. 2010); see *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 ... (1978); *Baxter International, Inc. v. Abbott Laboratories*, 297 F.3d 544, 545 (7th Cir. 2002).... The reason for this right of public access to the judicial record is to enable interested members of the public, including lawyers, journalists, and government officials, to know who's using the courts, to understand judicial decisions, and to monitor the judiciary's performance of its duties.” *Goesel v. Boley Int'l (H.K.) Ltd.*, 738 F.3d 831, 833 (7th Cir. 2013).

In Administrative Order 151, entered on August 12, 2013, this Court sought to balance the right of public access to judicial records against the need to keep certain documents confidential. Administrative Order 151 provided for the automatic unsealing of all search warrants by the Clerk's Office, unless the United States Attorney's Office showed cause - within 14 days of notice - why the particular case or portion thereof should remain under seal. A judicial officer made the determination whether the U.S. Attorney had established good cause for the case or materials to remain under seal, and if such cause had been shown, the documents remained sealed for a period not to exceed six months, after which a fresh motion, showing, and determination was required. Administrative Order 151 has proven unduly burdensome. It required, *inter alia*, every case involving a search warrant application to be subjected to intense review for redaction of a variety of sensitive materials, repeated tracking by the Clerk's Office, repeated motions by the United States Attorney's Office, and repeated judicial determinations - even if no one had requested disclosure.

The Court can safeguard the public's right to access court records by slightly modifying the existing protocol applicable to search warrant applications. Following entry of this Administrative Order, the following procedure will govern search warrant proceedings.

All search warrant cases will be considered unsealed when six months has passed since the date of sealing. The Clerk's Office will take no action, and the cases will not automatically be made accessible (via PACER or otherwise), unless a request is made to the Clerk of Court for access to the documents. If a request is made, the Clerk's Office will issue a notice directing the United States Attorney to show cause - within 14 days - why the case or a certain portion thereof should remain inaccessible. A judicial officer of this Court then will determine whether the United States Attorney has demonstrated good cause for the materials in question to remain inaccessible for an additional period of time, no longer than six months. Unless the United States Attorney, before the expiration of the period set by the Court, files a fresh motion which a judicial officer determines to show good cause justifying continued confidentiality of the materials in question, the Clerk's Office - at the end of the designated period, *without further notice or court order* - will render the materials accessible.

DATED June 10, 2015.

  
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Michael J. Reagan  
Chief United States District Judge