

HIGHLY SENSITIVE DOCUMENTS (HSDs) – ADMINISTRATIVE PROCEDURES

INTRODUCTION

The filing, service, and management of highly sensitive documents in the United States District Court for the Northern District of Oklahoma are subject to not only the procedures and requirements set forth in [General Order 21-07](#), but also the additional procedures and requirements as specified herein.

Any application for electronic surveillance under 18 U.S.C. § 2518, application for a search warrant, or other investigative application, and the associated documents, that the U.S. Attorney's Office 1) believes to contain highly sensitive information as described in paragraph 1 of this Court's [General Order 21-07](#), and 2) requests HSD treatment, must be presented to the Court in accordance with the additional HSD procedures for criminal investigative applications published to the U.S. Attorney's Office, in lieu of those published below.

PROCEDURES AND REQUIREMENTS

1. Submission to the Court.

- a. **Required Documents.** To have a document filed as an HSD, a party must submit to the Clerk's Office, in paper form, an original and two copies of each of the following required documents:
 - i. a motion to treat a document as an HSD (in accordance with paragraph 2 of [General Order 21-07](#)),
 - ii. a proposed order for the assigned judge's signature,
 - iii. the proposed HSD, and
 - iv. a certificate of service.
- b. **Label.** The upper right portion of the case caption of each required document must be labeled "HIGHLY SENSITIVE DOCUMENT".
- c. **Packaging.** The required documents must be submitted unfolded in a securely sealed opaque envelope marked "HIGHLY SENSITIVE DOCUMENT". The outside of the marked envelope must be affixed with a copy of the proposed HSD's caption page (with confidential information redacted). The marked envelope must then be placed inside a sealed opaque outer mailing or delivery envelope that does not provide any indication of the envelope's contents.
- d. **Delivery.** The required documents may be submitted only: (i) in person; (ii) by United States Mail; or (iii) by a commercial delivery service (such as Federal Express or UPS).

2. Service of Required Documents.

Unless submitted *ex parte*, the filing party must serve the required documents on the other parties pursuant to Federal Rule of Civil Procedure 5(b)(2), except for service via the Court's electronic filing system, or, in criminal cases, by any manner specified in Federal Rule of Criminal Procedure 49(a)(3)(B) or (a)(4).

- #### 3. Upon receipt, the Clerk's Office will receive-stamp and deliver to chambers the marked envelope, still securely sealed. The Court will issue an order on the motion and,
- a. if granted, the Clerk's Office will: file-stamp the motion, the order granting the motion, and the HSD; maintain these filed documents in a secure paper filing system; and make separate informational entries on the case docket indicating the filing of the motion, the order granting the motion, and the HSD.

- b. if denied, the Clerk’s Office will: file-stamp the motion and the order denying the motion; maintain these filed documents, along with the proposed document for which HSD treatment was denied, in a secure paper filing system; and make separate informational entries on the case docket indicating the filing of the motion and the order denying the motion. The party may then file the document, for which HSD treatment was denied, using existing (non-HSD) procedures.

REVISION HISTORY

<u>Date:</u>	<u>Description:</u>
02/24/2021	Initial Procedures Adopted.