UNITED STATES DISTRICT COURT
Southern District of Indiana

Kristine L. Seufert, Clerk
Alison M. Chestovich, Chief Deputy Clerk

Birch Bayh Federal Building
& U.S. Courthouse
46 East Ohio Street, Room 105
Indianapolis, IN 46204
(317) 229-3700

104 U.S. Courthouse
921 Ohio Street
Terre Haute, IN 47807
(812) 231-1840

304 U. S. Courthouse
101 NW Martin Luther King Blvd.
Evansville, IN 47708
(812) 434-6410

Lee H. Hamilton Federal Building
& U.S. Courthouse
121 West Spring Street
New Albany, IN 47150
(812) 542-4510

September 16, 2026

N O T I C E

TO: THE PUBLIC AND MEMBERS OF THE PRACTICING BAR FOR THE SOUTHERN DISTRICT OF INDIANA

Pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, and Rule 57 of the Federal Rules of Criminal Procedure, the United States District Court for the Southern District of Indiana hereby gives public notice of the following:

The Local Rules Advisory Committee for the Southern District of Indiana has recommended, and the District Court has authorized release for a period of **public comment through October 15, 2026**, the revision of certain Local Rules of the United States District Court for the Southern District of Indiana. Below are the proposed redline revisions:

A. **Local Rule 83-6 – *Pro Hac Vice* Admission** – shall be **amended** as follows:

(a) Authority to Represent Parties in a Case. An attorney who is not a member of the bar of the court may represent parties in a case if the nonmember has paid any required *pro hac vice* admission fee to the clerk of court and been granted leave by the court to appear *pro hac vice* in the case.

(b) Application for *Pro Hac Vice* Admission. An attorney seeking *pro hac vice* admission must proceed in one of the following ways:

(1) By the Attorney Seeking Admission. The attorney seeking admission may, on their own behalf, complete the process and procedure for *pro hac vice a*dmission in PACER, which includes requesting access to the court's Electronic Case Filing System (ECF). Upon approval of ECF access, the clerk's office will email the attorney with instructions to file a motion to appear in the relevant case containing the certification described in subsection (d) below; or

(2) By an Attorney of Record in the Case on Behalf of the Attorney Seeking Admission. An attorney of record in the relevant case may file a motion in the case requesting that the court admit the new attorney *pro hac vice.* The motion must be filed electronically and be accompanied by a certification as described in subsection (d) below. The attorney to be admitted *pro hac vice* must, if they have not previously done so, separately request access to the court's ECF system through PACER.

(c) Admission Fee. The attorney filing a motion under subsections (b)(1) or (2) will be instructed to pay the *pro hac vice* admission fee during the electronic filing process.

(d) Form of Motion or Certification for *Pro Hac Vice* Admission. A motion or certification filed pursuant to subsection (b) above must include the following:

(1) Admission Status. The motion must ~~include a statement indicating that the~~ list one United States Court or the highest state court of any state in which the attorney requesting admission is admitted to practice, currently in active status, and in good standing. ~~as an attorney in another United States court or the highest court of any state.~~ The motion must include the full name of the attorney as it appears in the roll of attorneys for that court.

(2) Disciplinary History. The motion must include a statement indicating whether the attorney requesting admission is currently or has ever been disbarred or suspended from practice before any court, department, bureau or commission of any state or the United States, or has ever received a reprimand or been subject to other disciplinary action from any such court, department, bureau, or commission pertaining to conduct or fitness as a member of the bar. The motion must include the full name of the attorney as it appears in the roll of attorneys for each court, department, bureau, or commission in which they have been subject to disciplinary action.

(3) Certification as to Standards of Conduct. The attorney requesting admission must certify that they have reviewed the *Seventh Circuit Standards of Professional Conduct* and the Local Rules of the court, including the Rules of Disciplinary Enforcement, and will abide by these rules.

(e) Local Counsel. The court may require an attorney residing outside the district to retain, as local counsel, a member of the court's bar who resides in the district.

Note: Amended November 8, 2021, and July 1, 2022, to reflect procedural changes associated with the court's adoption of the NextGen CM/ECF system.

B. Local Criminal Rule 49.1-2 – Filing Under Seal - shall be **amended** as follows

(a) Maintaining Cases Under Seal. There is a presumption upon the initial appearance of a defendant on a sealed charging instrument that the entire case, including a multi-defendant case in which the defendant is the first to appear, should be unsealed. To maintain a case under seal, no later than at the time of the initial appearance, a party must file a motion and brief in support establishing good cause why the court should maintain the case under seal following the procedures set forth in subsections (g) and (h). The clerk will maintain a seal on the case until the court rules on the motion. If the court denies the motion, the clerk will unseal the case 21 days after service of the Order, absent Fed. R. Crim. P. 59(a) objection, motion to reconsider, notice by a party of an intent to file an interlocutory appeal, or further court order.

(b) Filing Documents Under Seal - General Rule. Unless authorized in subsection (f), other rule, statute or court order, the clerk may not maintain under seal any document. Once a document is sealed, the clerk may not, without a court order, allow anyone to see it other than:

(1) the court and its staff;

(2) the clerk's staff; and

(3) the attorney(s) who has/have appeared or been appointed on appeal in the individual defendant's case to which the document pertains.

(c) Electronic Filing Required. To file a document under seal, a party must file it electronically as required under section 18 of the *ECF Policies and Procedures Manual* unless exempt from electronic filing under S.D. Ind. L.R. 5-2(b) or 5-3(c).

(d) Title. The title of the document must clearly indicate that it is filed under seal. If the title cannot be publicly disclosed, an appropriate way to identify the document on the public docket must be identified directly below the title.

(e) Prior Authorization to Seal. If a statute, rule, or court order authorizes the document to be sealed, the first paragraph of the document must identify with specificity the statute, rule, or court order. A protective order does not authorize a party to file a document under seal.

(f) No Separate Motion Necessary. No motion to seal is necessary for documents authorized under subsection (e). In addition, the following documents may also be filed under seal without motion or further order of the court, provided counsel has a good faith belief that sealing is required to ensure the safety of a person or entity, or to otherwise protect a substantial public interest:

(1) charging instruments (e.g., complaint, information, indictment) and accompanying documents prior to the initial appearance of the defendant as set forth above in subsection (a);

(2) warrant-type applications (e.g., arrest warrants, search warrants, pen registers, trap and trace devices, tracking orders, cell site orders, and wiretaps under 18 U.S.C. §§ 2516 and 2703);

(3) motions for tax return information pursuant to 26 U.S.C. § 6103;

(4) documents filed in grand jury proceedings;

(5) documents filed in juvenile proceedings;

(6) documents that reference or relate to a defendant's cooperation;

(7) motions for competency evaluation and related documents, filed under the provisions of Fed. R. Crim. P. 12.2 and 18 U.S.C. § 4241; ~~and~~

(8) victim impact statements and related documents, including documents containing the names, addresses, and/or payment information of restitution payees~~.~~;

(9) medical records issued by a medical provider; and

(10) written statements authored by non-parties that are submitted in relation to the sentencing of a defendant.

With the exception of charging documents addressed in subsection (f)(1), such documents will remain under seal subject to further order of the court. Filings that reference, cite, or quote documents sealed under this subsection are not presumptively sealed and may only be sealed by order of the court.

(g) Separate Motion Necessary – Filing Documents Under Seal – Procedure.

(1) Except as provided under subsection (f), a party filing a document under seal must contemporaneously:

(A) file a Motion to Maintain Document(s) Under Seal, and

(i) if the filing party designated the subject information confidential, *e.g.*, a trade secret, proprietary information, or a business practice or procedure, ~~a Brief in Support that complies with~~ include the information require~~ments~~d ~~of~~ in subsection (h) either in the motion or a Brief in Support, not to exceed 10 pages in length; and/or

(ii) if the filing party did not designate the subject information confidential, an identification of the designating party(ies); and

(B) unless the motion is to be considered *ex parte,* in which case no service is required, serve an unredacted and complete version of the sealed document upon all counsel and *pro se* parties by any manner specified by Fed. R. Crim. P. 49, except that service via the court's electronic filing system under Fed. R. Crim. P. 49(a)(3)(A) is not permitted.

(2) The designating party(ies) identified according to subsection (g)(1)(A)(ii) must, within 14 days of service of the Motion to Maintain Document(s) under Seal, file a Statement Authorizing Unsealing of Document (or specific portions thereof), or a Brief in Support that complies with the requirements of subsection (h). If the designating party fails to file such Statement or Brief, then the filing party must notify the court of that failure. The court may summarily rule on the (g)(1)(A) motion to seal if the designating party does not file the required Statement or Brief.

(h) Brief in Support. A Brief in Support must not exceed 10 pages in length and must include:

(1) identification of the case and/or each specific document or portion(s) thereof that the party contends should remain under seal;

(2) the reasons demonstrating good cause to maintain the case and/or document, or portion(s) thereof, under seal including:

(A) why less restrictive alternatives to sealing, such as redaction, will not afford adequate protection; and

(B) how the case and/or document satisfies applicable authority for it to be maintained under seal; and

(C) the time period for which the case and/or document should remain sealed; and

(3) a statement as to whether maintenance of the case and/or document under seal is opposed by any party or why such party's position is unknown;

and

(4) a proposed order as an attachment.

(i) Opposition to Maintenance Under Seal. The filing of an Opposition to a Motion to Maintain Case or Document(s) Under Seal is governed by S.D. Ind. L.R. 7-1, but the time for response is triggered by the filing of the Brief in Support. Any Brief in Opposition must not exceed 10 pages in length.

(j) Denial of Motion to Maintain Under Seal. If the court denies the motion, the clerk will unseal the document(s) 21 days after service of the Order, absent Fed. R. Crim. P. 59(a) objection, motion to reconsider, notice by a party of an intent to file an interlocutory appeal, or further court order.

(k) Service of Sealed Court Generated Documents. The clerk's office will serve sealed orders, notices, and other court-generated documents by U.S. Mail or secure electronic means to attorneys of record; and via U.S. Mail to pro se litigants.

Note: Amended July 1, 2023, to remove the requirement for a sealed coversheet and for conformity with Local Rule 5-11. The 2025 revision was necessitated by the fact that sealed documents filed in CM/ECF are no longer accessible or viewable by anyone other than approved court employees, such that service cannot be accomplished through CM/ECF.

Comments concerning the proposed rule amendments are welcome. Comments must be submitted in writing or via email on or before **October 15, 2026,** and should be sent to:

Kristine L. Seufert, Clerk of Court
United States District Court
Birch Bayh Federal Building and U.S. Courthouse
46 East Ohio Street, Room 105
Indianapolis, IN 46204
or via email: LocalRules@insd.uscourts.gov