

Instructions for Restricting Access to Filings and on In Camera Inspection

This document sets forth guidance to filers on three different technical processes. The process varies based on which court rule applies to the filer's situation:

- (1). Iowa Rule of Electronic Procedure 16.405(2) — If the filer is seeking to restrict access to materials that are not automatically restricted from access and are not yet the subject of a Protective Order or other Order restricting access; or
- (2). Iowa Rule of Electronic Procedure 16.405(3) — if the Court has issued a Protective Order or an Order directing or permitting all subsequently filed documents or exhibits to be filed under restricted access; or
- (3). Iowa Rule of Electronic Procedure 16.406 — if the Court orders In Camera Inspection.

PART I

Iowa R. Elec. P. 16.405(2) Applications to Restrict Access.

- a.* A filer seeking to restrict access to materials that are not deemed confidential by statute or rule must file an application to restrict access.
- b.* If a filer seeks to restrict access to a document or exhibit, the document or exhibit must not be attached to the application or the document or exhibit will become part of the public court file.
- c.* Documents or exhibits proposed for restricted access must be electronically presented to the court for review when reasonably practicable.
- d.* Either in the application to restrict access or in a proposed order presented with the application, the filer must clearly state who should have access to the materials.
- e.* If the court grants the application, restricted access will be placed on the materials at the security level specified in the order. If a document or exhibit is electronically presented with the application, the document or exhibit will be filed with the access specified in the order.
- f.* Rules governing electronic filing of restricted access documents in appeals to the Iowa Supreme Court are included in the Iowa Rules of Appellate Procedure.

Electronic Filing Instructions for Application to Restrict Access

Iowa Rule of Electronic Procedure 16.405(2)(a) requires a filer to file an Application to Restrict Access if the filer is seeking to restrict access to materials not deemed confidential by statute or rule. In other

words, the materials are not automatically system-restricted under Iowa Rule of Electronic Procedure 16.405(5) and are not yet the subject of a Protective Order or other Order restricting access.

1. Applications to Restrict Access to Records

The filer files an Application to Restrict Access to Records and a Proposed Order to Restrict Access to Records and files the confidential document as a Proposed Document for Restricted Access.

- In either the Application to Restrict Access or a Proposed Order to Restrict Access, clearly state who should have access to the material. Iowa R. Elec. P. 16.405(2)(d). For example: “Only attorneys and case parties should have access to this document.”
- In order to ensure a confidential document does not become public, do NOT attach the Proposed Document for Restricted Access to the Application to Restrict Access. Iowa R. Elec. P. 16.405(2)(b).
- Upload the Proposed Document for Restricted Access:
 - (1) as a separate document in the same submission as the Application; and
 - (2) as a PDF (not a Word document).
- When the filer uploads the Proposed Document for Restricted Access, the filer will receive a message stating “Notification will not be sent for this document.”
- The filer is responsible for service to any case parties who should have access to the Proposed Document for Restricted Access. Iowa R. Elec. P. 16.405(4).

2. Case parties will receive Notification of the Application to Restrict Access to Records and of any Proposed Order to Restrict Access to Records. The eFlex Notification screen will not display the Proposed Document for Restricted Access.

Notifications

Notifications for Martin Ray Anderson

Delete Mark As Read Mark As Unread

Document(s) filed by...

APPLICATION TO RESTRICT ACCESS TO RECORDS was filed by or in behalf of Martin Ray Anderson

Documents:
APPLICATION TO RESTRICT ACCESS TO RECORDS
PROPOSED ORDER TO RESTRICT ACCESS TO RECORDS

3. The submission will route to the clerk for approval. Upon clerk approval, the Application will docket to the case and the Proposed Document for Restricted Access will route to the judge for review.

4. The judge reviews the Application to Restrict Access, any Proposed Order to Restrict Access, and the Proposed Document for Restricted Access.

- The judge processes the Proposed Document for Restricted Access, which docketed as Document Proposed for Restricted Access. The document is sent to the clerk with a file stamp and default security level 5 (Court access only).
- The judge files an Order setting the security level for the Document Proposed for Restricted Access. The Court may approve the Application and restrict access to the material to a specific level, or the Court may deny the Application and either order that the material be filed with public access or order that the material not be filed.

5. The clerk approves the Order. Notifications are sent to case parties.

6. The clerk approves the Document Proposed for Restricted Access and sets security according to the Order filed. After approval, the Document Proposed for Restricted Access displays on eFlex My Cases for all case parties, but only case parties with the requisite security level can open the document.

7. Case parties will NOT receive Notification of the Document Proposed for Restricted Access no matter what level of security is set for the document, which means that if the security level is set for attorney access, the attorneys will not receive a NEF but will be able to access the document on eFlex.

PART II

Iowa R. Elec. P. 16.405(3) Documents or exhibits filed subsequent to order to restrict access.

If the court enters a protective order or an order directing or permitting the filing of documents or exhibits with restricted access, the parties must, without further order from the court, designate any document or exhibit filed under this rule as “Filed under order to restrict access” on the electronic cover sheet. All parties to the case must comply with any order restricting access. Any document or exhibit disclosing information that is subject to an order restricting access must also be filed with restricted access.

Electronic Filing Instructions for Documents or exhibits filed subsequent to order to restrict access

1. If the Court files a Protective Order or an Order directing or permitting documents to be filed under restricted access, case parties must, without further order, file subsequent documents as specified by

the order restricting access. Iowa R. Elec. P. 16.405(3). Case parties are able to file documents as specified by checking the box for “Filed under order to restrict access”.

- The filer receives a message stating “Notification will not be sent for this document.”
- The filer is responsible for service to any case parties who should have access to this document. Iowa R. Elec. P. 16.405(4).
- The filer must enter the date of the Order to Restrict Access. Doing so allows the clerk to determine the applicable order which states the proper security level.
- The filer can proceed to upload the document.

Case Number : SRCR254066 Case Title : STATE VS. CHRIS SMITH

Document Category: -- select a Document Category --

Document Type *: OTHER AFFIDAVIT

Additional Text:

Filed under order to restrict access Date of order to restrict access:

Acceptable File Format Type(s) (*.pdf):

Document Location:

Add to Submission:

Message from webpage

Note: Use only if court has issued an order to seal. Enter the date of the order to continue.

Notification will not be sent on this document. You are responsible for service to the required parties.

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2. The document filed under order to restrict access is sent to the clerk with document security defaulted to 5 (Court access only). The clerk refers to the Order for the appropriate security level to be set on the document and approves the document to the case.

3. The document displays on eFlex My Cases for all case parties, but only case parties with the appropriate security level can open the document.

PART III***Iowa R. Elec. P. 16.406 In Camera Inspection.***

When the court orders in camera inspection of material, such material may be electronically presented to the court. After the court has examined the material and has entered an order concerning the issues raised by the material, if the court does not order the material to be produced in whole or in part, the court will file the presented material and restrict access to the level of security available to clerks of court and judges only.

Electronic Filing Instructions for Proposed In Camera Material

When the Court orders In Camera Inspection, the filer may electronically present the material to the Court. “In camera” means in the judge’s chambers, or in private, out of public view.

1. In order to directly route the material to the judge, the filer should file the material
 - (1) as Proposed In Camera Material; and
 - (2) as a PDF (not a Word document).

2. No Notification is sent.

3. The judge reviews the Proposed In Camera Material. The judge will process the Proposed In Camera Material and file it, which will docket as In Camera Material. The In Camera Material will receive a file stamp and an appended judge signature page and will route to the clerk for approval with security level 5 (Court access only).

4. The clerk approves In Camera Material filed by the judge. The document is docketed to the case with document security level 5 (Court access only).
 - Notifications are sent to case parties but case parties cannot open the In Camera Material document from the eFlex Notifications screen because the security is set for Court access only.
 - The In Camera Material displays on eFlex My Cases but the document is not viewable to case parties.

5. The judge files an Order concerning the issues raised by the material. The clerk approves the Order. Notifications are sent to case parties.

Revision History

Date	Owner	Reason
November 7, 2022	Counsel to State Court Administrator	Created