

<hr/> Court of Washington, County of <hr/>	
Petitioner/s (<i>person/s who started this case</i>): <hr/>	No. <hr/>
And Respondent/s (<i>other party/parties</i>): <hr/>	Motion to Redact or Seal (MTRS)

Motion to Redact or Seal

Use this form to request sealing or redacting information in a court file not otherwise protected by GR 22.

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your motion with the court clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form PO 062 or FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form PO 018 or FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

1. My name is _____.

I am the

☐ Petitioner ☐ Respondent.

2. Request

I ask the court to redact or seal the following document/s that have been filed in this case:

Document name: _____

Date filed: _____ Docket or sub number (if known): _____

This document should be (*check one*):

- ☐ sealed (*Do **not** attach a copy*)
- ☐ redacted as follows: (*Explain what information should be redacted and attach copy of proposed redacted document.*)

Document name: _____

Date filed: _____ Docket or sub number (if known): _____

This document should be (*check one*):

- ☐ sealed (*Do **not** attach a copy*)
- ☐ redacted as follows: (*Explain what information should be redacted and attach copy of proposed redacted document.*)

(*Add lines for more documents if needed.*)

3. Legal Authority

I ask the court to redact or seal the specific information or documents listed above based on:

General Rule (GR) 15(c)(2): Courts may seal or redact court records based on findings made in writing that the sealing or redaction is necessary and based on privacy rights or safety concerns that outweigh the public interest in access to the court record.

Seattle Times Co. v. Ishikawa, 97 Wn.2d 30, 640 P.2d 716 (1982): In this case, the Washington Supreme Court ruled that courts must look at 5 factors when deciding whether to seal or limit access to documents in the court file.

1. The person who wants to limit access must make a showing of “serious and imminent threat to some other important interest.”
2. Anyone present for the hearing must be given an opportunity disagree with the suggested restriction.
3. The method for limiting access must be the least restrictive way to protect the interests threatened.

4. The court must balance the interests of the person who wants to limit access with the public's right to know what has happened in court.
5. The order must be limited in application and time to serve its purpose.

State v. Waldon, 148 Wn. App. 952, 202 P.3d 325 (2009): In this case, the Washington Court of Appeals ruled that courts must apply GR 15 and the factors listed above from the *Ishikawa* case when deciding whether to seal court records.

☐ Evidence Rule (ER) 412(d)(1)-(2): This rule requires a party that wants to submit information about the other party's sexual history to file a written motion with the court at least 14 days before the hearing. The motion must specifically describe what information the party wants to provide to the court and why. The court must review the information in private to decide whether to admit it in court. Until the court orders differently, the motion and its related documents must also remain sealed.

And the following other legal authority (if any):

4. Reasons for Request

The court should grant my motion to redact or seal this information because:
(*Explain how your privacy rights or safety concerns outweigh the public interest in access to the court record. Address the 5 factors listed above.*)

Person making this motion fills out below

I certify, under penalty of perjury under the laws of the state of Washington, that all the information provided in this motion is true and correct.

Signed at (city and state): _____ Date: _____



Person making this motion signs here

Print name here

I agree to accept legal papers for this case at (check one):

- ☐ my lawyer's address, listed below.
- ☐ my email address: _____
- ☐ the following address (this does **not** have to be your home address):

Street Address or PO Box

City

State

Zip

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing.)

Lawyer (if any) fills out below



Lawyer signs here

Print name and WSBA No.

Date

Lawyer's Address

City

State

Zip

Email (if applicable): _____