

Supreme Court of the United States
Office of the Clerk
Washington, D.C. 20543-0001

Scott S. Harris
Clerk of the Court

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September 3, 2020

Bruce D. Brown
Reporters Committee for Freedom of the Press
1156 15th Street, N.W., Suite 1020
Washington, D.C. 20005

Dear Mr. Brown:

This is in response to your letter of December 16, 2019, in which you suggest that the Supreme Court may wish to consider adopting a rule addressing the sealing of records.

Your letter brings to our attention an increase in the number of instances when parties have asked the Supreme Court to file documents under seal. The Court obviously has no control over the decisions of parties on whether to ask that documents be sealed. It also bears noting that in the great majority of instances where this Court authorizes the filing of documents under seal, the documents in question are subject to a seal order in the lower court, usually because sealing is required by statute or rule or because the lower court has determined that the particular privacy interests at stake warrant sealing. Nevertheless, we have given careful consideration to the issue and agree with your view that there could well be a benefit to reducing our sealing procedures and practices to a formal rule. We will evaluate the issue further and expect to issue a new rule in the near future.

Thank you very much for your thoughtful letter. We will reach back out to you once we have specific language to share.

Very truly yours,



Scott S. Harris