

DAVIDSON COUNTY CHANCERY COURT
INFORMATION REGARDING PUBLIC ACCESS TO COURT RECORDS AND
PROCEDURE TO REQUEST DOCUMENTS BE FILED UNDER SEAL

The Chancery Court provides the following information for requests to file documents “Under Seal.”

1. All papers, documents, electronic documents, and files shall be available for public inspection except as specifically exempted by court order or by statute (such as protected health care information, personally identifying information, financial account information, etc., which information should be redacted prior to filing). *See Davidson County Local Rules of Practice §§ 6.06 and 7.02.*

2. The Clerk and Master’s Office will NOT file any documents “Under Seal” without a Court Order granting leave to file “Under Seal.”

3. A motion for leave to file documents “Under Seal” must contain sufficient facts and compelling reasons to overcome the presumption in favor of public access to court records. *See Local Rule § 7.02; Ballard v. Herzke*, 924 S.W.2d 652 (Tenn. 1996); *Bottorff v. Bottorff*, M2019-00676-COA-R3-CV, 2020 WL 2764414, at *9 (Tenn. Ct. App. May 27, 2020); *In re Estate of Thompson*, 636 S.W.3d 1 (Tenn. Ct. App. 2021).

4. The Court will not sign a proposed order, including agreed orders, to place documents “Under Seal” unless:

- (i) a written motion is filed requesting leave to file under seal, and
- (ii) the Court has reviewed the subject documents *in camera* to make an individualized determination as to each document whether there is a “compelling reason” to allow filing under seal.

5. When making a motion to file “Under Seal,” the parties are directed to:

- (i) File their motion with an explanation of the reasons and sufficient facts for filing under seal, as supported by affidavits or declarations as necessary, BUT without filing or attaching the subject document(s) to the motion;
- (ii) Place the subject documents in a sealed envelope, with a sheet of paper affixed to the outside of the envelope containing the style of the case, docket number, submitting attorney’s name and contact information, date of submission, and bearing the caption: “**Documents Submitted for *In Camera* Review**”;
- (iii) Hand-deliver the sealed envelope, with a copy of the motion, to the Court’s Calendar Clerk, who will mark the envelope “Received” with the date of receipt and promptly deliver the envelope to chambers for the Court’s review;
- (iv) Following the Court’s *in camera* review of the documents, the Court will enter an order granting or denying the motion, with instructions regarding filing; and
- (v) The Court will either return the envelope with the documents to the Calendar Clerk, who will contact the submitting party to pick up the envelope or the documents will be shredded.

Thank you for your cooperation with these procedures.