

## **Service Courts of Criminal Appeals: Rules Governing Access to Sealed Materials**

### **Army Court of Criminal Appeals**

**Rule 30.4: *Sealed Records*.** Attorneys of record in appellate cases may access the sealed records of an original record of trial. Attorneys will request permission of the Clerk and coordinate review of sealed records with the Office of the Clerk of Court. Attorneys of record are responsible to return the sealed record matters, completely and without alteration, to the Clerk of Court's possession. Photocopies of sealed records are prohibited.

### **Navy-Marine Corps Court of Criminal Appeals**

**Rule 1.3(c): *Requests to Examine Records of Trial and Other Official Documents*.** Requests by appellate counsel to examine unclassified original records of trial and other official documents (unprotected by judicial privilege) shall be made to the responsible panel secretary. Examination shall be done in the reception area in Suite 320 or space designated by the Court's staff. Removal of records of trial from the Court's chambers is discouraged. If removal is considered necessary, approval by the senior judge of the panel to which the case is assigned, or his/her designee, is required. Records of trial shall be logged out for no more than one workday.

**Note:** The Navy-Marine Corps Court of Criminal Appeals does not have a specific rule on appellate counsel review of sealed materials in the record of trial.

### **Air Force Court of Criminal Appeals**

**Rule 23.3(f): *Motion to Review Sealed Records*.** Counsel shall submit a motion to the Court requesting authorization to review sealed exhibits. Counsel must show cause for such a request. A motion to review sealed records shall be presented as a consent motion whenever feasible. The Court's administrative and paralegal staff maintains responsibility for resealing all sealed exhibits.

### **Coast Guard Court of Criminal Appeals**

The Coast Guard Court of Criminal Appeals does not have a specific rule on appellate counsel review of sealed materials in the record of trial.