

Court of Appeals of the State of Georgia

ATLANTA, May 1, 2024

The Court of Appeals hereby passes the following order:

It is hereby ordered that the following Court Rules are amended:

I. GENERAL

Rule 2. Documents; Communications; General.
(g) Filing Under Seal.

V. RECORDS AND TRANSCRIPTS

Rule 18. Preparation and Arrangement of Records and Transcripts.
(d) Sealed Records.

VII. BRIEFS

Rule 25. Structure and Content.
(d) General Provisions.
(3) Sealing Briefs or Motions.

IX. APPLICATIONS FOR INTERLOCUTORY APPEAL

Rule 30. Interlocutory Applications.
(h) Filing Under Seal.
(i) No Extension of Time.
(j) Response Time.
(k) Deadline to File Notice of Appeal.
(l) Late Filings.

X. APPLICATIONS FOR DISCRETIONARY APPEAL

Rule 31. Discretionary Applications.
(h) Filing Under Seal.
(i) No Extension of Time.
(j) Response Time.
(k) Deadline to File Notice of Appeal.
(l) Late Filings.

The complete rule changes are attached with the added language bolded and deleted language struck out of the amended rule. These rules of the Court of Appeals of Georgia are adopted effective May 9, 2024, and will be applied to all cases decided by the Court of Appeals on or after that date.



Court of Appeals of the State of Georgia

Clerk's Office, Atlanta, May 1, 2024

*I certify that the above is a true extract from
the minutes of the Court of Appeals of Georgia.*

*Witness my signature and the seal of said
court hereto affixed the day and year last above
written.*

Stephen E. Castles, Clerk

I. GENERAL

Rule 2. Documents; Communications; General.

(g) Filing Under Seal.

The filing of documents under seal is very rare in the Court of Appeals and shall only be permitted by court order. Parties seeking to file documents under seal shall file a motion for permission to do so, which motion shall contain authority for why the documents should be filed under seal. Parties granted permission to file documents under seal should contact the Clerk's office before submitting such documents through the electronic filing system since documents submitted through the electronic filing system are ordinarily posted publicly.

V. RECORDS AND TRANSCRIPTS

Rule 18. Preparation and Arrangement of Records and Transcripts.

(d) Sealed Records.

(1) Any records or transcripts delivered to this Court as sealed by the trial court, with an order of the trial court attached to the record, shall remain sealed until a motion is made to unseal the record or the record is unsealed by this Court. Counsel for any party may move this Court for an order to unseal or seal any appellate record. ~~this Court orders otherwise. Unless otherwise ordered by this Court, access to sealed documents will be restricted to authorized Court personnel only.~~

(2) Any party may move this Court for an order to unseal any appellate record or portion thereof. A motion to unseal must include authority for why this Court should unseal the requested records. When such a motion is filed for the purpose of providing a party or counsel access to the sealed material, the motion shall identify which individuals, including counsel or support staff, are seeking access to the sealed material.

(3) Any party may move this Court for an order to seal any appellate record or portion thereof. A motion to seal shall include authority for why this Court should seal the requested records.

VII. BRIEFS

Rule 25. Structure and Content.

(d) General Provisions.

~~(3) Sealing Briefs or Motions.~~

~~No briefs or motions shall be filed under seal unless counsel has moved the Court for permission to file under seal and the Court has granted the motion.~~

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IX. APPLICATIONS FOR INTERLOCUTORY APPEAL

Rule 30. Interlocutory Applications.

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~~(h) Filing Under Seal.~~

~~No application for interlocutory appeal shall be filed under seal unless counsel has moved the Court for permission to do so and the Court has granted the motion.~~

~~(ih) No Extension of Time.~~

No extension of time shall be granted to file interlocutory applications or responses to interlocutory applications.

~~(ji) Response Time.~~

Responses are due within 10 days of docketing. No response is required, unless ordered by the Court.

~~(kj) Deadline to File Notice of Appeal.~~

If the interlocutory application is granted, the appellant must file a notice of appeal in the trial court within 10 days of the date of the order granting the application.

~~(hk) Late Filings.~~

No pleadings will be accepted on an application for interlocutory appeal which are filed more than 30 days after the date of the order granting, denying, or dismissing the application or the motion for reconsideration.

X. APPLICATIONS FOR DISCRETIONARY APPEAL

Rule 31. Discretionary Applications.

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~~(h) Filing Under Seal.~~

~~No application for discretionary appeal shall be filed under seal unless counsel has moved the Court for permission to file under seal and the Court has granted the motion.~~

~~(ih) No Extension of Time.~~

No extensions of time will be granted to file a discretionary application unless a motion for extension is filed on or before the application due date. The motion for an extension of time shall be submitted pursuant to Rule 40 (b), Emergency Motions. The filing fee for the Rule 40 (b) motion is separate from the discretionary application fee. No extension of time will be granted to file a response to a discretionary application.

(ji) Response Time.

Responses are due within 10 days of docketing. No response is required, unless ordered by the Court.

(kj) Deadline to File Notice of Appeal.

If the discretionary application is granted, the appellant must file a notice of appeal in the trial court within 10 days of the date of the order granting the application.

(lk) Late Filings.

No pleadings will be accepted on an application for discretionary appeal which are filed more than 30 days after the date of the order granting, denying, or dismissing the application or denying or dismissing the motion for reconsideration.