

Rule 55-I. Removal of Records

(a) Grounds for Removal. No jacket, document, or record in any criminal case shall be removed from the clerk's office except

(1) when required for use before a division of this court or a person to whom the case has been referred for consideration or

(2) when ordered by a judge or magistrate judge.

(b) By Whom. A judge or magistrate judge, the clerk, the clerk's assistant, an attorney or party to the case, or a person designated by a judge or magistrate judge may be permitted to remove a jacket, document, or record for the use required or ordered under Rule 55-I(a).

(c) Physical Limits. Except with the approval of a judge or magistrate judge, no jacket, document, or record shall be taken from the courthouse by any person other than the clerk or the clerk's assistant, who shall retain possession thereof.

(d) Receipt. In any case where the jacket, document, or record is removed by a person other than the clerk or the clerk's assistant, a receipt shall be required.

(e) Return. Any jacket, document or record removed from the clerk's office must be returned immediately upon completion of the purpose for which it was removed. Such return must be noted by the clerk or the clerk's assistant on the receipt given under Rule 55-I(d).

COMMENT TO 2016 AMENDMENTS

This rule, retained from the former rule, has no federal counterpart. Minor stylistic changes have been made to maintain consistency throughout the rules. The term "judge or magistrate judge" is substituted for "judge" in the former rule to make clear that magistrate judges may also access court records.