

FOR IMMEDIATE RELEASE
November 5, 2012

**COURT OF CHANCERY ANNOUNCES RULE CHANGE TO ENSURE
BETTER PUBLIC ACCESS TO COURT FILINGS**

The Court of Chancery will amend its Rules, effective January 1, 2013, to improve public access to filings in cases before the Court. The amendment, which will be reflected in a new Rule 5.1 of the Court of Chancery Rules of Procedure, updates the Court's existing rule governing the filing of documents under seal. That Rule was adopted in 1990 and required revision to address developments in business practices and to better define when it was appropriate to file a document under seal.

To ensure that public access to court filings is only restricted when justified, the new Rule 5.1 provides a definition of "good cause" that requires that only documents that contain sensitive, confidential information will qualify for sealing. By this means, the new Rule 5.1 better protects the public's right of access while still enabling parties to restrict public access to truly sensitive information, such as trade secrets, personal information such as social security numbers or other identifying information, or competitively sensitive pricing information.

The Rule is the product of a lengthy deliberative process led by the Court's Rules Committee, a process that addressed a number of concerns raised by lawyers, the press, and members of the public about current practice. Because of the importance of the Rule to practitioners before the Court and the public, a memorandum explaining the Rule's purpose and how the Rule will work and the order adopting the Rule are available at <http://courts.delaware.gov/rules/index.stm>. In addition, on Friday, December 7, 2012, the Court will hold a free continuing legal education seminar at the New Castle County Courthouse regarding the new Rule for members of the Bar. The effective date of the Rule was chosen so that practitioners will have time to educate themselves and their clients about the Rule's requirements.

FOR FURTHER INFORMATION, PLEASE CONTACT
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