

**IN THE NORTHERN CHEYENNE TRIAL COURT  
OF AND FOR THE NORTHERN CHEYENNE TRIBE  
LAME DEER, MONTANA 59043**

**ADMINISTRATIVE ORDER NO. 2026-004-ADDENDUM**

**RE: Assertion of Confidentiality in Judicial Records and Proceedings While Preserving the Public's Right of Access**

**ISSUED: October 14, 2025**

**I. PURPOSE**

This Administrative Order is issued to provide clear guidance regarding the handling of confidential information within the judicial branch. It seeks to balance the constitutional and statutory rights of the public to access judicial records and proceedings with the legal and ethical obligations of the courts to protect sensitive information, personal privacy, and the integrity of judicial processes.

**II. AUTHORITY**

This Order is issued pursuant to the judicial branch's inherent administrative authority and in accordance with applicable laws, including but not limited to:

- Amended Constitution and Bylaws of the Northern Cheyenne Tribe
- Revised Law and Order Code of the Northern Cheyenne Tribe (NC ORD DOI-25(2025)). Title II, §2.3.8 of the Revised Law and Order Code; Authority of the Chief Trial Judge

**III. POLICY**

The Judicial Branch affirms its commitment to transparency, accountability, and the public's right to know. Simultaneously, it recognizes the necessity to limit disclosure in narrowly defined circumstances where confidentiality is legally mandated or essential to the administration of justice.

**IV. SCOPE**

This Order applies to all personnel of the judicial branch, including judges, clerks, administrative staff, and contractors, and governs the handling of:

- Court records and filings
- Administrative records
- Judicial proceedings

- Electronic data systems and communications

## V. CONFIDENTIAL INFORMATION DEFINED

Confidential information includes, but is not limited to:

1. Personal identifying information protected by law (e.g., Social Security numbers, financial account information, protected health information)
2. Juvenile records and proceedings as defined by statute
3. Documents sealed by court order
4. Records concerning ongoing investigations or sensitive security matters
5. Records designated as confidential by statute, court rule, or appellate decision

## VI. ASSERTION OF CONFIDENTIALITY

When confidential treatment is required, such information shall be:

- Clearly marked as “CONFIDENTIAL” in both physical and electronic form
- Segregated from publicly accessible materials when feasible
- Protected by access controls

No information shall be deemed confidential unless it falls within a specific legal category as defined above or is otherwise ordered sealed by a judicial officer following legal standards.

## VII. PUBLIC RIGHT TO KNOW PRESERVED

To ensure transparency:

1. **Presumption of Access:** All judicial records and proceedings are presumed open unless closure or confidentiality is specifically justified by law or order.
2. **Minimal Redaction:** When confidentiality is required, only the specific protected information shall be redacted; the remainder of the document shall be disclosed whenever possible.
3. **Notice and Opportunity to Object:** Where a motion to seal or redact is made, notice shall be provided to the public or parties, consistent with applicable law, to allow for objections.
4. **Public Logs:** A docket or log of sealed cases or documents shall be maintained, indicating the case number, date of sealing, and basis for the order, except where such disclosure itself would defeat the purpose of the sealing.

## VIII. TRAINING AND COMPLIANCE

Judicial branch personnel shall receive regular training on confidentiality and public access policies. Any violations of this Order may result in administrative action.

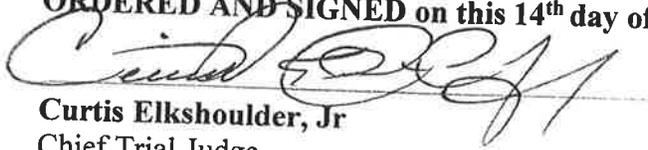
## IX. EFFECTIVE DATE

This Order is effective immediately and shall remain in force unless modified or rescinded by further administrative order.

## **X. REVIEW**

This policy shall be reviewed periodically to ensure continued compliance with legal standards and evolving public access norms.

**ORDERED AND SIGNED on this 14<sup>th</sup> day of October, 2025.**

A handwritten signature in black ink, appearing to read "Curtis Elkshouder, Jr.", written over a horizontal line.

**Curtis Elkshouder, Jr**  
Chief Trial Judge  
Northern Cheyenne Trial Court  
Northern Cheyenne Tribe