

Attorneys Debate Proposal Ban on Sealed Settlements

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A proposal to ban sealed settlements in U.S. District Court cases has drawn mixed reviews from South Carolina lawyers and legal organizations. On August 16, the U.S. District Court for the District of South Carolina proposed an amendment to Local Rule 5.03 that would disallow sealed settlements in all cases filed with the court. If the ban is implemented, it would be 'cutting edge if not one of a kind', State Bar President Richard S. Rosen said. The August 16 proposal was broader in scope than what Chief Judge Joseph F. Anderson Jr. initially suggested in July, Rosen told Lawyers Weekly. "The sentiment of the Bar was that it supported Judge Anderson's proposal to disfavor sealed settlements in cases which would pose a danger to the public," Rosen said. "That probably was meant to include product liability cases, where sealing the settlement could potentially keep someone who should know about a danger from finding out." The main drive behind the court's proposal is most likely concern over access to information, Rosen said.

Excerpts From Original Article

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