{%p set answer\_title = “MOTION TO ELEVATE SECURITY” %}

{%p if opposing\_party\_consent\_to\_motion\_to\_elevate\_security %}

{%p set answer\_title\_full = "DEFENDANT'S CONSENT " +answer\_title %}

{%p else %}

{%p set answer\_title\_full = "DEFENDANT'S " +answer\_title %}

{%p endif %}

{{p include\_docx\_template('include\_caption.docx',caption\_title = answer\_title\_full) }}

{{ tenant\_doc\_name }} makes this motion to elevate the security level of the above-styled case on the court’s electronic records system (Case.Net). {% if opposing\_party\_consent\_to\_motion\_to\_elevate\_security %}{{ landlord\_doc\_name }} consented to this motion. {% endif %}In support of this request, {{ tenant\_doc\_name }} states as follows:

Background

1. {{ tenant\_doc\_name }} was a tenant at {{ rental\_address }} (hereinafter, the “rental property”), which is the subject of this eviction lawsuit filed by {{ landlord\_doc\_name }}.
2. This lawsuit was an eviction lawsuit that resulted in {{ eviction\_outcome }}.
3. The Court should elevate security in this case because:
   1. {%p for reason in reason\_for\_elevated\_security.true\_values() %}
   2. {%p if reason in ["Other"] %}
   3. {{ reason\_for\_elevated\_security\_other }}
   4. {%p else %}
   5. {{ reason }}
   6. {%p endif %}
   7. {%p endfor %}
4. {%p if tenant\_exposed\_to\_threats %}
5. The mere visibility of this lawsuit on Case.net has exposed {{ tenant\_doc\_name }} to the real and tangible threats of (1) incurring excessive rental application fees and (2) being summarily denied access to housing.
6. {%p endif %}
7. {%p if tenant\_believes\_landlords\_wont\_rent %}
8. A compelling justification exists because many landlords use Case.net to conduct rental background checks on prospective tenants. In this case, {{ tenant\_doc\_name }} fears that the current case will prevent {{ tenant\_doc\_name }} from having the ability to find affordable housing in the future.
9. {%p endif %}
10. {%p if economic\_consequences %}
11. {{ tenant\_doc\_name }} may also face disproportionate economic consequences such as higher monthly rent or having to find a co-signer as a result of misinterpretation or over-reliance on the information contained in the Court’s records on this case.
12. {%p endif %}
13. {%p if tenant\_would\_be\_prejudiced %}
14. Failure to elevate security will unduly prejudice {{ tenant\_doc\_name }} because the eviction case will hinder {{ tenant\_doc\_name }}’s ability to rent housing.
15. {%p endif %}

Authority and Argument

1. “Where there are higher interests favoring nondisclosure, courts . . . have routinely seen fit to close some public records.” Pulitzer Publishing Co., 43 S.W.3d, 293, 302 (Mo. 2001).
2. A compelling justification to elevate security exists because many landlords and tenant screeners use Case.Net to conduct rental background checks on prospective tenants.
3. Specific tangible threats here outweigh the public’s interest in access to this case record and good cause overwhelmingly supports this Court’s invocation of the well-established exception in Missouri Supreme Court Operating Rule 4.24(1)(s).
4. Accordingly, the Court should elevate security of this case to Level 3 (or higher if appropriate), and for such other and further relief as the Court deems just and proper.

{{p include\_docx\_template('include\_signature.docx', certificate\_of\_service\_type =“short”) }}