

Transcript Redaction Policy & Procedures

Amendments to the Federal Civil and Criminal Rules of Procedure implementing the E-Government Act of 2002's requirement to protect the privacy and security of publicly available electronic filings are in effect regarding the public access to court transcripts. Therefore, it is the responsibility of the attorneys to comply with this requirement when ordering transcripts of federal court proceedings.

Effective May 15, 2008:

The attorneys are responsible for identifying the information to be redacted even if the requestor is a judge or a member of the public or media.

Court reporters, transcribers or court clerks are not responsible for identifying any needed redactions.

Personal Identifiers

- Social Security numbers (or taxpayer identification numbers), redact to the last four digits;
- financial account numbers, redact to the last four digits;
- dates of birth;
- individuals known to be minor children, redact to the initials; and
- any home address stated in court, redact to the city and state

Note: While the court transcriber is authorized to redact the personal identifiers noted above, a party must receive a ruling of the court before other information in the transcript may be redacted.

Pursuant to District Local Civil Rule 5.5, public access shall not be provided to documents containing identifying information about jurors or potential jurors. Therefore, transcripts of voir dire or jury selection should be done as a separate volume and sealed by the court.

Timeline

1. A party orders a transcript. The court reporter or transcriber creates the transcript, and provides a copy to the purchasing party.

2. **District:** The court reporter files the certified transcript. If transcribed by other than the court reporter, they will email in pdf format and the Clerk's Office will file the transcript.

Bankruptcy : The court transcriber e-files the certified transcript.

The transcript filed electronically with the court must be exactly the same as the original and must contain a certification. Compressed format (4 pages per physical page) is also acceptable.

3. **District and Bankruptcy:** The Official Notice of Transcript Filing is automatically sent with the entry of the transcript. The Court allows electronic access to any user identified as a purchasing party.

4. Attorneys review transcript for personal identifiers. A "Notice of Intent to Request Redaction" should be electronically filed within 7 business days thereafter.

5. A "Request for Redaction" is electronically filed with the court within 21 days following the filing of the original transcript. A copy of the Request shall be served on the court reporter or transcriber by the requesting party.

Note: The "Request" is a public document. Attorneys should not identify the actual information requiring redaction in the document. Instead list how the redaction should read. Example: "Page 3, Line 14, redact SS# to xxx-xx-1234" or "Page 15, Line 23, redact minor name to initials Axxxx Bxxxx Cxxxx".

6. Within 30 days of the filing of the original transcript, the court reporter or transcriber completes a redacted transcript and e-files the redacted transcript (as described above). Copies of the redacted transcript are not supplied to the parties as with the original.

7. **District/Bankruptcy:** The Court grants electronic access to any user who has permission to view the original transcript.

8. After the 90-day restriction period, the redacted transcript will be available to the public. The original unredacted version will remain restricted except to those who have purchased it. If no redacted transcript has been filed, the original transcript will be available to the public.

9. **District:** Invoices from transcribers may be sent to the same email box. However, CJA 24 forms will be processed through the Court's eVoucher system.