



United States District Court
DISTRICT OF MINNESOTA

LR 5.5 REDACTION OF TRANSCRIPTS

(a) Review of Transcript for Personal Identifiers. After a transcript of any court proceeding has been filed under LR 80.1(a), a party's attorney — including an attorney serving as "standby" counsel for a pro se defendant in a criminal case — and an unrepresented party must each determine whether any personal identifiers in the transcript must be redacted to comply with Fed. R. Crim. P. 49.1 or Fed. R. Civ. P. 5.2. Unless otherwise ordered by the court, a party's attorney and an unrepresented party must each request redaction of personal identifiers in the following transcript portions:

- (1) Statements by the party or made on the party's behalf;
- (2) The testimony of any witness called by the party; and
- (3) Sentencing proceedings.

(b) Notice of Intent to Request Redaction. If any portion of a transcript must be redacted to comply with Fed. R. Crim. P. 49.1 or Fed. R. Civ. P. 5.2, the attorney or unrepresented party who reviewed the transcript must file a Notice of Intent to Request Redaction within 7 days after the transcript was filed.

(c) Statement of Redaction. After filing a Notice of Intent to Request Redaction, an attorney or unrepresented party must file a Statement of Redaction within 21 days after the transcript was filed. The Statement of Redaction must not disclose the personal identifier to be redacted. Rather, the Statement of Redaction must specify:

- (1) The type of personal identifier to be redacted — for example, "social security number";
- (2) The transcript page and line number where the personal identifier to be redacted appears; and
- (3) How the transcript should read after redaction — for example, "social security number should read XXX-XX-1234."

(d) Redacted Transcript. After the Statement of Redaction is filed, the court reporter must file the redacted transcript within 31 days after the original transcript was filed. The court reporter must not charge any fees for redaction.

(e) Extensions of Transcript Redaction Deadlines. The deadlines in LR 5.5 may be extended only by court order. If an attorney or unrepresented party files a

timely Notice of Intent to Request Redaction but then fails to file a timely Statement of Redaction, the attorney or party must either withdraw the notice or file a motion to request redaction. The court may order an attorney or unrepresented party to show cause why he or she has not complied with LR 5.5.

(f) Roles of the Court and the Parties. The court does not review transcripts to assess whether personal identifiers should be redacted. Attorneys and unrepresented parties must do so themselves.

[Adopted effective May 12, 2008; amended August 11, 2008; amended December 1, 2009; amended July 23, 2012]

2012 Advisory Committee's Note to LR 5.5

The language of LR 5.5 has been amended in accordance with the restyling process described in the 2012 Advisory Committee's Preface on Stylistic Amendments.

New subsection (f), "Roles of the Court and the Parties," reflects — in more direct language — the substance of the last sentence of former subsection (b). Subsection (f) does not reflect a substantive change.