

LR 5.5 Redaction of Transcripts

(a) Review of Transcript for Personal Data Identifiers. After a transcript of any proceeding of this Court has been filed under LR 80.1(a), the attorneys of record, including attorneys serving as “standby” counsel appointed to assist a pro se defendant in his or her defense in a criminal case, and unrepresented parties shall determine whether redaction of personal data identifiers in the transcript is necessary to comply with Fed. R. Crim. P. 49.1 or Fed. R. Civ. P. 5.2. Attorneys of record or unrepresented parties are responsible to request redaction of personal data identifiers in the following portions of the transcript, unless otherwise ordered by the Court:

- (1) Statements by the party or made on the party’s behalf;
- (2) The testimony of any witness called by the party;
- (3) Sentencing proceedings; and
- (4) Any other portion of the transcript as ordered by the Court.

(b) Notice of Intent to Request Redaction. If any portion of the transcript reviewed in accordance with subsection (a) of this rule is required to be redacted to comply with Fed. R. Crim. P. 49.1 or Fed. R. Civ. P. 5.2, a Notice of Intent to Request Redaction shall be filed within seven (7) calendar days from the date the transcript was filed.

The Court will assume redaction of personal data identifiers from the transcript is not necessary if a Notice of Intent to Request Redaction is not filed.

(c) Statement of Redaction. If a Notice of Intent to Request Redaction is filed, the party shall file a Statement of Redaction within 21 calendar days from the date the transcript was filed. The Statement of Redaction shall consist of the following information:

- (1) Type of personal data identifier to be redacted, e.g., “social security number”;
- (2) Page number and line number of transcript on which the personal data identifier to be redacted is located; and
- (3) How the transcript should read after redaction, e.g., “social security number to read as XXX-XX-1234.”

The Statement of Redaction shall not disclose the personal data identifier to be redacted.

(d) Redacted Transcript. After the Statement of Redaction is filed, the court reporter has 31 calendar days from the date the original transcript was filed to file the redacted transcript. The court reporter shall not charge any fees for redaction services.

(e) Extensions of Transcript Redaction Deadlines. Any extensions of the redaction deadlines may be granted only by Court order.

(1) If an attorney of record or a party fails to timely file a Statement of Redaction after a timely Notice of Intent to Request Redaction was filed, the attorney or party shall:

(A) File a motion with the Court to request redaction; or

(B) Withdraw the Notice of Intent to Request Redaction.

The Court may issue an order to show cause as to why the attorney or party has not met the requirements of this rule.

LR 80.1 COURT REPORTERS' TRANSCRIPTS

(a) Filing of all Transcripts Made.

(1) When any official court reporter employed by the judiciary has completed the preparation of any transcript of any proceeding in this Court, the reporter shall promptly file electronically a certified copy thereof, in accordance with 28 U.S.C. § 753(b).

(2) When any official court reporter, other than a court reporter employed by the judiciary, has completed the preparation of any transcript of any proceeding in this Court, the reporter shall promptly file with the office of the Clerk of Court a certified copy thereof in accordance with 28 U.S.C. § 753(b); the Clerk shall electronically file the copy of the official transcript provided by the court reporter.

(b) 90-Day Restriction Period After Transcript Filed.

(1) Access to a transcript provided to the Court by a court reporter will be restricted for a period of 90 days after the transcript is filed by the court reporter or the Clerk of Court.

- (2) During the 90-day restriction period, and any time thereafter, a copy of the transcript may be purchased from the court reporter at the rate established by the Judicial Conference.
- (3) Unless otherwise ordered by the Court, during the 90-day restriction period the following will have access to the transcript in CM/ECF:
 - (A) Court staff;
 - (B) Public terminal users in the Clerk's Office, for inspection only;
 - (C) Attorneys of record or parties who have purchased the transcript from the court reporter; and
 - (D) Other persons as directed by the Court, e.g., appellate attorneys.
- (5) PACER fees will apply at all times when the transcript is remotely accessed electronically except when the transcript is accessed by Court staff or at the public terminals in the Clerk's Office.

(c) Transcript Available After 90-Day Restriction Period.

- (1) After the 90-day restriction period has ended and all pending motions related to the transcript are resolved, the original transcript or the redacted transcript if redaction occurred will be available for inspection and copying at the Clerk's Office and for downloading from the Court's CM/ECF system through the judiciary's PACER system, unless otherwise ordered by the Court.
- (2) If redaction occurred, the Clerk will maintain the original un-redacted electronic version of the transcript as a restricted document in accordance with subsection (b)(3) of this rule, except that the restricted document will be available to view and copy in the Clerk's Office, unless otherwise ordered by the Court.

(d) Transcript Fees.

The court reporter shall not be required to undertake the making of a typed transcript for parties other than the Court without payment, nor to furnish such transcript prior to the full payment therefor, except as otherwise ordered by the Court for in forma pauperis cases.

A current schedule of transcript fees, as established by the Judicial Conference, is on file in the Clerk's Office and is available from the official court reporters.

