



# UNITED STATES DISTRICT COURT

## District of Minnesota

Richard D. Sletten, Clerk  
Wendy S. Osterberg, Chief Deputy Clerk

700 Federal Building  
316 North Robert Street  
St. Paul, MN 55101  
(651) 848-1100

202 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415  
(612) 664-5000

417 Federal Building  
515 West First Street  
Duluth, MN 55802  
(218) 529-3500

212 U.S. Courthouse  
118 South Mill Street  
Fergus Falls, MN 56537  
(218) 739-5758

### PUBLIC NOTICE

**Date: May 6, 2008**

**Contact: Richard Sletten, Clerk of Court  
(612) 664-5026**

Effective May 12, 2008, all transcripts prepared by a court reporter for any court proceeding in the District of Minnesota may become electronically available on the Court's CM/ECF system and the judiciary's PACER system.

The following is the Court's policy regarding the electronic availability of transcripts in this District:

All transcripts prepared by a court reporter for any proceeding in this District will be filed on CM/ECF. Attorneys of record or unrepresented parties will receive notice when a transcript has been filed on CM/ECF.

For a period of 90-days after a transcript is filed, electronic access to the transcript will be restricted. During the 90-day restriction period, the transcript will be available at the public terminals in the Clerk's Office for inspection only, and available for internal use by the Court. In addition, during the 90-day restriction period, a case participant who purchases the transcript from the court reporter or transcriber may obtain remote electronic access to the transcript through the court's CM/ECF system. At all times a copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference.

After the 90-day restriction period has ended, the transcript will be available from the court reporter or the contracting court reporter, or for inspection and copying in the Clerk's Office, or for downloading from the court's CM/ECF system through the judiciary's PACER system, unless otherwise ordered by the Court.

In order to protect the privacy of clients and witnesses in the proceedings, this policy also includes a procedure to redact personal data identifiers from the transcript. Attorneys have seven calendar days after the filing of the transcript to file a Notice of Intent to Request Redaction on CM/ECF. Attorneys then have 21 calendar days from the date the transcript was filed to file a Statement of Redaction, identifying the personal data identifiers to be redacted by the court reporter or transcriber. Only the personal data identifiers outlined in Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1 may be redacted through this process. The court reporter or transcriber has 31 calendar

days from the date the transcript was filed to redact the transcript in accordance with the Statement of Redaction.

In conjunction with the implementation of this new policy, the District of Minnesota adopts the following amendments to the Court's Local Rules: the addition of LR 5.5, Redaction of Transcripts, and amendments to LR 80.1, Court Reporters' Transcripts. These amendments will become effective on **May 12, 2008** pursuant to 28 U.S.C. § 2071(e). As required by federal statute, these amendments are posted by the Court for public review and comment through **June 6, 2008**. Comments should be provided in writing to the Clerk of Court at the address above, or by e-mail to [MnFedRules@mnd.uscourts.gov](mailto:MnFedRules@mnd.uscourts.gov) by June 6, 2008.

Briefly summarized, the amendments to the Local Rules provide as follows:

**(1) Addition of LR 5.5, Redaction of Transcripts**

LR 5.5 consists of the procedure to redact personal data identifiers from the transcript in accordance with Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1. Under this rule, attorneys of record and unrepresented parties are responsible for redacting the personal data identifiers located within certain portions of the transcript. The rule also sets forth a procedure containing strict time limits for the attorney or unrepresented party to request redaction of personal data identifiers and for the court reporter to redact such from the transcript. These time limits include, from the date the transcript was filed, seven calendar days for an attorney to file a Notice of Intent to Request Redaction, 21 calendar days for an attorney to file a Statement of Redaction, and 31 calendar days for the court reporter to file a redacted copy of the transcript.

**(2) Amendment to LR 80.1, Court Reporters' Transcripts**

The amendment to LR 80.1 requires that all transcripts prepared by a court reporter be filed on CM/ECF. The rule restricts electronic access to the transcript to certain users for a period of 90-days after the transcript is filed on CM/ECF. The rule also provides for access to the transcript through the judiciary's PACER system after the 90-day restriction period ends in most circumstances.

The full text of LR 5.5 and LR 80.1 and the Court's Policy for Electronic Access to Transcripts of Court Proceedings in CM/ECF and PACER are available on the District Court's website at [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov) or by visiting or calling the Office of the Clerk of Court in St. Paul, Minneapolis, Duluth or Fergus Falls.

**Richard D. Sletten**  
**Clerk, U.S. District Court**  
**District of Minnesota**