

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

IN RE: REVISED TRANSCRIPT PROCEDURES  
TO PROVIDE INCREASED PRIVACY  
PROTECTIONS

---

**ORDER**

Since 2008, the U.S. District Court, District of Minnesota has electronically filed all transcripts and has required that parties submit redaction requests for any personal identifiers. Local Rules 5.5 and 80.1 govern the redaction request process and transcript access restrictions. The current process, however, results in providing the public access to unredacted transcripts that contain complete personal identifiers at the public terminals in the Clerk's Office. Such access is no longer acceptable and poses increased risk to our litigants, witnesses, and other individuals who participate in our cases.

The Federal Practice Committee has been charged with amending the court's local rules to provide more protection to personal information that may be contained in transcripts. This interim Order is intended to immediately provide that protection while the Federal Practice Committee works on the applicable local rule amendments.

**IT IS HEREBY ORDERED** that:

**(a) All Transcripts Initially Filed Under Temporary Seal.**

- (1) The court reporter must file the original unredacted transcript under temporary seal.

FILED 10/10/19  
KATE M. FOGARTY  
JUDGMENT ENTD  
DEPUTY CLERK DB

- (2) While the transcript is temporarily sealed, only the court and the parties to the case who have purchased the transcript will have access to the transcript, unless otherwise ordered by the court.
- (3) The docket entry for a transcript filed under temporary seal must state: “Transcript temporarily sealed to determine if redactions are required. Parties have 7 days to file a Notice of Intent to Request Redaction or Notice that No Redaction is Required.”

**(b) Redaction Procedures.** When an original unredacted transcript is filed, each party must review the transcript to determine if the transcript must be redacted.

- (1) To request redactions for personal identifiers, a party must follow the procedures and deadlines set forth in LR 5.5.
- (2) If a party identifies confidential information, other than personal identifiers, that should be redacted from the transcript, the party must file a motion with the court to further redact the transcript within 7 days after the transcript was filed.
- (3) If a party determines that no redactions for personal identifiers or confidential information are necessary, the party must file a Notice that No Redaction is Required within 7 days after the transcript was filed.

**(c) Access to Transcripts.**

*(1) Access to temporarily sealed transcripts.*

- (A) No redactions requested or ordered. If, after 7 days, no party has requested redactions or filed a motion for further redactions, then the clerk must unseal the unredacted transcript and permit inspection of the transcript at the clerk’s office during the 90-day restriction period.
- (B) Redactions requested or ordered.
  - (i) If a party redacts personal identifiers or the court orders redactions, then the court reporter must file a redacted transcript.

(ii) The clerk must permanently seal the unredacted transcript, unless otherwise ordered by the court. The docket entry must state: “Sealed unredacted transcript. Please refer to the redacted transcript.”

(2) *Access to transcripts after 90-Day restriction period.* After the 90-day restriction period, the clerk must provide remote electronic access to all transcripts that are not otherwise sealed.

**(d) Sealed Transcripts and Transcripts Filed in 18 U.S.C. § 3509(d) Cases.**

(1) *Sealed Transcripts.* The procedures in this order do not apply to transcripts where the court has ordered that the transcript be filed under seal.

(2) *18 U.S.C. § 3509(d) Cases.* The procedures in this order do not apply to transcripts that are filed in cases that have been identified as involving a child victim or witness under 18 U.S.C. § 3509(d). Please refer to the [Order re: Notice and Transcript Procedures for Criminal Cases Concerning a Child Under 18 U.S.C. § 3509\(d\)](#), dated June 4, 2019, for the transcript procedures that apply to those cases.

This order will take effect Monday, October 14, 2019, and will be in effect until further order of the Court.

DATED: October 11, 2019

at Minneapolis, Minnesota



---

JOHN R. TUNHEIM  
Chief Judge  
United States District Court