



United States District Court
DISTRICT OF MINNESOTA

LR 80.1 COURT REPORTERS' TRANSCRIPTS

(a) Filing.

(1) *Reporters Employed by the Judiciary.* Unless the court orders otherwise, when an official court reporter employed by the judiciary completes a transcript of a court proceeding, the reporter must promptly file a certified copy on the court's ECF system.

(2) *Other Reporters.* Unless the court orders otherwise, when an official court reporter not employed by the judiciary completes a transcript of a court proceeding, the reporter must promptly file a certified copy with the clerk, and the clerk must then file the copy on the court's ECF system.

(3) *Criminal Cases That Concern a Child.* A transcript of a court proceeding in a criminal case that concerns a child must be filed under seal.

(b) Post-Filing Restriction.

(1) Unless the court orders otherwise, access to a transcript prepared by an official court reporter and filed under LR 80.1(a) is restricted as follows:

(A) A transcript of a sealed proceeding or filed in a sealed case must not be made available to the public in any format.

(B) A transcript of a criminal voir dire proceeding must not be made available to the public in any format.

(C) A transcript of a proceeding in a criminal case that concerns a child must not be made available to the public in any format for 90 days after the transcript is filed.

(D) Remote electronic access to a transcript of a civil voir dire proceeding is permanently restricted to the users identified in LR 80.1(b)(2).

(E) Remote electronic access to any other transcript is restricted to the users identified in LR 80.1(b)(2) for 90 days after the transcript is filed.

(2) Unless the court orders otherwise, during the 90 days after a transcript is filed, only the following users may access the transcript through the court's ECF system:

- (A) Court staff;
- (B) Persons using public terminals in the clerk's office for inspection only, not for copying;
- (C) Parties that have purchased the transcript; and
- (D) Other persons — such as, for example, appellate attorneys — as ordered by the court.

(c) Availability After 90-Day Restriction Period.

(1) *Transcripts Not Subject to Special Restrictions.* After the 90-day post-filing restriction period and after the court resolves all pending motions related to the transcript's availability or contents, a transcript not subject to special restrictions under LR 80.1(b)(1) is available as follows unless the court orders otherwise:

(A) *No Redactions Made.* If an original transcript was not redacted, the clerk must permit remote electronic access to the transcript through the court's ECF system and must permit inspection and copying of the transcript at the clerk's office.

(B) *Redactions Made.* If an original transcript was redacted, the clerk must permit remote electronic access to the redacted transcript through the court's ECF system. Remote electronic access to the unredacted transcript is restricted to the users identified in LR 80.1(b)(2). The clerk must permit inspection and copying of the unredacted transcript at the clerk's office.

(2) *Transcripts in Criminal Cases That Concern a Child.* After the 90-day post-filing restriction period and after the court resolves all pending motions related to the transcript's availability or contents, a transcript filed in a criminal case that concerns a child is available as follows unless LR 80.1(b)(1)(A) or (B) applies or the court orders otherwise:

(A) *No Redactions Made.* If an original transcript was not redacted, the transcript must be unsealed. The clerk must permit remote electronic access to the transcript through the court's ECF system and must permit inspection and copying of the transcript at the clerk's office.

(B) *Redactions Made for Reasons Other Than 18 U.S.C. § 3509(d)*. If an original transcript was redacted and none of the redactions were made to comply with 18 U.S.C. § 3509(d), the transcript must be unsealed. The clerk must permit remote electronic access to the redacted transcript through the court's ECF system. Remote electronic access to the unredacted transcript is restricted to the users identified in LR 80.1(b)(2). The clerk must permit inspection and copying of the unredacted transcript at the clerk's office.

(C) *Redactions Made to Comply with 18 U.S.C. § 3509(d)*. If an original transcript was redacted and any redaction was made to comply with 18 U.S.C. § 3509(d), the unredacted transcript must remain sealed. The clerk must permit remote electronic access to the redacted transcript through the court's ECF system and must permit inspection and copying of the redacted transcript at the clerk's office.

(d) Transcript Fees.

(1) *Payment Required*. Ordinarily, until a party makes the required payment, a court reporter may decline to begin preparing a transcript or to furnish a completed transcript. But the court may excuse a party who has been permitted to proceed in forma pauperis from paying for a transcript and may require the court reporter to begin preparing a transcript or to furnish a completed transcript without payment from the party.

(2) *Fees for Electronic Access*. A person other than a court employee who remotely accesses a transcript through the court's ECF system must pay the applicable fees. A person may electronically access a transcript at the public terminals in the clerk's office for free.

(3) *Fees for Purchasing Transcript from Court Reporter*. A person may buy a copy of a publicly available transcript from a court reporter by paying the applicable fee.

(4) *Fee Schedule*. The fees for transcript preparation and for transcripts purchased from court reporters are established by the Judicial Conference of the United States. The current fee schedule is available from the clerk and from the official court reporters.

[Adopted effective February 1, 1991; amended April 6, 2004; amended May 12, 2008; amended August 11, 2008; amended May 14, 2013; amended December 1, 2022]

2022 Advisory Committee's Note

Local Rules 5.5, 12.1, and 80.1 have been amended to assist the court and the parties in complying with 18 U.S.C. § 3509(d), which limits disclosure of “the name or any other information concerning a child” in a criminal case. The meaning of the statutory phrase “information concerning a child” and related phrases (such as “concerns a child”) should be ascertained from case law and from 18 U.S.C. § 3509(a).

2013 Advisory Committee's Note to LR 80.1

The language of LR 80.1 has been amended in accordance with the restyling process described in the 2012 Advisory Committee's Preface on Stylistic Amendments.

2008 Advisory Committee's Note to LR 80.1

LR 80.1 does not apply to deposition transcripts.