

For any transcript filed on or after April 15, 2008, the transcript will be available electronically through PACER (CM/ECF) pursuant to policy of the Judicial Conference of the United States. This memorandum describes when and to whom transcripts are to be made available and how to handle transcript information that should be redacted.

When a transcript is filed with the Court by a court reporter, the transcript will be available at the Clerk's Office for 90 days for inspection only. During the 90-day period, a copy of the transcript may be obtained from the court reporter at the rate established by the judicial conference. The Clerk's Office will not make copies during this time period. Any attorney who has obtained a copy of the transcript from the court reporter can access the transcript during the 90-day period using PACER for a fee of 8 cents per page. This fee is not subject to a page limit. After the 90-day period, the transcript will be available for copying by the Clerk's Office and for download via PACER at the 8 cents per page fee (no page limit).

In accordance with the E-Government Act of 2002 and Judicial Conference policy, each party's attorney (or an unrepresented party) shall review a transcript for the following information that should be redacted: 1) Social Security numbers should be redacted to show only the last four digits; 2) birth dates should contain only the year of birth; 3) individuals known to be minors should be referred to with initials; and 4) financial account numbers should be redacted to the last four digits. Additionally, in criminal case files, home addresses should reveal only the city and state of residence.

If any information should be redacted, within five business days of a court reporter's filing of a transcript, an attorney must file a notice of intent to request redaction. The attorney then has 21 days to review the transcript and submit to the court reporter a list of the places in the transcript where the personal data to be redacted appears. Also during this time period, an attorney could, by motion, request that additional information be redacted. No remote electronic public access to the transcript is to be allowed until the court has ruled on any such motion.

The best method of preventing harmful disclosure of personal data identifiers through transcripts is to alter courtroom behavior so that the unnecessary information is simply not elicited in the proceeding.

You may direct any questions concerning this Court's transcript policies to Gloria Powell, External Operations Manager, at 336-332-6035.