

FREQUENTLY ASKED QUESTIONS

1. Does this policy apply to all transcripts?

This policy will apply to all transcripts of proceedings or parts of proceedings ordered on or after May 15, 2008 regardless of when the proceeding occurred.

2. How will the parties be noticed?

Parties will receive notice of the filing of the transcript and any Statements of Redaction.

3. How does a party request redaction of the protected items from the transcript?

Within 21 days of the filing of a transcript, parties must file with the court a statement of redaction, listing the items to be redacted, citing the transcript's docket number, item's location by page and line, and including only the following portions of the protected information:

- the last four digits of the social security number or taxpayer identification number;
- the year of the individual's birth; and
- the minor's initials; the last four digits of the financial account number.

4. Will anyone be able to obtain a copy of the transcript during the initial 90 day period after the certified transcript has been filed with the Clerk of Court?

Yes, any counsel, party or member of the public wanting a copy of a transcript during the 90 day period will be able to purchase a copy from the court reporter/transcriber at the rate established by the Judicial Conference.

5. Will counsel, a party, or the public be able to review the transcript during the 90 day period?

Yes, the transcript will be available for review and inspection at the Court's public terminal during the 90 day period. However, the Clerk's Office will not provide copies to counsel, a party or the public, but rather will refer anyone requesting a copy to the court reporter/transcriber.

6. Will counsel purchasing a copy of the transcript be given access to the transcript through the CM/ECF system?

Yes, upon implementation of CM/ECF 3.2. However, counsel who have NOT purchased the transcript will NOT be given access.

7. What if a party wishes to redact items other than the personal identifiers listed?

If a party wishes to redact other information, the party must file a separate motion for protective order with the Court within 21 days of the filing of the transcript.

8. Is there a fee that the court reporter/transcriber can charge for making the redactions?

No. The Judicial Conference has not authorized an additional fee for providing redacted transcripts to the Court for the electronic records of the court.

9. For Federal government agencies (including the DOJ) that request and receive a transcript copy from a court reporter/transcriber, does the court reporter/transcriber have to await payment before granting access to the transcript through CM/ECF?

No. Upon completion of the transcript ordered by a Federal government agency, the agency should be granted access to the transcript in CM/ECF.

10. When will the electronic transcript be made remotely available to the public through the PACER system?

The electronic redacted transcript or electronic transcript for which no redaction was requested will be remotely available to the public through PACER 90 days after it has been delivered to the Clerk of Court. Electronic transcripts requiring redaction will not be available through the PACER system.

11. What if the party is unable to meet the twenty-one (21) day deadline?

The time period is extendable by the Court. However, extension of time should not be routinely requested.

12. Is the court reporter/transcriber required to provide a redacted copy to the requesting party as well?

No. There is no requirement to send a copy of the redacted transcripts to the parties who originally ordered the transcripts. It is only necessary to file redacted transcripts with the Clerk of Court.

13. Will the unredacted transcript originally filed with the Clerk of Court be filed under seal?

No. The unredacted transcript will be filed as a restricted document, which will allow court staff to view and print it, and allow the public to view the transcript at the public terminal in the Clerk's office. Transcripts will only be sealed pursuant to Court order.