

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: AMENDMENT TO LOCAL CIVIL RULE 5.1.2,
Electronic Case Filing ("ECF") Procedures

ORDER

AND NOW, this 5th day of June 2008, it appearing that this Court is vested with authority, pursuant to 28 U.S.C. §§2071(e), 2077 and Federal Rule of Civil Procedure 83, to promulgate Local Civil Rules not inconsistent with the Federal Rules of Civil Procedure and applicable statutes, and

HAVING been notified that the Judicial Conference of the United States at its September, 2007 session approved a new policy regarding the electronic availability of transcripts of court proceedings and has directed the Administrative Office of the United States Courts to issue guidance to the courts on the implementation of the new policy, and

HAVING been advised that the new Judicial Conference policy authorizes the courts to make transcripts of court proceedings available electronically through the Case Management/Electronic Case Files (CM/ECF) system, and

HAVING determined that there is an immediate need pursuant to 28 U.S.C. §2071(e) to amend the *Electronic Case Filing ("ECF") Procedures*, as set forth in Rule 5.1.2 of the Local Rules of Civil Procedure, to comply with the directive of the new Judicial Conference policy, it is hereby

ORDERED that Section 16B of the ECF Procedures set forth in Rule 5.1.2, *Excluded Documents, Civil Cases, Item 6, "Transcript of any proceeding,"* is deleted in its entirety and that the following is inserted in lieu thereof: "*Transcript of civil proceedings shall be placed on CM/ECF or PACER, unless the presiding judge otherwise directs.*" It is further

ORDERED that Section 16B of the ECF Procedures set forth in Rule 5.1.2, *Excluded Documents, Criminal Cases, Item 2, "Transcript of any proceeding,"* is deleted in its entirety and the following is inserted in lieu thereof: "*Transcript of criminal proceedings shall not be placed on CM/ECF or PACER, unless the presiding judge otherwise directs after giving the prosecution and defense counsel an opportunity to be heard.*" It is further

ORDERED that the above-described amendments to Rule 5.1.2 of the Local Rules of Civil Procedure are approved and adopted, effective June 2, 2008, with public notice and an opportunity for comment on the amended rule afforded in accordance with 28 U.S.C. §2071(e). It is further

ORDERED that the Clerk of Court transmit a copy of amended Local Civil Rule 5.1.2 to the Director of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rule available to the bar and public.

FOR THE COURT:


HARVEY BARTLE III
Chief Judge