

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

OFFICE OF THE CLERK OF COURT

**Notice of Electronic Availability of Transcripts
and Transcript Redaction Procedures**

Pursuant to Local Civil Rule 5.1.2, subsection 15.C, and consistent with Judicial Conference Policy, transcripts of court proceedings will be electronically available as follows:

- Transcripts of civil and criminal proceedings will be publicly available on CM/ECF and PACER after the expiration of the 90-day redaction period, unless the presiding judge orders that the transcript be maintained with a restricted setting. Sealed transcripts will be maintained with a sealed setting and will not be available without a Court order.

Electronic transcripts are available to the public pursuant to the following timeline:

- A transcript provided to the court by a court reporter or transcription service will be available through CM/ECF to court users and the purchasing party only, for a period of 90 days after it is filed with the clerk.
- During the 90-day period a copy of the transcript may also be purchased from the court reporter or transcriber through the office of the clerk, and the purchasing party will be allowed electronic access to the transcript through the court's CM/ECF system.
- During the 90-day period the transcript may be viewed on the public terminals in the Clerk's Office without purchase.
- After the 90-day period has expired, the filed transcript will be available through the court's CM/ECF system and PACER unless the presiding judge has ordered that the restricted setting be maintained or if the transcript is sealed.

The Federal Rules of Civil and Criminal Procedure (Civil Rule 5.2 and Criminal Rule 49.1) require that personal identification information be redacted from documents filed with the court, including Social Security numbers, names of minor children, financial account numbers, dates of birth, and in criminal cases, home addresses. Procedures for applying redaction requirements to transcripts of court proceedings are outlined in the attachment to this Notice.

It is not the responsibility of the court reporter nor the transcriber to identify material in the transcript that should be redacted. Judicial Conference policy imposes that responsibility on counsel.

United States District Court for the Eastern District of Pennsylvania
Electronic Availability of Transcripts and Transcript Redaction Procedures

Electronic Availability of Transcripts

- Court reporters and transcription services are required to provide a certified copy of a transcript to the clerk for the records of the court. The certified copy must be filed with the clerk concurrently with—but not later than three working days after—delivery to the requesting party.
- A certified transcript filed with the clerk by a court reporter or transcription service will be available at the court’s public terminal in the office of the clerk for a period of 90 days after it is delivered to the clerk. After the expiration of the 90-day period, transcripts of civil and criminal proceedings will be publicly available on CM/ECF or PACER, unless the presiding judge orders that the restricted setting be maintained or if the transcript is sealed. Sealed transcripts will not be made available at any time without a Court order.
- During the 90-day period a copy of the transcript may also be obtained by purchase from the court reporter or transcription service through the office of the clerk. Transcripts can be purchased by completing and submitting the AO 435 Transcript Order form, which is available on the court website. The Clerk’s Office will file a Notice of Filing of Official Transcript in the case once the transcript has been received and filed. The parties have 7 days from the entry date of this Notice to file their Notice of Intent to Request Redaction.
- Counsel of record, as well as *pro se* litigants who have been granted electronic filing permission from the judge assigned to their case, who purchase the transcript from the clerk’s office will be allowed electronic access to the transcript through CM/ECF. Counsel of record in a case who have not purchased a copy of the transcript will not have access to the transcript through CM/ECF unless they purchase it from the court reporter or transcription service through the clerk’s office or after the 90-day period has expired.
- Members of the public, including *pro se* litigants and the news media, who purchase a transcript from the court reporter or transcription service through the clerk’s office within the 90-day period will not be granted electronic access during the restriction period. At the end of the 90-day restriction period, the public will have electronic access through CM/ECF or PACER to the transcript originally submitted, or, if redaction was made, to the redacted transcript, unless it is under seal. Alternatively, members of the public may access the transcript via the public terminals in the Clerk’s Office before the restriction period has ended.

Transcript Redaction Procedures

- The redaction of transcripts must be requested by counsel in a case by filing a Notice of Intent to Request Redaction using the docket event of the same name, which can be found in the Other Documents category. This Notice must be filed within 7 business days of the date that the Notice of Filing of Official Transcript was filed. Within 21 days of the

date of filing of the transcript with the clerk, counsel must provide the judge assigned to the case with a specific request for redaction, noting the page numbers and line numbers where redaction is required. The Redaction Request must be filed using the docket event “Redaction Request – Transcript” located in the “Other Documents” category.

- Even if the court reporter or transcriber notices during preparation of a transcript that redactions will be necessary, the court reporter does not have the responsibility to—and will not—redact information unless there is a redaction request made by the parties. Court reporters and transcription services also do not have a responsibility to—and will not—notify the parties of material that should be redacted. Judicial Conference policy imposes the responsibility on counsel to identify material in the transcript that should be redacted and to request its redaction.
- **Personal identifiers that a party may request to be redacted:** Social Security numbers (or taxpayer identification numbers) to the last four digits, financial account numbers to the last four digits, dates of birth, names of individuals known to be minor children to the initials, and in criminal cases, any home addresses stated in court to the city and state. The request should be worded in such a way that the personal information at issue is not repeated (*e.g.*, “Redact the Social Security number on page 12, line 9 to read xxx-xx-6789.”).
- Information other than these specified identifiers may be redacted only after the requesting party files a motion with the court. For filing on CM/ECF, this is done by using the Motion Category and selecting Redact Transcript.
- Unless otherwise ordered by the court, the attorney who purchased the transcript must review the following portions of the transcripts:
 1. opening and closing statements made on the party’s behalf;
 2. statements of the party;
 3. the testimony of any witness called by the party;
 4. sentencing proceedings; and
 5. any other portion of the transcript as ordered by the court.
- If a party files a Notice of Intent to Request Redaction or a motion for extension of time to file this notice, and then does not submit a Redaction Request, the court may take action, either to have the attorney withdraw the Notice of Intent to Request Redaction or to issue a show cause order as to why the attorney has not met the redaction requirements.
- Once the judge enters the order approving the list of redaction requests, a court reporter or transcription service has 10 days to redact and file the transcript with the clerk. The unredacted transcript will be retained by the clerk of court as a restricted document.
- The court reporter or transcriber does not have the obligation to notify the parties that the certified copy of the transcript has been filed, nor is the court reporter or transcription service required to send a copy of the redacted transcript to the parties who originally

ordered the transcript. The Clerk's Office will file and serve a Notice of Filing of Official Transcript. The parties will have 7 days from the date of entry of that Notice to request redactions of the transcript.

- The portion of a transcript that includes *voir dire* or other juror information will be produced as a separate transcript.