

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

NOTICE TO MEMBERS OF THE BAR

Electronic Availability of Transcripts of Proceedings
Before U.S. District and Magistrate Judges

Beginning **May 15, 2008**, transcripts of proceedings before the U.S. District Judges and Magistrate Judges in the District of Alaska taken by Official Contract Court Reporters and Electronic Court Recorder Operators will be filed with the Court in electronic format. Electronic transcripts, once ordered and when produced by the transcription firm, will be electronically filed and available for viewing at the Clerk's Office public terminal, but may **NOT** be copied nor reproduced by the Clerk's Office for a period of 90 days. If there are no redactions to be made, the restrictions will be removed after the 90 day period. The transcript will then be available remotely to view, download or print a copy from PACER at \$.08 cents per page or from the Clerk's Office public terminal at a rate of \$.10 per page.

During the initial 90 days after the transcript is electronically filed, individuals wishing to purchase a copy of a transcript - in either paper or electronic form - must do so through the transcription firm. Once an attorney on the case has purchased a transcript, the transcription firm will notify the Clerk's office so the attorney will be given access to the transcript through the court's ECF system. This will apply to all transcripts of proceedings or parts of proceedings ordered on or after this date, regardless of when the proceeding occurred.

Please read this policy carefully as it establishes a procedure for counsel to request the redaction from the transcript of specific personal data identifiers before the transcript is made electronically available to the general public. Whenever an official transcript of a proceeding has been filed, a Notice of Filing of Official Transcript will be served on all parties in the case.

Counsel are strongly urged to share this Notice with all clients so that an informed decision about the inclusion of certain materials may be made. **The responsibility for redacting personal identifiers rests solely with counsel and the parties. The Clerk, Transcription Service and ECRO will not review each transcript for compliance with this rule.**

The parties have seven (7) calendar days, from the electronic filing date of the transcript, to electronically file with the court a Notice of Intent to Request Redaction of the transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the transcriber or view the document at the Clerk's Office public terminal.

If redaction is requested, within 21 calendar days from the electronic filing of the transcript with the Clerk, or longer by order of the Court, the parties must electronically file with the Court a “Redaction Request Re Transcript” indicating where the personal identifiers appear in the transcript by page and line and how they are to be redacted. Access to the “Redaction Request Re Transcript” will be restricted to the Court and the attorneys of record in the case. For example, if a party wanted to redact the Social Security number 123-45-6789 appearing on page 12, line 9 of the transcript, the Redaction Request Re Transcript would read: “Redact the Social Security number on page 12, line 9 to read xxx-xx-6789.”

A party is only responsible for reviewing and indicating the redactions in the testimony of the witnesses it called and its own statements (e.g. opening statements and closing arguments), statements of the party, and any transcript of the sentencing proceeding.

Only the following personal identifiers listed by the Judicial Conference in its policy on the Electronic Availability of Transcripts may be redacted using a Redaction Request Re Transcript:

1. Minors’ names: use the minors’ initials;
2. Financial account numbers: use only the last four numbers of the account number;
3. Social Security numbers (or taxpayer identification numbers): use only the last four numbers;
4. Dates of birth: use only the year;
5. Home addresses: use only the city and state (applicable in criminal cases only)

If a party wants to redact other information, that party must move the Court for further redaction by separate motion served on all parties and the transcription service within the 21-day period. The transcript will not be electronically available until the Court has ruled on any such motion even though the 90-day restriction period may have ended.

The transcription firm must, within 31 calendar days of the delivery of the transcript to the Clerk of Court, or longer by order of the Court, perform the requested redactions and submit a redacted version of the transcript to the Clerk of Court for electronic filing.