

**United States District Court
Northern District of Ohio**

Electronic Availability of Transcripts of Court Proceedings

The U.S. District Court for the Northern District of Ohio will upgrade its electronic filing system on May 3, 2008. Following the upgrade, transcripts of Court proceedings will be filed with the Court in electronic format and will become available to the public over the Internet through PACER after a 90-day waiting period pursuant to Judicial Conference policy. The waiting period is provided so that counsel/parties have the opportunity to inform the Court if the transcript contains certain personal identifiers that should be redacted before the transcript is made available over the Internet. If a transcript contains personal identifiers that need to be redacted, it is the responsibility of counsel/parties to inform the Court within 21 days after the filing. During the 90-day waiting period, transcripts will be available for purchase directly from the court reporter and will also be available for viewing on the public access terminals. When the 90 day waiting period has expired, the transcript (redacted if necessary) will be made available to the public over the Internet through PACER. The personal identifiers to be redacted are social security numbers, financial account numbers, birth dates, the names of minor children and, in criminal cases only, home addresses. More specific information is provided below.

Transcripts of proceedings before the U.S. District Judges and Magistrate Judges in the Northern District of Ohio taken by Official Court Reporters, Contract Court Reporters and Electronic Court Recorder Operators will soon be filed with the Court in electronic format pursuant to Judicial Conference policy.

Transcripts, once ordered* and filed by the Court Reporter, will be available for viewing at the Clerk's Office public terminal, but may NOT be copied nor reproduced by the Clerk's Office for 90 days. During the initial 90 days after the transcript is filed, individuals wishing to purchase a copy of a transcript - in either paper or electronic form - must do so through the Court Reporter or the Electronic Court Recorder Operator. Once an attorney on the case has purchased a transcript, the Court Reporter will notify the Clerk's office and we will then give that attorney access to the transcript through the court's ECF system. After the 90-day period, we will remove the restrictions if there are no redactions to be made. The transcript will then be remotely available to the public 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.

REDACTION REQUESTS

The policy 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 public. We strongly urge counsel to share this Notice with all clients so that they may make an informed decision about the inclusion of certain materials. The responsibility for redacting personal identifiers rests solely with counsel and the parties. The Clerk and court reporter will not review each transcript for compliance with this rule. This will apply to all transcripts of

proceedings or parts of proceedings ordered on or after this date, no matter when the proceeding occurred. Please read this policy carefully.

Parties are required to file a Notice of Intent to Redact within five business days from the filing of the transcript if they plan to have information redacted. Within 21 calendar days from the filing of the transcript with the Clerk, or longer by order of the Court, the parties must file with the Court a Redaction Request Re Transcript indicating where the personal identifiers appear in the transcript by page and line. Access to this Statement 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 nine of the transcript, the Redaction Request Re Transcript would read: "Redact the Social Security number on page 12, line nine 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. Social Security numbers: use only the last four numbers;
2. Financial account numbers: use only the last four numbers of the account number;
3. Minors' names: use the minors' initials;
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 Court Reporter within the 21-day period. The transcript will not be electronically available until the Court has ruled on any such motion though the 90-day restriction period may have ended. The Court Reporter 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 file a redacted version of the transcript with the Clerk of Court. The unredacted transcript will remain as a restricted document.

***Local Civil Rule 80.1 Orders for Transcripts from Official Court Reporters**

(a) All requests for transcripts from any proceeding held in the United States District Court for the Northern District of Ohio shall be in writing and addressed to the court reporter who took the proceeding, with a copy of such request filed with the Clerk of Court. (See Appendix G.)

(b) Transcripts provided for parties proceeding under the Criminal Justice Act and to parties granted leave to proceed in forma pauperis in habeas corpus proceedings are to be paid for from funds appropriated for this purpose. A CJA 24 form, available from the Clerk's Office, must be used to obtain these transcripts.

(c) A copy of a transcript shall not be represented as an official transcript of a Court proceeding unless it has been certified by a court reporter or electronic court reporter operator of the Northern District of Ohio.

(d) Rates charged for transcripts will be those charged by the Judicial Conference of the United States. The schedule of rates is posted in the Office of the Clerk.

Local Criminal Rule 57.20 Orders for Transcripts from Official Court Reporters

(a) All requests for transcripts from any proceeding held in the United States District Court for the Northern District of Ohio shall be in writing and addressed to the court reporter who took the proceeding, with a copy of such request filed with the Clerk of Court. (See Appendix D.)

(b) Transcripts provided for parties proceeding under the Criminal Justice Act and to parties granted leave to proceed in forma pauperis in habeas corpus proceedings are to be paid for from funds appropriated for this purpose. A CJA 24 form, available from the Clerk's Office, must be used to obtain these transcripts.

(c) A copy of a transcript shall not be represented as an official transcript of a Court proceeding unless it has been certified by a court reporter or electronic court reporter operator of the Northern District of Ohio.

(d) Rates charged for transcripts will be those charged by the Judicial Conference of the United States. The schedule of rates is posted in the Office of the Clerk.