

CM/ECF Release 3.2

Transcript Restrictions

Transcript Restrictions

Transcript restrictions arise from:

- Privacy protections from E-Gov Act of 2002
- Policy from the Judicial Conference 2003
- Federal Rule of Bankruptcy Procedure 9037

Transcript Restrictions

Two issues:

- Access to restricted transcripts
- Redaction policy and deadlines

Transcript Restrictions

Once filed, transcripts are restricted from public view for 90 days to preserve:

- Privacy
- Opportunity for redaction

Transcript Restrictions

A new DPF called **AddTranscriptRestriction**

- Automatically set in transcript event
- Permits access only to
 - court users
 - public terminals



Transcript Restrictions

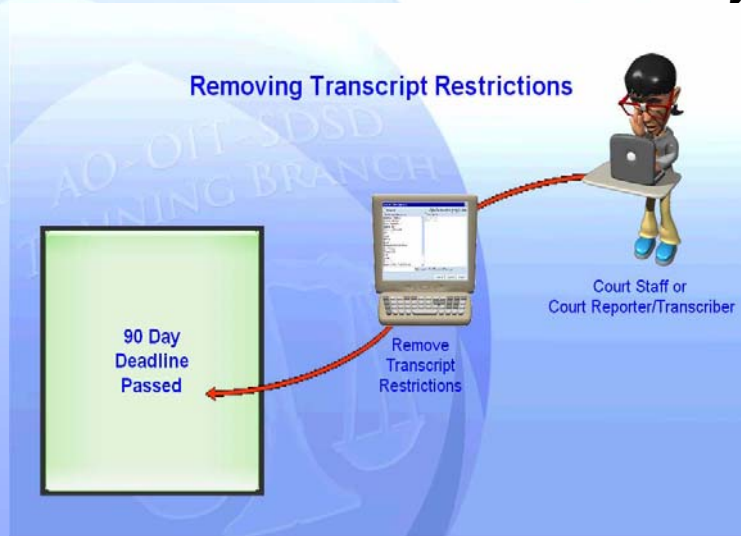
| | |
|---|-----------------------|
| AVAILABLE AT PUBLIC TERMINAL FOR VIEWING ONLY | |
| IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF ALABAMA | |
| IN RE: | |
| SCOTT A. MILLER | Case No. 02-99999 |
| Chapter 7 Debtor | |
| UNIVERSAL MORTGAGE | Adversary No. 03-0054 |
| Plaintiff | |
| vs | |
| SCOTT A. MILLER | |
| Defendant | |
| TRANSCRIPT OF HEARING (Volume IV) CONTINUED EVIDENTIARY HEARING | |

Header on all transcripts viewed at court.

Transcript Redactions 90 Day Deadline

- Court will manually track this deadline through reports
- Removal is not automatic.
- After 90 days, the court removes the restriction for everyone with a new utility.

Review/Remove Transcript Access All Restrictions Removed After 90 Days



Transcript Redactions

| Personal Identifier | Restrict To: |
|---------------------------|------------------|
| Social security number | Last 4 digits |
| Minor's names | Minor's initials |
| Dates of Birth | Year of birth |
| Financial account numbers | Last 4 digits |

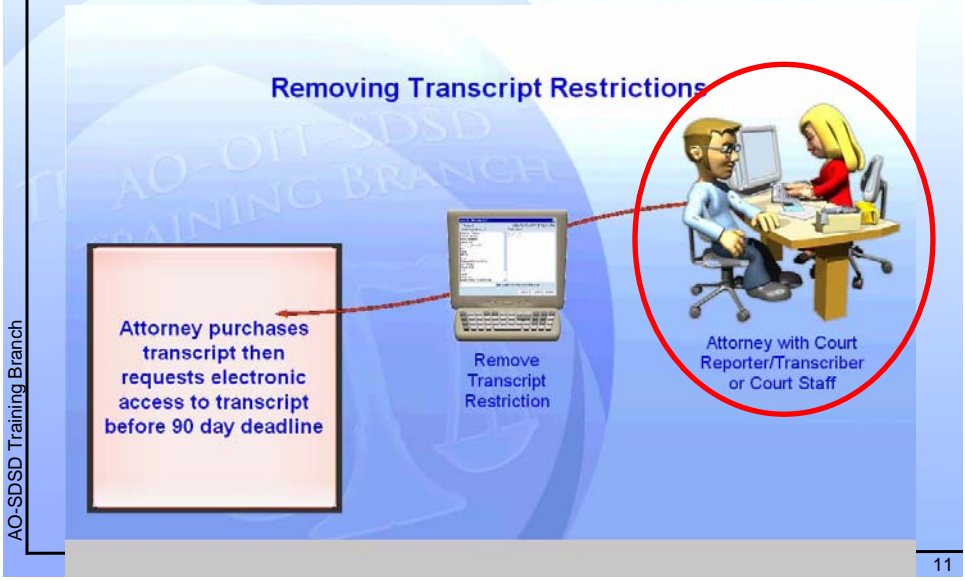
Fed. R. Bankr. P. 9037(a). Redacted Filings

Transcript Redactions

- Attorney will request redaction for privacy through the court.
- Court reporter redacts sensitive data and files redacted transcript with the court.
- Redacted transcript is also restricted until the 90 day deadline has passed.
 - If redacted, the original transcript will always be restricted.

Transcript Access

Restriction Can Be Removed for Individuals



Transcript Events

| Event | File & Deadline |
|--|---|
| Transcript | Court reporter/transcriber or court staff – 0 days |
| Notice of Intent to Request Transcript Redaction | Attorney – 7 days |
| Transcript Redaction Request | Attorney - 21 days |
| Redacted Transcript | Court reporter/transcriber or court staff - 31 days |

AO-SDSD Training Branch

Notice of Filing of Transcript

Notice of Filing of Transcript

- A separate Notice of Filing of Transcript will be sent to *pro se* filers who don't have electronic access to CM/ECF
- The Notice of Filing of Transcript will be electronically sent to e-filing attorneys