

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

TRANSCRIPT POLICY

The Judicial Conference of the United States Courts has adopted a policy which provides that courts make electronic transcripts of proceedings remotely available to the public if such transcripts were prepared. Transcripts must conform to Fed. R. Bankr. P. 9037(a). The policy of the U.S. Bankruptcy Court for the Northern District of Mississippi follows:

Electronic Availability

A transcript provided to the court by a court reporter or transcriber will be available at the public terminal of the Clerk's office, for inspection only (not copying) for 90 days after it is filed with the court. *(28 U.S.C. §753 requires the transcript to be available at the clerk's office for inspection by any person without charge.)*

During the 90-day Period

The transcript and any redacted version will not be available via remote electronic access.

A copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference. A docket entry in the CM/ECF system will provide the court reporter or transcriber's contact information.

An attorney or party who purchases a copy of the transcript from the court reporter or transcriber may be given remote electronic access to the transcript and any redacted version by filing such request with the court. The transcript access request form, entitled *Certification of Payment and Request for Remote Electronic Access to Transcript*, is available on the Forms page of the court's website at www.msnb.uscourts.gov

If an attorney or party purchases only a redacted version of the transcript, the party will only have remote electronic access to the redacted version. Non CM/ECF registered users, members of the general public, or the media who purchase the transcript will not be given remote electronic access to the transcript or any redacted version.

Redaction Responsibilities

The attorneys and *pro se* parties who attended the hearing are solely responsible for reviewing the transcript for the personal data identifiers required by the federal rules to be redacted, and for providing the court reporter or transcriber with a statement of the redactions to be made to comply with Fed. R. Bankr. P. 9037(a). Transcribers are not responsible for identifying a need for redaction or for redacting transcripts absent a request by an attorney or a *pro se* party.

The court's responsibility is to follow the Judicial Conference guidelines for providing public access to the transcript and for restricting access in accordance with the Judiciary's privacy policy. The clerk is not required to review documents filed with the court for compliance with Fed. R. Bankr. P. 9037(a).

Deadlines Related to Restriction, Redaction, and Release of Transcript for Remote Electronic Access.

The date the transcript is filed with the court is the starting date for calculations of all deadlines set out below.

Deadlines are calculated using calendar days. The following deadlines apply to the restriction, redaction, and the release of the transcript for public viewing:

7 days Notice of Intent to Redact

Each party wishing to redact a transcript must file with the court a Notice of Intent to Request Redaction. *If no such notice is filed, the court will assume redaction of the transcript is not necessary.*

21 days* Redaction Request

A party must submit to the court reporter or transcriber, a statement indicating where the personal data identifiers to be redacted appear in the transcript. *This statement is not required to be filed with the court.*

** 21 days, or longer if ordered by the court.*

31 days* File Redacted Transcript

The court reporter or transcriber must perform the required redactions and file a redacted version of the transcript with the court.

31 days, or longer if ordered by the court.

90 days Release Transcript Restriction for Remote Electronic Access

Transcript restriction can be removed to allow remote electronic access to the transcript, provided there are no other redaction documents or motions linked to the transcript.

After the 90-day Period.

If a redacted transcript is filed, the redacted version will be made available for inspection/copying at the clerk's office and for download from the court's CM/ECF system via PACER. The un-redacted version will remain available at the public terminal in the clerk's office for public inspection and copying, but will not be available via remote electronic access.

If a redacted transcript is not filed, the transcript will be available for inspection/copying at the clerk's office and for download from the court's CM/ECF system via PACER.

PACER Fees:

PACER fees will be applied both during and after the 90-day restriction period. Charges will not be capped at 30 pages as they are for other court documents, but will accrue for the entire transcript.

Users will incur PACER charges each time the transcript is accessed, even though they may have purchased it from the court reporter or transcriber and have remote electronic access rights. There is no "free look" for transcripts.