

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

<b>In re:</b>	:	<b>Standing Order</b>
	:	
<b>ELECTRONIC TRANSCRIPT</b>	:	
<b>REDACTION PROCEDURES</b>	:	<b>Miscellaneous No. 08-3017</b>

**ORDER**

**WHEREAS** the Judicial Conference’s Privacy Policy for Public Access to Electronic Case Files (The Judicial Conference Privacy Policy) seeks to protect certain personal information about parties, witnesses and others involved in a civil, criminal or bankruptcy case,<sup>1</sup> and

**WHEREAS** the Judicial Conference’s Privacy Policy contains procedures for redacting certain protected personal information from transcripts of court proceedings available to the public in electronic format, it is hereby

**ORDERED** that the following transcript redaction procedures shall be implemented by the United States Bankruptcy Court for the Eastern District of Pennsylvania effective October 1, 2008:

1. Unless otherwise directed by the court, transcripts will be submitted by the transcribers to the clerk of court for filing. The docket entry will note that the transcript is available at the clerk’s office for inspection only for 90 days after the filing. During this 90 day period, electronic access to the transcript will be limited to court staff, public terminal users in the clerk’s office, attorneys or parties who have purchased the transcript from the transcriber and

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<sup>1</sup>This information, as described in Fed. R. Bankr. P. 9037, includes social security numbers, birth dates, the names of individuals known to be minors, and financial account numbers ( a/k/a “Personal Data Identifiers”).

other parties as may be directed by the court.

2. Upon the filing of a transcript, counsel of record who have appeared at the hearing, as well as parties appearing pro se, must review the transcript and request redaction of any personal data identifiers.<sup>2</sup> The responsibility for redacting personal data identifiers is that of counsel and the parties. Neither the clerk of court nor the transcriber will review transcripts for redaction purposes. The scope of responsibility of an attorney or pro se party includes review of the following portions of a transcript:

- opening and closing statements made on the party's behalf;
- statements of the party;
- testimony of any witnesses called by the party; and
- any other portion of the transcript as ordered by the court.

3. Upon the filing of a transcript, a notice of the filing ( Exhibit A), setting forth deadlines related to restriction and redaction, will be issued by the clerk's office to all attorneys of record and pro se parties who attended the hearing.

4. Within seven (7) calendar days of the filing of the transcript, each party wishing to redact must inform the court by filing a notice of the party's intention with the clerk of court.

5. If redaction is requested, the requesting party is to submit to the transcriber, and file a copy with the court, within 21 calendar days of the filing of the transcript, or longer if the court so orders, a statement indicating where the personal data identifiers to be redacted appear in the transcript. This procedure is limited to the redaction of the following personal identifiers:

- social security numbers to the last four digits;
- financial account numbers to the last four digits;
- dates of birth to the year; and
- names of minor children to the initials.

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<sup>2</sup>This policy only applies to transcripts of proceedings held before this court. Transcripts of depositions or proceedings of state courts or other jurisdictions are not covered by this policy.

6. The transcriber must, within 31 calendar days of the filing of the transcript with the clerk, or longer if the court so orders, perform the requested redactions, provide a copy of the redacted transcript to the requester and file a redacted version of the transcript with the clerk of court.

7. During the 90-day restriction period, the transcript and any redacted versions will not be available via remote electronic access. The transcript will be available at the court for internal use and will be available for viewing at the court's public terminals but will include the heading "AVAILABLE AT THE PUBLIC TERMINAL FOR VIEWING ONLY" to alert court staff that they may not copy or print the transcript for a requester during the restriction period. An attorney who purchases the transcript from the transcriber will be given remote electronic access to the transcript and any redacted version filed via the court's CM/ECF system.

8. At the end of the 90-day restriction period, if a redacted version of the transcript is filed, the redacted version will be made available via remote electronic access and at the clerk's office public viewing terminal for viewing and printing. The unredacted version will be retained by the clerk and remain a restricted document. The "viewing only" header will remain on the transcript and it will not be available via remote electronic access, but will remain available for printing by clerk's office staff unless the court orders otherwise.

9. If, at the end of the 90-day restriction period, a redacted version of the transcript is not filed, and if there are no other redaction documents or motions linked to the transcript, the transcript on file will be made available via remote electronic access at the clerk's office public viewing terminal for viewing and printing.

For the Court:



**STEPHEN RASLAVICH**

**Chief United States Bankruptcy Judge**

DATED: *September 29, 2008*

## EXHIBIT A

### UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF PENNSYLVANIA

In re: \_\_\_\_\_ : Chapter \_\_\_\_\_  
: Bankruptcy No. \_\_\_\_\_  
Debtor \_\_\_\_\_ :

#### **NOTICE OF FILING OF TRANSCRIPT AND OF DEADLINES RELATED TO RESTRICTION AND REDACTION**

A transcript of the proceeding held on \_\_\_\_\_ was filed on \_\_\_\_\_. The following deadlines apply:

The parties have until \_\_\_\_\_ (7 calendar days from the date of filing of the transcript) to file with the court a *Notice of Intent to request Redaction* of this transcript. The deadline for filing a *request for redaction* is \_\_\_\_\_ (21 days from the date of filing of the transcript).

If a Request for redaction is filed, the redacted transcript is due \_\_\_\_\_ (31 days from the date of filing of the transcript).

If no such notice is filed, the transcript may be made available for remote electronic access upon expiration of the restriction period, which is \_\_\_\_\_ (90 calendar days from the date of filing of the transcript) unless extended by court order.

To review the transcript for redaction purposes, you may purchase a copy from the transcriber (contact the court for contact information) or you may view the document at the clerk's office public terminal.

FOR THE COURT

TIMOTHY B. McGRATH  
CLERK

By: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_