

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

Judicial Conference Policy Regarding the Availability of Transcripts of Court Proceedings

The Judicial Conference implemented a policy regarding the availability of transcripts of court proceedings in September of 2007. This policy is limited to the redaction of specific personal identifiers from transcripts that are available for remote online viewing. Personal identifiers as outlined in [Fed. R. Civ. P. 5.2](#) and [Fed. R. Crim. P. 49.1](#) include 1) individuals' social security numbers, 2) names of minor children, 3) financial account numbers, 4) dates of birth and 5) in criminal cases, any home addresses stated in court to the city and state, a party or nonparty making the filing. Please review the rule for a complete listing and exceptions.

Availability

The court reporter or transcriber will e-file a copy of any transcript not later than three (3) business days after delivery to the requesting party. The transcript will be available at the Clerk's Office for electronic *viewing only*, for a period of 90 days after it is filed with the Clerk. The transcript will display a header "AVAILABLE AT THE PUBLIC TERMINAL FOR VIEWING ONLY."

After the 90-day period has ended, if no redactions are made, the original e-filed transcript will be available for viewing and copying in the Clerk's Office and for downloading from the court's CM/ECF system through the judiciary's PACER system.

Parties in the case who order the original transcript within the 90-day restriction period will be granted remote access to view the transcript as soon as it is filed.

Obtaining transcripts

During the 90-day period, a copy of the transcript may be purchased from the court reporter or transcriber at the rate established by the Judicial Conference [\[see Maximum Transcript Fees on our website\]](#). An attorney who purchases the transcript from the court reporter or transcriber will have remote electronic access to the transcript through the court's CM/ECF system once the reporter notifies the court.

Redaction guidelines

Transcript Redaction Request

The parties have seven (7) calendar days from the filing of the transcript to file a Notice of Intent to Request Redaction. The parties must also serve a copy on the court reporter or transcriber. After filing the Notice of Intent to Request Redaction, a party must submit to the court reporter or transcriber, within 21 calendar days of the filing of the transcript, a written statement indicating where the personal data identifiers to be redacted appear in the transcript.

The filing party must provide the court reporter or transcriber with a copy of the Transcript Redaction Request. E-filers, make sure to use the correct event.

Request for Additional Redactions

If redaction of information *other* than personal identifiers is sought, the party must e-file a separate Motion to Redact Transcript with the Court. **Make sure you link the motion to the applicable transcript.** The court reporter or transcriber must, within thirty-one (31) calendar days of the delivery of the transcript to the Clerk of Court, or longer if the court so orders, perform any requested redaction and file a

redacted version of the transcript with the Clerk of Court.

Any party needing a copy of the unredacted transcript to review for redaction purposes may purchase a copy from the court reporter or transcriber or view the document at the Clerk's Office public terminal.

Remote Public Access to Transcripts

If a redacted transcript is filed with the Court, that redacted transcript will be remotely electronically available through PACER after 90 calendar days from the date of filing of the original transcript. The Clerk's Office will file the unredacted transcript as a restricted document, which will allow court staff to view it and print it, and allow the public to view the transcript at the public terminal in the clerk's office. If the original transcript is filed without redaction, that original transcript will be remotely electronically available through PACER after 90 calendar days and may be copied at the Clerk's Office.

CJA Panel Attorneys

An attorney who is serving as "standby" counsel appointed to assist a pro se defendant in his or her defense in a criminal case must review the same portions of the transcript as if the pro se defendant were his or her client. If the transcript relates to a panel attorney representation pursuant to the Criminal Justice Act (CJA), including serving as standby counsel, the attorney conducting the review is entitled to compensation under the CJA for functions reasonably performed to fulfill the redaction obligation and for reimbursement for related reasonable expenses.

PACER fees

PACER fees will be applied both during and after the 90-day restriction period. Charges will not be capped at 30 pages (\$2.40) as they are for other court documents, but will rather accrue for the entire transcript. The user will incur PACER charges for each time the transcript is accessed even though he/she may have purchased it from the court reporter or transcriber and obtained remote access through CM/ECF. There is no "free look" for transcripts.

Note: This policy applies to transcripts of events taking place in the court's courtrooms, not depositions taken outside of court or proceedings of state courts or other jurisdictions.

Attorneys and pro se parties are entirely responsible for identifying information to be redacted and notifying court reporters and transcribers. If there is no action taken by counsel or pro se parties, no redaction will occur.

Frequently Asked Questions

[Click here](#) to view a listing of frequently asked questions regarding the Judicial Conference policy on the availability of transcripts of Court proceedings on our web site www.nced.uscourts.gov
U.S. District Court Eastern District of North Carolina