

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

In re: )  
 ) Standing Order No. 08-03  
Transcripts of Court Proceedings )  
 ) ADOPTION OF TRANSCRIPT POLICY  
 )

The Judicial Conference Policy on Electronic Availability of Transcripts applies to any transcript of a court proceeding that is subsequently filed with the court and made available to the public via electronic access. Therefore, to facilitate a full implementation of said Judicial Conference policy within the Northern District of Iowa, for any transcript filed on September 1, 2008 or after (regardless of the date of the actual proceeding), **IT IS HEREBY ORDERED:**

1. Transcripts of court proceedings may only be electronically filed by a transcriber who has been certified by the Administrative Office of the United States Courts.
2. For a period of ninety (90) days from the filing of the transcript, electronic access via PACER will not be permitted except as provided under paragraph 3 below. However, the transcript will be available for viewing at the office of the clerk of court, free of charge, at any public terminal located in any of the two divisional clerk's offices, but it will not be available for copying during this period.
3. During this ninety (90) day restriction period, a copy of the transcript may be obtained from the transcriber. An attorney or party in the case who purchases the transcript from the transcriber will also be given remote electronic access to the transcript through the court's CM/ECF system via PACER, for purposes of creating hyperlinks to the transcript in court filings and for other purposes. PACER fees apply at all times when accessing transcripts remotely and the 30-page cap does not apply to viewing or printing a transcript via PACER.
4. Members of the public, including the news media, who purchase a transcript, shall not be granted remote electronic access to a transcript during the ninety (90) day restriction period.
5. Upon the filing of a transcript, the clerk shall generate and serve, as applicable, an electronic or paper "Notice of Filing of Transcript and of Deadlines Related to Restriction and Redaction." The parties shall have seven (7) calendar days from the date of filing of the transcript to file a "Notice of Intent to Request Redaction of Transcript."

6. Parties who timely file the “Notice of Intent to Request Redaction of Transcript”, shall, within twenty one (21) calendar days of the filing of the transcript, unless otherwise ordered by the court, prepare and submit to the transcriber a “Statement of Personal Data Identifier Redaction Request” (“Statement”). This “Statement” shall indicate, by page and line number, the location of the personal data identifiers for which redaction is being requested. For purposes of this procedure, personal data identifiers are defined as:
  - a. individual social security numbers,
  - b. individual taxpayer identification numbers,
  - c. financial account numbers,
  - d. names of minor children, and
  - e. dates of birth.

Upon submission of the “Statement” to the transcriber, the parties requesting the redaction shall also docket the text only event into the Court’s CM/ECF system “Statement of Redaction Submitted,” which will appear as a public document on the docket.

7. Parties seeking to redact information beyond those elements specified in paragraphs 6a. through 6e. of this Order shall file the appropriate motion. If the motion is granted, the Clerk shall serve a copy of the motion and order granting said motion upon the transcriber.
8. Redaction responsibilities are solely the responsibility of the attorneys and pro-se parties who attended the hearing. Each party is responsible for reviewing and indicating redactions in the testimony of the witnesses that were called by that party and for that party’s own statements.
9. If a “Notice of Intent to Request Redaction of Transcript” has been filed and subsequently a “Statement” is submitted to the transcriber within the twenty one (21) calendar day deadline set forth in paragraph 6, the transcriber shall partially redact the personal data identifiers identified in the “Statement” as follows:


- for Social Security numbers and taxpayer-identification numbers use only the last four digits;
- for financial account numbers, use only the last four digits;
- for names of minor children, use only their initials; and
- for dates of birth, use only the year.


The transcriber shall then file, within thirty one (31) calendar days from the filing of the transcript, a redacted transcript with an amended certification indicating that the transcript was amended by the redaction of certain personal identifiers at the request of the parties. Parties who have previously ordered the unredacted transcript shall be given remote access to the redacted transcript.

10. After the ninety (90) day period has expired, the filed transcript (or if a redacted transcript was filed the redacted transcript) will be available for inspection and copying at the clerk's office and for downloading from the court's CM/ECF system via PACER. Copy fees and PACER access fees apply. However, a transcript will not be electronically available until the Court has ruled on intervening motions for extension of time or for protective orders related to the transcript.
11. If a redacted transcript has been filed in accordance with the provisions of this Order, ONLY the redacted version will be available via remote electronic access, or for inspection at the clerk's office. The unredacted version will NOT be available.
12. The policy set forth in this order:
  - a. Does not affect the obligation of the clerk to make the official transcript available for copying by the public without further compensation to the transcriber 90 days after the transcript is filed pursuant to Judicial Conference policy.
  - b. Is not intended to create a private right of action.
  - c. Is intended to apply the Judicial Conference policy on privacy and public access to electronic case files to transcripts that are electronically available to the public. It is not intended to change any rules or policies with respect to sealing or redaction of court records for any other purpose.
  - d. Does not prevent the production of a transcript on an expedited basis for a party, or any other person or entity, that may order such a transcript, subject to whatever court rules or orders are currently imposed to protect sealed materials. Any non-party that orders a transcript on an expedited basis should be alerted to the Judicial Conference policy on privacy and public access to electronic case files by the entity providing the transcript to the party.

The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders file. The Clerk also is directed to post a copy of this Standing Order to the Court's web site so that it is available to all attorneys who are admitted to practice before this court, either as a member of the bar of the district or *pro hac vice* in a pending case.

Dated: 10-08-08

  
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PAUL J. KILBURG  
CHIEF BANKRUPTCY JUDGE

  
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WILLIAM L. EDMONDS  
BANKRUPTCY JUDGE