

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA

In re:

FIRST AMENDED STANDING  
ORDER NO. 16

**Electronic Transcript Policy for Federal  
Courtroom Proceedings**

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WHEREAS, the Judicial Conference policy on privacy and public access to electronic case files effective December 1, 2003, and revised in March, 2007, directs Courts to take steps to ensure that private, personal identifying data is protected and 11 U.S.C. § 107(c) specifically gives this Court the power to protect an individual with respect to disclosure of certain protected types of information where the “court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual’s property,” and

WHEREAS, in September, 2007 the Judicial Conference of the United States adopted a policy for courts that make transcripts of federal courtroom proceedings available electronically, and

WHEREAS, this Court has begun to accept such transcripts for filing in electronic form, and to make those transcripts in electronic form available through PACER, and intends to do so.

The Court accordingly finds that in order to comply with applicable Judicial Conference policy, this Court must modify its procedure for all electronically filed transcripts of federal courtroom proceedings.

THEREFORE, IT IS ORDERED that hard copy access to all such transcripts provided to the Court by a court reporter or transcriber will initially be restricted to Court users and case participants for a period of 90 days from the date of filing to allow interested parties the opportunity to review the transcript and file a request for redaction, requesting that personal data identifiers be redacted prior to the transcript being made available to the public. Such personal identifiers are:

- (1) Social security numbers
- (2) Financial account numbers
- (3) Names of minor children
- (4) Dates of birth
- (5) Home addresses of individuals

IT IS FURTHER ORDERED that the clerk's office will be prohibited from providing electronic access as well as paper and/or electronic copies of such transcripts until 90 days from the date the transcripts were filed. Individuals wishing to purchase a copy of the transcript within the 90-day period must contact the transcriber directly. An attorney who purchases the transcript during the 90-day period will be given remote electronic access to the on-line transcript available at that time. Members of the general public, including pro se parties who purchase the transcript, will not be given remote electronic access to the transcript during the 90-day period. After the 90-day period expires, transcripts will be available for public access through the PACER system.

IT IS FURTHER ORDERED that within 7 calendar days of the filing of the official transcript on the docket each party shall inform the Court, by filing a notice of intent to request redaction with the clerk and serving a copy on the transcriber, of the party's intent to redact personal data identifiers from the electronic transcript of the court proceeding. The party then has 21 calendar days from the date of the filing of the official transcript to file a request for redaction with a listing indicating where the personal identifiers to be redacted appear in the transcript and serve a copy on the transcriber. The transcriber will then have 31 calendar days from the date of the filing of the official transcript to file a redacted version of the transcript. Parties are reminded not to include in their public filing the information they want redacted. The transcriber must redact the identifiers as directed by the party as follows:

- (1) Social security numbers will be limited to the last four digits
- (2) Financial account numbers
- (3) Names of minor children
- (4) Dates of birth and
- (5) Home addresses of individuals

IT IS FURTHER ORDERED that if no request for redaction is filed within the allotted time, the Court will conclude that the parties to the action have no objection to the inclusion of personal data identifiers in the transcript and the transcript will be made electronically available on the ninety-first calendar day unless the Court for good cause, related to the application of the Judicial Conference policy on privacy and public access to electronic case files, finds that a transcript should not be made available.

IT IS FURTHER ORDERED that if a timely request for redaction is filed with the clerk's office by any party to the proceeding following the filing of the official transcript, the official unredacted transcript will not be made available. However, the redacted transcript will be made electronically available to the general public on the 91st day following the filing of the official transcript.

IT IS FURTHER ORDERED that during the 90- day period, or longer if the Court so orders, any attorney who wishes to redact information not covered in Fed. R. Bankr. P. 9037(a), must file a motion for protective order pursuant to part (d) of the Rule. A transcript will not be electronically available until the Court has ruled on the intervening motions for extension of time or for protective

orders related to the transcript.

IT IS FURTHER ORDERED that the cost of any redactions and the responsibility for monitoring the docket to know when the electronic transcript of their hearing has been filed shall be the sole responsibility of the parties to the hearing who have requested the redaction.

IT IS FURTHER ORDERED that it is the responsibility of the parties to avoid introducing personal identifier information into the record, and attorneys are instructed to avoid eliciting information from or formulating questions to witnesses during court hearings that include personal identifier data and are further directed to be sensitive to the importance of protecting such personal data during the conduct of hearings that are being transcribed.

DONE AND ORDERED this 11th day July, 2008.



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Lewis M. Killian, Jr.  
United States Bankruptcy Judge