

JUN 12 2008

JAMES N. HATTEN, Clerk
By: *J. Metz*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

IN RE:)
)
ADOPTING A POLICY ON)
ELECTRONIC AVAILABILITY)
AND REDACTION OF)
OFFICIAL TRANSCRIPTS)
OF PROCEEDINGS BEFORE)
UNITED STATES DISTRICT)
AND MAGISTRATE JUDGES)

STANDING ORDER NO. 08-02

ORDER

This matter comes before the Court because the Judicial Conference of the United States has adopted a national policy on electronic public access to official transcripts before a United States District or Magistrate Judge. Consistent with that policy, this Court intends to make electronic access to official transcripts available through Public Access to Court Electronic Records (PACER)¹ by electronically filing transcripts directly into the Court's Case Management and Electronic Case Filing (CM/ECF) system. In so doing, the Court will provide more complete and efficient access to the court case file while protecting certain sensitive information of litigants appearing in the United States Courts. Accordingly, IT IS HEREBY ORDERED:

1. In compliance with the policy of the Judicial Conference of the United States, and in order to further promote public electronic access to case files, official transcripts of proceedings, or parts of proceedings, before United States District and Magistrate Judges in the Northern District of Georgia will be filed electronically in the Court's electronic case management and electronic filing system, CM/ECF.

¹PACER is an electronic public access service that allows users to obtain case information from the federal courts. PACER is a service of the United States Judiciary, provided by the Administrative Office of the United States Courts. PACER allows a registered user to access case information through the Internet or a dial-up connection using a computer and modem.

2. In further compliance with the policy of the Judicial Conference of the United States regarding the protection of privacy and sensitive information within court documents, electronic transcripts will only be available for the first 90 days after filing through the public terminal in the Clerk's Office, or by purchase from the court reporter.
3. Parties shall refrain from including, or shall request redaction where inclusion is necessary, the following personal identifiers from all court proceedings, and thus transcripts, unless otherwise ordered by the Court:
 - a. Names of minor children. If the involvement of a minor child must be mentioned, only the initials of that child should be used.
 - b. Financial account numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used.
 - c. Social Security numbers. If an individual's Social Security number must be included, only the last four digits of that number should be used.
 - d. Dates of birth. If an individual's date of birth is relevant, use only the year of birth.
 - e. Home addresses. If a home address must be mentioned, only the city and state should be used.
4. Counsel or parties will review the transcript and determine whether redaction of the listed personal identifiers is necessary. Sentencing transcripts must be reviewed by both defense counsel and the government. If redaction is necessary, counsel must electronically file a Request for Redaction within 21 calendar days of the transcript filed date. The request will list, by page and line, each redaction to be made. Remote electronic access to the Request for Redaction will be limited to court staff and counsel. The Request for Redaction must be served by the filing party on the court reporter through U.S. Mail or hand delivery.
5. Failure to request redaction within the 21 day time period, or to seek extension of time to do so from the Court, will result in the transcript being made electronically available, without redaction, 90 days after the transcript was initially filed with the Clerk.
6. The responsibility for omitting or redacting personal identifiers rests solely with counsel and the parties. The Clerk will not review filings for compliance with this rule. Counsel and the parties are cautioned that failure to redact these personal identifiers may subject them to sanctions or other disciplinary proceedings as appropriate.

7. If a party requests redaction, the transcript will not be made remotely available to the public through PACER until all redactions have been made. A copy of the official, unredacted, transcript will be available for review in the Clerk's Office or for purchase from the court reporter during this time. Redacted transcripts should be filed within ten (10) days of the Request for Redaction absent further direction from the Court.
8. Redaction of information other than the personal identifiers listed herein will require the electronic filing of a separate motion served on all of the parties and the court reporter within the 21 day notice period.
9. Transcripts will be made remotely available through PACER, subject to standard PACER fees, as follows:
 - a. Transcripts in which no redaction was requested: 90 days from the filed date of the official transcript.
 - b. Transcripts in which a redaction was requested: 90 days from the filed date of the official transcript OR filed date of the redacted transcript, whichever is later. Although the unredacted transcript will remain on record, only the redacted transcript will be released for remote public access through PACER.
10. This policy in no way creates a private right of action against the Court, the Clerk of Court, counsel or any other individual or entity on behalf of any individual or entity that may have identifying information erroneously included in a proceeding that is made available on the Internet via PACER.
11. This Order does not limit the application of Rule 11 of the Federal Rules of Civil Procedure for any willful or deliberate violation of this Order.

This policy shall go into effect on July 1, 2008, after notice to the bar and public and will apply to all official transcripts of proceedings taken by Official and Contract Court Reporters and filed on or after the effective date.

IT IS SO ORDERED this 12 day of June, 2008.



JACK T. CAMP
Chief United States District Judge