

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NOTICE TO MEMBERS OF THE BAR

**Judicial Conference Policy with Regard to the Availability of Transcripts
of Court Proceedings**

Effective May 15, 2008, the District of Nevada, in accordance with Judicial Conference Policy, Federal Rule of Civil Procedure 5.2 and Federal Rule of Criminal Procedure 49.1, will implement the following policy regarding official court transcripts:

1. A transcript provided to the court by a court reporter or transcriber will be available at the Clerk's Office, for inspection only, for a period of 90 calendar days after it is filed.
2. During the 90 calendar day period, a copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference. The transcript will be available for viewing at the public terminal at the courthouse and remotely electronically available to any attorneys of record who have purchased a copy from the court reporter or transcriber.
3. After the 90 calendar day period has ended, the transcript will be available for copying in the Clerk's Office and for download through PACER.

NOTE: This policy applies to transcripts of federal courtroom proceedings filed on or after May 15, 2008, not depositions taken outside of court or proceedings of state courts or other jurisdictions.

This policy establishes a procedure for counsel to request the redaction from the transcript of specific personal data identifiers before the transcript is made electronically available to the general public.

Counsel are strongly urged to share this notice with their clients so that an informed decision about the inclusion of certain materials may be made. **The responsibility for redacting personal identifiers rests solely with counsel and parties.** Neither the clerk nor the court reporter or transcriber will review transcripts for compliance with this policy.

Redaction Request:

If a redaction is requested, counsel must file and submit **to the court reporter or transcriber** a *Transcript Redaction Request* (A sample form is available on our website www.nvd.uscourts.gov) **within 21 calendar days** from the filing of the transcript, indicating where the personal identifiers appear in the transcript by page and line, and how they are to be redacted.

NOTE: This procedure is limited to the redaction of the specific personal data identifiers listed below:

- ▶ Social security numbers and taxpayer identification numbers to the last four (4) digits;
- ▶ Financial account numbers to the last four (4) digits;
- ▶ Dates of birth to the year;
- ▶ Names of minor children to the initials; and
- ▶ Home addresses to the city and state in criminal cases.

If an attorney fails to timely file a *Transcript Redaction Request* or *Motion to Extend Time*, no redaction will be made and the original transcript will be publicly available after 90 calendar days.

Requests for Additional Redactions:

If counsel would like to request further redactions, in addition to those personal identifiers listed above, counsel must move the Court by filing a separate *Motion for Redaction of Transcript*.

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 the original transcript and the original transcript will not be made publicly available. If the original transcript is filed without redaction, that original transcript will be remotely electronically available through PACER after 90 calendar days.

CJA Panel Attorneys:

An attorney who is serving as appointed “standby” counsel for a pro se litigant must review the transcript as if the pro se party were his/her client. If an attorney represents a client pursuant to the Criminal Justice Act (CJA), including serving as standby counsel, the attorney conducting the review of the transcript is entitled to compensation under the CJA for functions reasonably performed to fulfill the obligation and for reimbursement of related reasonable expenses.

PACER Fees:

PACER fees will be applied both during and after the 90 calendar day restriction period. Charges will not be capped at 30 pages as they are for other court documents, but will rather accrue for the entire transcript. The user will incur PACER charges 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.**