

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

TRANSCRIPT POLICY

The Judicial Conference, at its September 2007 session, adopted a policy expressly providing that courts make electronic transcripts of proceedings remotely available to the public if such transcripts were otherwise prepared to include official transcript of court proceedings in electronic case filings. Thus, with the implementation of the Bankruptcy CM/ECF Release of 3.3 software, this court shall comply with said policy.

Like paper transcripts, electronic transcripts will be available for public viewing (but not copying) at the public terminals located in clerk's office for 90-days after being filed by an authorized court reporter/transcriber as required by 28 U.S.C. §753 without charge.

During the 90-day restriction period, the transcript and any redacted version will not be available via remote electronic access. The transcript will include a header "AVAILABLE AT THE PUBLIC TERMINAL FOR VIEWING ONLY". The transcript can only be purchased through the court reporter/transcriber, as 28 U.S.C. §753(f) provides the court reporter/transcriber with the authority to sell transcript copies. An attorney who purchases the transcript from the court reporter/transcriber during the 90-day period may be given remote electronic access to the transcript and any redacted version filed. If an attorney purchases only a redacted version of the transcript, the attorney shall not be given remote electronic access to the unredacted transcript in CM/ECF. Members of the general public including pro se parties or the media who purchase the transcript will not be given remote electronic access to the transcript or any redacted version filed during the 90-day period.

REDACTION RESPONSIBILITIES

When a transcript is filed, the attorneys and *pro se* parties who attended the hearing are solely responsible for redaction of the information described in Fed. R. Bankr. P. Rule 9037(a). Transcribers are not responsible for identifying a need for redaction or for redacting transcripts absent a request by an attorney or *pro se* party.

The court's responsibility is to follow the Judicial Conference guidelines for providing public access to the transcript and for restricting access in accordance with the Judiciary's privacy policy. The **clerk is not required** to review documents filed with the court for compliance with Fed. R. Bankr. P. Rule 9037(a).

DEADLINES

The date the transcript is filed is the starting date for calculation of all deadlines related to restriction, redaction and release of a transcript for remote electronic access public viewing.

- *Optional* deadline for filing a Notice of Intent to Request Redaction (7 calendar days);

Note: This is not required to be filed with this court, but communication with the transcriber of your intent is recommended.

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- *Optional* deadline for filing a Request for Redaction (21 calendar days);
*Note: This is not required to be filed with this court, but communication with the transcriber is **required**.*
- Deadline for filing the redacted version of the transcript (**31 calendar days**); and
- Date transcript restriction can be removed (**90 calendar days**) to allow remote electronic access to the transcript.

EXPIRATION OF 90-DAY RESTRICTION PERIOD

If, at the end of the 90-day restriction period, a **redacted version** of the transcript **is NOT filed** and if there are no other redaction documents or motions linked to the transcript;

- the unredacted version will be made available via remote electronic access and at the public terminals for viewing and printing.

If at the end of the 90-day restriction period, a **redacted version** of the transcript **is filed**,

- the redacted version will be made available via remote electronic access and at the public terminal for viewing and printing;
- the unredacted version **will NOT** be available via remote electronic access, but will remain available at the public access terminal, and
- at the end of the 90-day restriction period - the unredacted version will be available for printing by court staff unless the Court orders otherwise.

Date: January 26, 2009

Danny L. Miller, Clerk