

## **Rule 9037-1**

### **Privacy Protection**

**(a) Responsibility for Redaction of Personal Identifiers.** The responsibility for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a) rests solely with counsel and the parties.

**(b) *Sua Sponte* Protective Orders.** The court may enter a *sua sponte* protective order where a document has been filed that includes unredacted information prohibited by Fed. R. Bank. P. 9037(a) or information protected under 11 U.S.C. § 107.

**(c) Compliance with Electronic Transcripts Policy.** Access to every electronic transcript filed with the court will be available at the clerk's office for inspection only, for a period of ninety (90) days after it is delivered to the court to allow interested parties the opportunity to review the transcript and file a Notice of Redaction requesting that personal data identifiers be redacted prior to the transcript being made available to the public. During the ninety (90) day period, a copy of the transcript may be obtained from the transcriber upon payment of the applicable fee. Attorneys who obtain transcripts from the transcriptionist may obtain remote electronic access to the transcript through the court's CM/ECF system for the purpose of creating hyperlinks to the transcript in court filing and for other purposes. After the ninety (90) day period has ended, the filed transcript will be available for inspection and copying in the clerk's office and from CM/ECF through PACER. It is the responsibility of the parties to monitor the docket for the filing of the transcript.

**(1) Procedure for Filing a Notice of Redaction.** Each party wishing to redact from a transcript personal data identifiers described in Fed. R. Bank. P. 9037(a) must, within seven (7) calendar days of the filing of the electronic transcript, file with the clerk and serve the transcriber with a Notice of Redaction of personal data identifiers.

**(2) Statement Required.** Within twenty-one (21) calendar days from the filing of the transcript, the party who filed a Notice of Redaction must file with the court and serve the transcriber with a statement indicating the page and paragraph numbers of the transcript where the personal data identifiers are located.

**(3) Motion for Additional Redactions to the Transcript.** During the twenty-one (21) days period, an attorney may file a Motion for Additional Redactions to the transcript. The transcript shall not be electronically disseminated until the court has ruled upon any such motion.

**(4)** Once a transcript is redacted, access to the unredacted version of the transcript shall be permanently restricted to viewing at a public terminal in the clerk's office.

**(d) Digital Audio Files of Court Proceedings.** If information subject to the judiciary's privacy policy is stated on the record, it will be available in the audio files over the internet. Parties must comply with (a) above and avoid introducing personal data and other sensitive information into

the record, unless necessary to prove an element of the case. Clerk's office staff cannot redact audio files before they are placed on CM/ECF. If private information is mentioned during a hearing or trial, the parties may move the court to seal, restrict, or otherwise prohibit placement of the digital audio file of the hearing or trial on the internet through the PACER system.