

Local Rule 80-2 - Redaction of Official Transcripts of Court Proceedings

(a) Redaction of Personal Data Identifiers. Upon the filing of an official transcript of any court proceeding under S.D. Ind. L.R. 80-1, attorneys of record will review the transcript and determine whether redaction of personal data identifiers within the transcript is necessary to comply with Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1. The requirements of this rule apply to pro se litigants.

(1) Review of Transcript. Unless otherwise ordered by the court, attorneys of record who represent a party or parties in a matter in which an official transcript has been filed must review the following portions of the official transcript:

- (A)** opening and closing statements made on the party's behalf;
- (B)** statements of the party;
- (C)** the testimony of any witnesses called by the party;
- (D)** sentencing proceedings; and
- (E)** any other portion of the transcript as ordered by the court.

An attorney serving as "standby" counsel appointed to be available to assist a pro se defendant in his or her defense in a criminal case must review the same portions of the transcript as if the pro se defendant were his or her client. If the transcript relates to a panel attorney representation pursuant to the Criminal Justice Act (CJA), including serving as standby counsel, the attorney conducting the review is entitled to compensation under the CJA for functions reasonably performed to fulfill the redaction obligation and for reimbursement for related reasonable expenses.

(2) Notice of Intent to Request Redaction. If any portion of an official transcript is subject to the requirements of Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1, the attorneys of record will either jointly or individually file a "Notice of Intent to Request Redaction" within 7 days from the date on which the official transcript was filed. If a Notice of Intent to Redact is not filed within the allotted 7 days, the court will assume redaction of personal data identifiers from the transcript is not necessary.

(3) Redaction Statement. If redaction of personal data identifiers within an official transcript is required by Fed. R. Civ. P. 5.2 or Fed. R. Crim. P. 49.1, attorneys of record will either jointly or individually file a "Redaction Statement" within 21 days from the date on which the official transcript was filed. The Redaction Statement will certify that

the official transcript has been reviewed by counsel and identify the following information:

(A) the filed date and document number of the official transcript for which redaction is requested;

(B) a description of each type of personal data identifier to be redacted (*e.g.*, social-security number);

(C) transcript page number(s) and line number(s) identifying the location of each personal data identifier to be redacted; and

(D) the redacted version of each such personal data identifier (*e.g.*, social-security number to read as XXX-XX-1234).

The Redaction Statement must not disclose, in its unredacted form, any personal data identifier.

(b) Redaction of Information other than Personal Data Identifiers. Any party may request redaction of information other than the personal data identifiers set forth in Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1 by filing a “Motion to Redact Transcript.” Such motion must state the grounds for requesting redaction, set forth the information to be redacted in the format required by (a)(3), and be filed within 21 days from the date on which the official transcript was filed.

(c) Filing Redacted Transcripts. After the filing of a Redaction Statement or court order granting a party's Motion to Redact Transcript, the court reporter will prepare and file a redacted version of the official transcript within 31 days from the date on which the official transcript was filed.