

Notice for Members of the Bar on Electronic Availability of Transcripts

Effective January 14, 2008, transcripts filed electronically are restricted from remote public access for a period of 90 calendar days. Only attorneys who obtain a transcript from the court reporter or transcriber 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 filings and for other purposes. However, inspection of transcripts is available at the clerk's office in Kansas City, Topeka and Wichita to parties, attorneys or members of the public. Requests for copies of transcripts during this period of restriction must be made directly to the court reporter or transcriber who prepared the transcript.

Attorneys of record in the case have 7 calendar days to file with the court a Notice of Intent to Redact of specific data identifiers. Because the Notice of Intent to Redact will be made electronically available, do not include any actual personal identifiers in your notice. If a party fails to request redaction within this time frame, the transcript will be made remotely electronically available without redaction at the end of the 90-day period.

Only the following personal identifiers may be automatically redacted without further permission from the court: Social Security numbers; financial account numbers; names of minor children; dates of birth; and home addresses of individuals. The court reporter or transcriber shall partially redact these personal data identifiers from the electronic transcript as follows:

- Social Security numbers to the last four digits;
- financial account numbers to the last four digits;
- names of minor children to the initials;
- dates of birth to the year; and
- home addresses to the city and state.

If a party wants to redact other information, that party should move the court for further redaction by filing a Motion to Redact Transcript, which shall be served on all parties and the court reporter or transcriber within the 21-day period.

If a party files a Notice of Intent to Redact, the original transcript will not be made remotely electronically available. Access to the original transcript will be available from the clerk's office or the court reporter. Within 21 calendar days from the filing of the transcript with the clerk, or longer if ordered by the court, the parties must file a Redaction Request. This request must also be submitted to the court reporter or transcriber and include a statement indicating where the personal identifiers appear in the transcript by page and line and how they are to be redacted. For example, if a party wanted to redact the Social Security number 123-45-6789 appearing on page 12, line 9 of the transcript the statement would read: Social Security number 123-45-6789 on page 12, line 9 should be redacted to read xxx-xx-6789. Access to the Redaction Request will be restricted to the court and the attorneys of record in the case.

If redactions are requested, the court reporter or transcriber will file a redacted transcript within 31 calendar days from the filing of the transcript with the clerk, or longer if ordered by the court. The redacted transcript will be remotely electronically available at the expiration of

the original 90-day period.

Counsel appointed pursuant to the Criminal Justice Act may claim compensation, at the applicable rate, for the time spent reviewing the transcript and preparing the Notice of Intent to Redact and Redaction Request as well as for costs associated with obtaining a copy of the transcript.

Although these redaction procedures are sound, it is possible to avoid the necessity of redactions and prevent harmful disclosure of personal data identifiers through electronic availability of transcripts by altering courtroom behavior so that the unnecessary information is not elicited during court proceedings.