



Ordering Transcripts and Digital Recordings and Transcript Filing, Copying and Redaction

I. Transcript Ordering

A. Criminal Justice Act (CJA) Transcripts

Submit all CJA transcript requests in eVoucher following the instructions in the [CJA eVoucher User Guide](#) on the Court's website.

B. All Other Transcripts

- Submit an AO 435 Transcript Order Form to the Clerk's Office over the counter or via email or CM/ECF.
- Make sure the form is fully completed with the correct date and description of the proceeding.
 - You **MUST** indicate the correct date of the proceeding you want transcribed. It is unacceptable to only list jury trial with no details.
 - Example:
 - DON'T – Jury Trial
 - DO – 02/02/18 Day 1 – Jury Trial, Opening Arguments; 02/03/18 Day 2 – Jury Trial, 02/06/18 Day 3, testimony of expert, etc.
- Check the minutes of the proceedings to determine whether the court reporter was present or FTR is listed. FTR means the proceeding was audio recorded.
- List the name of the court reporter or list FTR in the blank space next to line 16 on AO435.
 - If the court reporter was present, then the Clerk's Office will serve the court reporter with the AO 435 form for transcription by the court reporter.
 - If FTR is listed, then the Clerk's Office will coordinate transcription and the recording may be sent to an outside transcriber.
- Make necessary financial arrangements with the appropriate court reporter or transcriber, including any requested deposit.
 - Transcription will begin once a deposit is made to the reporter or transcriber.
 - Example:
 - If you order a 14-day transcript on 02/01, but deposit is not made until 02/05, transcription work begins on 02/06 with a completion date of 02/20.

C. Transcripts for Appeals

- E-file your "Transcript Order" form (AO435) in CM/ECF before the scheduled deadline.
- For CJA, submit request in eVoucher within 5 days of efileing the "Transcript Order" form.
- For CJA, attach a copy of the filed stamped "Transcript Order" form to the AUTH-24 in eVoucher.

II. Ordering Digital Audio Recordings

When a court reporter is not present to take the official record during a proceeding, a digital audio recording is used (FTR). A copy of the digital audio recording constituting the official record of the proceeding may be obtained by submitting a “Digital Audio Recording Order” to the Clerk’s Office, accompanied by the appropriate fee.

III. Transcript Filing and Copying

A transcript provided to the court or an ordering party by the court reporter will be available at the Clerk’s Office for inspection only for a period of 90 days after it is filed. Anyone may view the transcript on the public monitors at the Clerk’s Office.

During the 90-day period:

- A copy of the transcript may be obtained from the court reporter at the rate established by the Judicial Conference.
- The transcript will be available for court users.
- The attorney who obtains the transcript from the court reporter may remotely access the electronic version of the transcript through the CM/ECF system.

After the 90-day period has ended, the transcript will be available for copying from the Clerk’s Office or from the court reporter, and for downloading through PACER.

Once the transcript is filed with the Clerk’s Office, the parties are responsible for reviewing it and providing the court reporter and the Court with a notice of redactions needed to comply the Federal Rules of Practice and Procedure.

IV. Transcript Redaction

A. Review

When the transcript is e-filed in the case, each party to the case will receive a Notice of Electronic Filing. Counsel and self-represented parties must review the entire transcript for potential redactions and are specifically responsible for requesting redactions of following sections:

- Opening and closing statements made on the party’s behalf;
- Statements of the party;
- The testimony of any witnesses called by the party; and
- Any other portion of the transcript as ordered by the Court.

B. Personal Identifiers

Pursuant to Federal Rule of Criminal Procedure 49.1 and Federal Rule of Civil Procedure 5.2, there are five personal identifiers that must be modified in the following ways:

- Social Security numbers to the last four digits: xxx-xx-1234

- Financial account numbers to the last four digits: xxxxx4321
- Dates of birth to the year: xxx xx, 1987; or xx/xx/87
- Names of minor children to initials: AXXXX RXXXX
- Home addresses to city and state, in criminal cases only: XXXX XX XXXX, Saipan, MP

C. Requests for Redaction

Redaction requests limited to the five personal identifiers listed above require only a Redaction Request. Counsel may move the Court for additional redactions other than personal identifiers by e-filing a Motion to Redact Transcript. The transcript will not be electronically available until the Court has ruled on any such motion, even if the 90-day restriction period has ended.

D. Timeline for Requests, Motions and Redactions

When redactions are necessary,

- Each party requesting redaction must inform the Court by e-filing a Notice of Intent to Request Redaction **within 14 days** of the transcript filing.
- If the only redactions necessary are the personal identifiers listed above, the party requesting redaction will e-file a Redaction Request **within 21 days** of the transcript filing. The request must list the requested redactions by page and line number.
- If redactions other than personal identifiers are requested, Counsel must e-file a “Motion for Redaction” **within 21 days** of transcript filing.
- **Within 31 days** of the transcript filing, the court reporter or transcriber will prepare and e-file the redacted transcript. The unredacted transcript will be retained in the record, but remain restricted within PACER.

E. Form of Redactions and Requests

When redacting, court reporters may only substitute Xs for verbatim text. Without a court order, court reporters are not authorized to make redactions other than the five personal identifiers listed earlier.

• Examples:

➤ Acceptable Redaction Request Formats for Personal Identifiers:

- Page 5, line 12: Redact “May 23, 1987” (birth date)
- Page 5, line 17: Redact “Amber” (minor’s name)

➤ Unacceptable Redaction Request Formats for Personal Identifiers:

- Redact minor’s name from the following: page 5, line 18; page 6, line 3 . . .
- Redact all financial account numbers

➤ Redaction Requests That Will Require A Court Order:

- Redact birthdate where text reads: “May 23, 20 years ago today”
- Redact home address where text reads: “I live in the one-story concrete house on the left side of the compound west of Santa Lourdes.”

F. CJA and Standby Counsel

An attorney serving as standby counsel appointed 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. Appointed CJA attorneys, including those serving as standby counsel, are entitled to compensation under the CJA for functions reasonably performed in fulfilling the redaction obligation and for reimbursement for related reasonable expenses.

G. Questions about Transcript Ordering

If there are any questions about transcript ordering that have not been addressed or if you have any questions or concerns about transcript ordering, please contact the Clerk's Office at 1-670-237-1200.