

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

IN RE: AVAILABILITY OF TRANSCRIPTS OF
COURT PROCEEDINGS

ADMINISTRATIVE ORDER 404

This order establishes policies and procedures regarding the availability of transcripts of court proceedings.

GENERAL POLICY

Court proceedings are, with rare exceptions, open to the public, and thus transcripts of court proceedings will be available to the public, except as provided in this order.

Certain personal identifying information (including, among other things, social security numbers, financial account numbers, birth dates, and the names of minors) is to be redacted from the transcript of any court proceeding, as required by Federal Rule of Civil Procedure 5.2 and Federal Rule of Criminal Procedure 49.1. Neither the clerk's office nor the court reporter will review transcripts for compliance with these rules. Each party is solely responsible for reviewing the testimony of the witnesses it called and its own statements in court.

For 90 days after a transcript of a court proceeding is filed on the docket, the transcript will be sealed and available only to the court, users of public terminals in the clerk's office, and those who have purchased the transcript from the court reporter. After 90 days, the transcript will be unsealed and the entire transcript will be made available to the public—unless a party has requested redaction of personal data identifiers, or the court has granted a motion for additional redaction.

If a non-party orders a transcript before the transcript is available to the public, the non-party must pay for the transcript, which the court reporter will then prepare and file on the case docket. If any request for redaction is pending at the time the transcript is filed, the non-party will not have access to the transcript until the pending redaction requests have been decided.

REDACTION PROCEDURES

Litigants and counsel are encouraged to request redaction or sealing during the proceeding so that the appropriate portions of the transcript may be immediately redacted or sealed. If the court grants the request on the record, the court reporter will prepare both a redacted version and an unredacted version of the transcript. No further request for redaction or sealing is required.

Requests made after the conclusion of the proceeding must follow these procedures.

To request redaction of personal identifying information: Within seven calendar days of the filing of a transcript, a party must inform the court of its intent to request redaction by filing a Notice of Intent to Request Redaction. If no such notice is filed, the court will assume the transcript does not contain prohibited personally identifying information.

If a party files a Notice of Intent to Request Redaction within the allotted time, the party must then file a Statement of Requested Redactions indicating, by page and line, where the personal data identifiers appear in the transcript. The Statement of Requested Redactions is due within 21 days of the filing of the transcript. Personal identifying information will be redacted without further order from the court.

To request additional redactions: If a party wishes to seal a portion of a transcript for any other reason, the party must file a Motion Requesting Additional Redactions within 21 days of the date of filing of the transcript. The motion must: (1) provide good cause for the request; (2) cite the specific pages and lines to be sealed; and (3) provide a redacted version of the transcript that would be available to the public. The motion itself will be sealed without further court order so that access to the motion and the transcript will be restricted to the court and case participants. The presiding judge will decide the motion and the transcript will be sealed or redacted accordingly.

Relief from these policies and procedures may be allowed by the presiding judge on a showing of good cause.

Please direct questions about this policy to the clerk's office: (608) 264-5156.

Entered April 4, 2023.

BY THE COURT:

/s/

JAMES D. PETERSON
Chief District Judge