



NOTICE TO MEMBERS OF THE BAR ON PRECAUTIONS TO TAKE IN COURT DUE TO ELECTRONIC AVAILABILITY OF TRANSCRIPTS

On September 18, 2007, the Judicial Conference of the United States adopted a plan that will incorporate transcripts of court proceedings in the electronic case file system (CM/ECF). The judiciary's privacy policy restricts the publication of certain personal data in documents filed with the court. The Judicial Conference Committee on Court Administration and Case Management has set an effective date of May 15, 2008 for the new policy. The policy requires:

1. Limiting Social Security and financial account numbers to the last four digits.
2. Using only initials for the names of minor children.
3. Limiting dates of birth to the year.
4. Limiting home addresses to city and state (for criminal cases).

If such information is elicited during testimony or other court proceedings, it will become available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted. The better practice is for you to avoid introducing this information into the record in the first place.

Please begin taking this into account when questioning witnesses or making other statements in court (even though the policy will not become effective until May 15, 2008). If a restricted item is mentioned in court, you may ask to have it stricken from the record or partially redacted to conform to the privacy policy, or the court may do so on its own motion.