

NOTICE TO COUNSEL AND PARTIES REGARDING AUDIO RECORDINGS AND PRIVACY RULES

CourtSpeak Program – Albany Division

DOCKETED AUDIO RECORDINGS OF COURT HEARINGS

The United States Bankruptcy Court for the Northern District of New York is expanding the use of CourtSpeak to the Albany division. CourtSpeak allows the digital audio recordings for most hearings and trials to be available on PACER. The digital audio recording will appear on the docket as a PDF document with an MP3 file. This file will generally be available within 24 to 48 hours after the conclusion of a hearing or trial. CourtSpeak will be used for select hearings and trials conducted in the Albany division beginning on February 28, 2018. CourtSpeak will not be available for matters recorded in chambers.

The digital recording available through CourtSpeak *is not* an official record. The official record of any hearing remains the written transcript.

ENSURING COMPLIANCE WITH PRIVACY RULES

Federal rules of procedure restrict the publication of certain personal data identifiers in documents filed with the court. The rules require limiting Social Security, taxpayer identification, and financial account numbers to the last four digits, and for minor children using only initials for their names and limiting dates of birth to the year. See Fed. R. Bankr. P. 9037.

If, however, such information is elicited during testimony or other court proceedings, it will become available to the public when an official transcript is filed at the courthouse or when an audio tape is made available through CourtSpeak.

Please be governed accordingly in your appearances before the court. Counsel and parties are strongly advised to avoid introducing personal data identifiers into the record. Counsel and the parties are solely responsible for ensuring any pleading and testimony comply with the privacy rules requiring the redaction of personal data identifiers. Please take this into account when questioning witnesses or making other statements in court.

The court does not have the capability to redact a portion of an audio file placed on the docket.