

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

OFFICE OF THE CLERK
RYAN W. JOHNSON, CLERK
ANITA SWATON, CHIEF DEPUTY
TELE. 304-233-1655

1125 CHAPLINE STREET
3D FLOOR
P.O. BOX 70
WHEELING, WV 26003

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NOTICE OF PACER ACCESS TO AUDIO RECORDINGS OF COURT HEARINGS

In March 2010, the Judicial Conference approved a plan to make digital audio recordings available on PACER for a fee of \$2.40 per audio file. Attorneys and parties in a case may access the audio file one time for free. Previously, a party wishing a digital audio recording had to pay a \$26 fee.

The Bankruptcy Court for the Northern District of West Virginia will begin making these digital audio recordings available on the internet through PACER beginning September 27, 2011. Initially, the digital audio recordings will be limited to hearings held in the courtroom; however, digital audio recordings of telephonic conferences may be available in the future, and may be available on a case by case basis at the discretion of the bankruptcy judge, or on an approved, advance request by a party in interest.

The judiciary's privacy policy restricts the publication of certain personal data, including limiting the disclosure of Social Security and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year. If information subject to the judiciary's privacy policy is stated on the record, it will be available in the audio files over the internet. Please avoid introducing personal data and other sensitive information into the record, unless necessary to prove an element of the case. If private information is mentioned during a hearing or trial, you may move the court to seal, restrict, or otherwise prohibit placement of the digital audio file of the hearing or trial on the internet through the PACER system. **It is the responsibility of counsel to notify the judicial officer before or during the hearing of their desire to restrict audio from the internet.**

In accordance with 28 U.S.C. § 753(b), "[n]o transcripts of the proceedings of the court shall be considered as official except those made from the records certified by the reporter or other individual designated to produce the record." Official transcripts must be prepared from a copy of the audio file obtained from and certified by the Clerk.