

ADOPTED May 2, 2011

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT PROPOSED ADOPTION OF INTERNAL OPERATING PROCEDURE 34.3

PLEASE TAKE NOTICE that the Court intends to adopt Internal Operating Procedure 34.3. The new I.O.P. implements the Court's decision to make audio files of oral arguments available on the Court's Internet site, without charge, two days after argument.

Counsel are reminded that the following information should not be included in argument to the Court:

Personal data protected by Fed. R. App. P. 25(a)(5):

- social security and taxpayer identification numbers;
- dates of birth;
- names of minor children;
- financial account numbers; and
- home addresses in criminal cases.

Criminal case information protected by the Judiciary's Privacy Policy for Electronic Case Files:

- unexecuted summonses or warrants;
- pretrial bail or presentence investigation reports;
- statements of reasons in the judgment of conviction;
- juvenile records;
- identifying information about jurors or potential jurors;
- financial affidavits filed under the Criminal Justice Act;
- ex parte requests to authorize services under the Criminal Justice Act; and
- sealed documents (e.g., motions for downward departure for substantial assistance, plea agreements indicating cooperation, or victim statements).

The proposed I.O.P. will take effect on May 2, 2011, and apply to arguments occurring on or after that date. Interested parties may submit comments on or before April 21, 2011, to:

Patricia S. Connor, Clerk
U.S. Court of Appeals for the Fourth Circuit
1100 E. Main Street, Suite 501
Richmond, Virginia 23219

The Fourth Circuit Rulebook can be found [here](#)

February 22, 2011
Date

/s/ Patricia S. Connor
Clerk

I.O.P.-34.3. Audio Files of Oral Argument. Effective with its May 2011 argument session, the Court will make audio files of oral arguments available on the Court's Internet site, without charge, two days after argument. Counsel are reminded that the following information should not be included in argument to the Court:

- (A) Personal data protected by Fed. R. App. P. 25(a)(5):
 - (1) social security and taxpayer identification numbers;
 - (2) dates of birth;
 - (3) names of minor children;
 - (4) financial account numbers; and
 - (5) home addresses in criminal cases.
- (B) Criminal case information protected by the Judiciary's Privacy Policy for Electronic Case Files:
 - (1) unexecuted summonses or warrants;
 - (2) pretrial bail or presentence investigation reports;
 - (3) statements of reasons in the judgment of conviction;
 - (4) juvenile records;
 - (5) identifying information about jurors or potential jurors;
 - (6) financial affidavits filed under the Criminal Justice Act;
 - (7) ex parte requests to authorize services under the Criminal Justice Act; and
 - (8) sealed documents (e.g., motions for downward departure for substantial assistance, plea agreements indicating cooperation, or victim statements).

Any motion to seal argument must be filed on the public docket at least five days before oral argument, in accordance with Local Rule 25(c)(2). Audio files of sealed arguments will not be released absent an order of the Court unsealing the argument.