

Effective Date: Immediate

The purpose of this order is to specify the medium upon which the official verbatim court record will be recorded and stored. This Order rescinds Local Administrative Order 2003-09D.

In accordance with Michigan Supreme Court Administrative Order 1990-7, and the approval of the State Court Administrator, digital video recording systems shall be implemented in Washtenaw County Courthouse to serve as the official verbatim court record of proceedings in Courtrooms #4, #5, #6, #9, #10 and #11. Digital video, stored on Compact Disc (CD) shall now be used as the official verbatim court record for any Washtenaw County Trial Court proceedings held in courtrooms #4, #5, #6, #9, #10 and #11. Videotape will be the official verbatim court record in courtrooms #3 and #8 and audiotape will be the official verbatim court record in courtrooms #1, #2, #7 and #12.

The operation of the video systems shall be governed by the following procedures:

1. The court shall maintain two (2) official copies of each proceeding. One official copy shall be stored in the court office, and the other official copy shall be stored off court premises pursuant to Supreme Court Administrative Order 1990-7.
2. Tapes and CDs shall be labeled with at least the following:

Courtroom Number
Date of Hearing(s)
I.D. Letter (e.g. A, B)

3. Each day, new videotapes or CDs shall be used in each courtroom. Tapes or CDs shall be used continuously throughout the day without regard to changes in judges or court staff. Tapes or CDs shall only be changed during the day if the system indicator signals that they are nearing capacity.
4. A time-specific log shall be maintained in each courtroom containing the specific court in session (i.e. 22nd Circuit, Probate or 15th District), the recorder's/clerk's name, the judge's name, case name and file number, and additional notes which may include: trial stage, witnesses, and exhibits. A copy of the daily log shall be stored with each master copy.
5. Attorneys/parties involved in a court event in a videotape record courtroom may purchase a blank VHS tape from the Court Clerk's and request that the proceeding be taped onto that tape. The Court shall have two (2) video recorders per system dedicated for this purpose and shall accept requests on a first come, first served basis. Payments for this service shall be made at the Court Clerk's office.
6. Attorneys/parties involved in a court event in a digital record courtroom may purchase a CD after the hearing from the Court Clerk's office with the digital file recorded on it. Payments for this service shall be made at the Court Clerk's Office.

7. The Chief Judge or Trial Court Administrator may approve a list of CERs who are authorized to order CDs and VHS tapes for the purposes of producing a transcript on civil cases. The approved CER must have a signed affidavit from the party or attorney for each CD / VHS tape requested. CDs or VHS tapes must be purchased in accordance with this LAO.

8. Access to the videotape or digital record of court proceedings shall be limited to attorneys/parties involved in events recorded (except as indicated in #7 above). The judge has sole discretion to allow by Court Order other individuals access to a record.

Parties/attorneys and others seeking to purchase a copy of the record must complete a request form and submit it to the Court Clerk's Office. Prior to purchasing the tape or CD, attorneys/parties will be required to sign an affidavit affirming that fact that the videotape will be for their personal use only, and will not be broadcast or distributed to anyone else. Upon approval, a fee based on the Court's reproduction costs will be charged for the reproduction of each record, payable to the Court. Videotape reproductions shall cost \$25. Compact Disc reproductions shall cost \$7. Payment is to be made at the Court Clerk's Office and must be in cash, money order or check.

There will be a minimum 24-hour turn around time for reproduction after payment is made.

Requests to review a record without purchase will be considered on a case-by-case basis and can only be granted by the judge.

9. Attorneys/parties requesting transcripts from video should contact Court Administration at (734) 222- 3270. Staff in Court Administration will direct parties and attorneys to the appropriate Reporter or Recorder who will prepare the transcript.

Only transcripts prepared through this process shall considered official transcripts by the Washtenaw County Trial Court.

10. Film or electronic media coverage in video courtrooms shall be governed by 22nd Judicial Circuit Court policy number 5.2.03, under the authority of Supreme Court Administrative Order 1989-1.

Date: 12/28/2004

Archie C. Brown
Chief Judge