UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re	)	
	)	
ADMINISTRATIVE ORDER ESTABLISHING PROCEDURES FOR OBTAINING TRANSCRIPTS FROM DIGITAL RECORDINGS OF COURT PROCEEDINGS	)	Administrative Order ORL-2005-3

ADMINISTRATIVE ORDER ESTABLISHING PROCEDURES FOR OBTAINING TRANSCRIPTS FROM DIGITAL RECORDINGS OF COURT PROCEEDINGS

The Judicial Conference approved the use of electronic sound recording equipment as a means of recording proceedings in federal district and bankruptcy courts effective January 1, 1984. In September 1999, the Judicial Conference specifically approved the use of digital audio recording technology as a means of taking the official record. Subsequently, several courts in the Middle District of Florida implemented digital audio recording systems.[1]

The benefits of digitally recorded court proceedings include superior access to the record and playback capability and simplified duplication of the record for transcription. In addition, digitally recorded proceedings can be informally reviewed by parties without having to request or pay for a written transcript.

However, in certain circumstances, such as in all appeals, a written transcript is necessary. Appellate courts need a written transcript prepared by an experienced and competent court reporter in order to quickly locate record citations and to provide confidence that all parties, lawyers, and judges are reviewing the identical testimony and rulings. This order is

[1] Bankruptcy Courtrooms 9B and 10B, Sam M. Gibbons United States Courthouse, Tampa, Florida, and Bankruptcy Courtroom B, 135 W. Central Blvd., Orlando, Florida, are equipped with a digital audio courtroom reporting system (FTR Gold). Proceedings in the courtrooms are being digitally recorded and stored on a compact disk (CD). A CD in the FTR format can hold approximately 850 minutes of a single day's hearing. The cost to obtain a CD currently is $26.00. The required software (FTR Player) can be obtained at no charge at www.ftrgold.com.

entered to establish the procedures parties must follow to obtain written transcripts from digital recordings of court proceedings. Accordingly, it is

ORDERED:

1. A written transcript of a digitally recorded proceeding is required if any party desires to transmit a record of any court proceeding in connection with an appeal. The digital record as contained on a CD is not an acceptable substitute.

2. Written transcripts from digital recordings of court proceedings shall be prepared by a person or a transcription firm designated and supervised[2] by the court.[3] Court reporters authorized to prepare official transcripts are listed on the website for the Bankruptcy Court for the Middle District of Florida, at http://www.flmb.uscourts.gov/Technology.htm.

3. No transcripts shall be deemed official or filed with the court unless the transcript is prepared and certified by one of the approved court reporters or by separate order of the court.

4. The person or transcription firm designated to transcribe the proceedings recorded by electronic sound recording must authenticate the original transcript and each copy with a certification on the last page.[4]

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[2] Transcription firms are subject to the supervision of the court in the performance of their duties, including dealings with parties when requesting transcripts. 28 U.S.C. § 753(c). A court should assure itself that a transcriptionist is fully competent and qualified to transcribe digitally recorded court proceedings. Because courts are required to monitor the qualifications and performance of transcriptionists, the use of transcription services other than those specifically designated by the court is discouraged. REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, pp. 19, 20 (March, 1980); REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, p.8 (March, 1982).

[3] For courts electing implementation of a digital recording system, funding for the appointed court reporter position is discontinued. *The Guide to Judiciary Policies and Procedures*, Vol 6, Ch. 3, §§ 3.3 (citing THE PRELIMINARY REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, March 1997, page 9). Regardless, all format, delivery time schedule, and fee requirements adopted by the Judicial Conference apply to transcripts prepared from digitally recorded court proceedings as if the transcript were produced by a court appointed reporter.

[4] *The Guide to Judiciary Policies and Procedures*, Ch. 16, §§ 16.1 and 16.1.1, Ch. 17, §17.7.2.

5. To obtain a transcript of a digitally recorded court proceeding, a fax indicating the hearing date, case name and number and whether the request is expedited or regular delivery must be submitted to the court at (407) 648-6692 (fax). All faxes must be directed to the judge's courtroom administrators. After the request has been received, a copy of the hearing will be sent directly to the Court approved transcription firm.

6. The transcription firm will contact the party requesting the transcripts when the transcript is available.

7. Court personnel will maintain records of all transcript orders to ensure compliance with all regulations regarding timely preparation, format, and fees charged.

8. Parties may request CD's containing digital recordings of court proceedings for Orlando hearings by filling out the request form found online at http://pacer.flmb.uscourts.gov/ftr/Request_Orlando.asp. These CD's shall not substitute for a formal written transcript. The Court will contact the requesting party when the CD copy of the requested hearing is available. The requesting party currently must pay $26.00 before the CD will be released. The Court encourages parties to remit the $26 payment when the request for a CD is made.

DONE AND ORDERED in Orlando, Florida, this 30th day of November, 2005.

ARTHUR B. BRISKMAN
United States Bankruptcy Judge

Service List:

Hon. Paul M. Glenn
Chief United States Bankruptcy Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3826

Hon. Alexander L. Paskay
United States Bankruptcy Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, Florida 33602-3826

Hon. George L. Proctor
United States Bankruptcy Judge
300 North Hogan Street, Suite 4-404
Jacksonville, FL 32202-4254

Hon. Arthur B. Briskman
United States Bankruptcy Judge
135 W. Central Blvd., Suite 950
Orlando, FL 32801

Hon. Jerry A. Funk
United States Bankruptcy Judge
300 North Hogan Street, Suite 4-104
Jacksonville, FL 32202-4254

Hon. Karen S. Jennemann
United States Bankruptcy Judge
135 W. Central Blvd., Suite 950
Orlando, FL 32801

Hon. Michael D. Williamson
United States Bankruptcy Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3826

Hon. K. Rodney May
United States Bankruptcy Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3826

Hon. Catherine Peek McEwen
United States Bankruptcy Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3826

Lee Ann Bennett, Acting Clerk
United States Bankruptcy Court
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue, Suite 727
Tampa, FL 33602-3826

Mario Toscano, Deputy-in-Charge
United States Bankruptcy Court
135 W. Central Blvd., Suite 950
Orlando, FL 32801

Charles Kilcoyne, Deputy-in-Charge
United States Bankruptcy Court
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue, Suite 727
Tampa, FL 33602-3826

Michael Shadburn, Deputy-in-Charge
United States Bankruptcy Judge
300 North Hogan Street
Jacksonville, FL 32202-4254

Cynthia Burnette
Acting U.S. Trustee
U.S. Trustee Office
Middle District of Florida
501 E. Polk Street, Suite 1200
Tampa, FL 33602

Kenneth Meeker
Assistant U.S. Trustee
U.S. Trustee Office
135 W. Central Blvd., Suite 620
Orlando, FL 32801

Jason Ward Johnson, President
Central Florida Bankruptcy Bar Association
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 N. Eola Drive
Orlando, FL 32801

James T. Harper, Jr., Chair
Orange County Bar Association, Bankruptcy Committee
Post Office Box 2140
Minneola, FL 34755

Nina M. LaFleur, President
Jacksonville Bankruptcy Bar Association
Stutsman & Thames, PA
121 W. Forsyth Street, Suite 600
Jacksonville, FL 32202-3848

Edwin G. Rice, President
Tampa Bay Bankruptcy Bar Association
Glenn Rasmussen Fogerty & Hooker, PA
100 S. Ashley Drive, Suite 1300
Tampa, FL 33602