



## FORTY-FIFTH JUDICIAL CIRCUIT OF MICHIGAN

Paul E. Stutesman, Circuit Judge

Kathryn Sandusky,  
Caseflow Manager

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### ADMINISTRATIVE ORDER 2005-01 DIGITAL VIDEO RECORDING SYSTEM

**FILED**

**SEP 06 2005**

**PATTIE S. BENDER  
ST. JOSEPH COUNTY CLERK**

#### IT IS ORDERED:

This Administrative Order is issued in accordance with Michigan Supreme Court Administrative Order 1990-7, entered October 15, 1990. The purpose of this order is to implement a digital video recording system upon approval of the State Court Administrator.


The following procedures shall govern use of the digital video record of court proceedings in the 45<sup>th</sup> Circuit Court:

1. Beginning on or about August 30, 2005, a voice-activated digital video recording system shall be implemented in Courtroom 'A' to serve as the official record of proceedings in that courtroom.
2. Notice to attorneys, litigants, and members of the public concerning the implementation of the digital video recording procedure shall be posted outside of the courtroom and made available from the Caseflow Manager. In addition, notice will be given to the St. Joseph County Bar Association.
3. The court shall maintain two official compact disk copies of each proceeding. One copy shall be stored in the court offices and the other official copy shall be stored off the premises of the court building in a secure area at the St. Joseph County Jail. In addition, one official videotape cassette copy will be maintained for a period of 30 days after each event to meet any timely requests for a copy in a non-digital format.
4. Compact disks and videotapes shall be labeled with at least the following: Date of Hearing, Courtroom, and an ID number (e.g. Disk 1, Disk 2, or Tape 1, Tape 2)
5. For each day of courtroom activity a new blank compact disk will be used to store the record of all that day's proceedings without regard to changes in judges or court staff. Videotape cassettes may be new or reused, but any reused cassettes

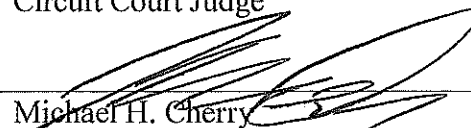
must be completely erased to blank status before being used. A single videotape cassette will be used for the entire day, unless it becomes full.

6. A time-specific log shall be maintained for Courtroom 'A' containing the court in session, the recorder/clerk's name, the judge's name, the case name and file number, and additional notes which may include: trial stage, type of proceedings, witness names, attorney names, and exhibits. A copy of the daily docket shall also be stored with the compact disks and videotapes unless all the pertinent information from the docket has been transferred to the log.
7. Access to a copy of the video record of court proceedings shall be granted to attorneys/litigants involved in the events recorded, and crime victims. Other individuals may be granted access in the sole discretion of the judge presiding over the event. Anyone seeking to purchase a video record copy must complete a request form and submit it for approval to the Judicial Secretary of the presiding judge. If approved, a fee reasonably based upon the court's reproduction costs will be collected.
  - A. Before the event occurs a party may provide a blank videotape cassette and have the event recorded for a fee of \$5.00; if the court provides the blank cassette the fee shall be \$7.00. One such recording can be made on a first come, first served basis.
  - B. After the event a party may provide a blank CD and have the event recorded for a fee of \$5.00; if the court provides the blank CD the fee shall be \$7.00. One such recording can be made on a first come, first served basis.
8. Written official transcripts for appellate or other court use can be obtained by making arrangements with the Court Recorder for Courtroom 'A'. If an outside vendor is utilized for preparation of a transcript, the vendor shall be responsible for capturing all necessary information from the party requesting the transcript, for contacting the Court Recorder to pull the necessary disks or tapes, and for arranging pick up and return of the disks/tapes.
9. Film or electronic media press coverage in Courtroom 'A' shall continue to be governed by Michigan Supreme Court Administrative Order 1989-1.

Dated: 8/1/05

  
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Paul Stutesman  
Circuit Court Judge

Dated: 9/6/05

  
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Michael H. Cherry  
Chief Circuit Court Judge

## NOTICE

To: Attorneys and Members of the Public

The 45<sup>th</sup> Circuit Court is now using digital video recording of court proceedings in Courtroom A. That courtroom is equipped with multiple voice-activated video cameras connected to a computer for digital file storage (as well as videotape backup). A video record of all court proceedings in Courtroom A is produced by this system, either with or without a court reporter/recorder being present.

The operation of the digital video courtroom will be subject to the specific regulations of the Michigan Supreme Court in its applicable Administrative Orders pertaining to video courtrooms or digital video courtrooms.

### Copies of Tapes

The litigants and their attorneys, as well as victims of crimes, may request a videotape of the proceedings in their case.

Other individuals may be granted access to videotapes upon request, subject to the discretion of the presiding judge.

Film or electronic news media coverage will continue to be governed by the guidelines set forth in Michigan Supreme Court Administrative Order 1989-1.

To request a videotape copy, a written request form furnished by the court should be completed and submitted to the Judicial Secretary of the presiding judge.

Before the event occurs, an authorized person may provide a high quality blank VHS tape and have the event recorded upon it. The fee shall be \$5.00, or \$7.00 if the court provides the blank tape. One such recording can be made on a first come, first served basis.

*Within 30 days* of the event, an authorized person may request a videotape copy of the proceedings for a fee of \$25.00 if they furnish a blank video cassette, or \$27.00 if the court furnishes it.

If a Compact Disk of the proceedings is desired instead of a videotape, the cost is \$5.00 with self-furnished blank CD, or \$7.00 if the court supplies it. There is no 30 day limit when ordering a CD.

### Written Transcripts

As before, a written transcript of a proceeding may be purchased by submitting a request to the Court Recorder containing the file number, name of case, date of hearing, and type of hearing.

For official appellate purposes a written transcript is required by Administrative Order 90-7.

Questions about this new system should be directed to Ms. Anita Herman, Judicial Secretary for Judge Stutesman.

STATEMENT TO ATTORNEYS AND LITIGANTS  
REGARDING VIDEOTAPE PROCEEDINGS

1. This courtroom is equipped with audio/video equipment which will enable the Court to create a record of the proceedings. You will need to be conscious of the placement of microphones and your proximity to them when speaking. Attorneys should avoid moving away from the microphones, particularly those at the counsel tables, while speaking.
2. Since there is no court reporter present, attorneys will be required to identify themselves and their relationship to the case for the record at the commencement of the proceedings.
3. All witnesses will be required to clearly state their names and indicate the proper spelling for the record prior to giving of testimony.
4. Attorneys should mark all exhibits before the commencement of the proceedings and provide the Court with a listing of all exhibits including a brief description.
5. Attorneys and litigants are not to sit at the counsel tables unless they are parties to the proceedings and are on the record.
6. All parties and attorneys are advised to avoid unnecessary noise during the proceedings as it will interfere with the proper functioning of the electronic equipment.
7. Attorneys are advised that courtroom conversations may be overheard on monitors located in the court office and/or in chambers.