

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA**

Information about the Court's Digital Recording System

(FTR Gold / Purchased 9/25/02)

The official record of this proceeding is being taken by digital recording.

Official typewritten transcripts of these proceedings are available at per page rates less than or equal to those charged for transcript produced from stenographic notes.

1. There are several ways to save litigation costs when digital records are provided:
 - a. A copy of the hearing can be ordered in lieu of expedited, daily, or hourly transcript and testimony can be reviewed overnight. If daily transcript were ordered, the cost could exceed \$600.00 for a six-hour proceeding. The cost of a compact disc, however, would be only \$20.00.
 - b. The CD can be reviewed to determine if there is a basis for appeal.
 - c. The CD should be used to determine exactly which portion(s) of the proceedings must be transcribed to present the appealable issue to the courts of appeals. (the Judicial Conference policy limits forwarding transcript of all the proceedings in criminal cases, and urges that an agreed statement or summary of the evidence be submitted instead.)
 - d. The CD can be used to develop an agreed statement, stipulated by the parties instead of transcript.
 - e. The CD can be used to verify the written transcript, should any questions of its accuracy or completeness arise.

2. There are a number of steps you can take to facilitate record taking in the courtroom:
 - a. Give one of your business cards to the Courtroom Deputy.
 - b. Give the Courtroom Deputy a complete list of the witnesses you will call during the proceeding.
 - c. When speaking on the record, make certain that you talk directly in front of a microphone.
 - d. At the beginning of the proceeding, identify yourself at a microphone and spell your name for the record.
 - e. Make certain that all witnesses you call also identify themselves clearly and spell their names.
 - f. Make certain that verbal responses are elicited from all witnesses, or that some audible indication be made by you through the microphone.
 - g. If any of your witnesses will present testimony containing unusual or technical vocabulary, prepare a list of such names and terms for the Courtroom Deputy.

3. For your convenience, a digital clock indicator is located on the bench. You may jot down the index numbers in your notes as an aid to locating a portion of the proceedings to which you may wish to

refer.

The clock indicator may also be used to identify portions of the record you wish duplicated for your further review as well as to specify the portion of the record you may wish transcribed.

4. If you have any questions about the services offered by means of digital recording, please ask the courtroom deputy.
5. CDs and/or transcripts can be ordered from the court as follows:

General Instructions for Ordering CDs/Transcripts

It is the responsibility of the ordering party to insure the correctness of all transcript (AO-435) or tape (AO 436) order forms, available on our webpage www.sdb.uscourts.gov. Court employees will assist you as appropriate, but are not responsible for the correctness of order forms. *Court employees are prohibited from altering any transcript order forms.*

CD ORDERS

Complete a Tape Order Form, (AO-436), mail your request or call the Court with case name, number and hearing date. Make a deposit check in the amount of \$20.00 made payable to: Clerk, U.S. Bankruptcy Court. Your order will be processed as promptly as possible.

TRANSCRIPT ORDERS

Check online via PACER to see if a "Notice of Transcript" has been filed.

! **WHERE:** Requests for transcripts must be made through the Court and NOT the transcribing service.

! **WRITTEN ORDER:** Complete a Transcript Order Form, (AO-435), please note: indicate date of proceeding; If only a portion of a proceeding is being ordered, specify exactly what material is to be transcribed.

! **VENDOR:** V/ARS, Inc, 6905 Vicksbury Place, Stockton, CA 95207
TELE: 209.472.2433 / FAX: 209.472.2437
ATTN: Connie S. Rill

Requested hearings will be uploaded and sent to vendor. Transcripts will be prepared and FedEx back to the Court.

! **DEPOSIT:** A deposit is required with each transcript order (Court will forward the check to the transitionist). **Please make check payable to: VARS, Inc.** *Note: Transcripts will not be delivered until full payment is made.*

15 minutes	= 10/pgs. = \$33.00
30 minutes	= 20/pgs. = \$66.00
45 minutes	= 30/pgs. = \$99.00
1-Hr.	= 40/pgs. = \$132.00

Note: Add \$15.00 for expedited orders.

! RATES: See time/page breakdown above.

**MAXIMUM TRANSCRIPT RATES - ALL PARTIES PER PAGE,
 GJP&p, Vol. VI, Chp.20**

	<u>Original</u>	<u>First Copy to Each Party</u>	<u>Each Add'l Copy to the Same Party</u>
<u>Ordinary Transcript</u> A transcript to be delivered within thirty (30) calendar days after receipt of an order	\$3.30	.83	.55
<u>Expedited Transcript</u> A transcript to be delivered within seven (7) calendar days after receipt of an order	\$4.40	.83	.55
<u>Daily Transcript</u> A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually is a court day.	\$5.50	1.10	.83

! COPIES: If an original is pending, you may order a copy.

When an original has been filed all orders for copy transcripts must indicate **"TRANSCRIPT COPY"** on the order form. If you have determined from a docket report.

! RETENTION PERIOD: Court recordings are retained by the Court for ten (10) years and the case is closed.