



COURT RECORDED AUDIO AVAILABLE FROM PACER


Notice to Attorneys:

Beginning Wednesday, October 1, 2014, the United States Bankruptcy Court for the District of North Dakota will make digital audio recordings of adversary proceedings available to the public online through the Public Access to Court Electronic Records (PACER) system. Audio files of these court proceedings may be accessed in our CM/ECF system by the second business day after trial.

The digital audio record will be embedded as an MP3 file in the PDF document associated with the case docket entry in CM/ECF, indicating "PDF WITH ATTACHED AUDIO FILE" and the associated hearing date.

The digital audio file can be accessed from the CM/ECF docket report. PACER users will be charged \$2.40 to download the PDF with the embedded digital audio file. Registered CM/ECF users who are attorneys of record on the case will receive a first 'free look' in the Notice of Electronic Filing.

The audio file entry will appear on the docket as follows:

 PDF with attached Audio File. Court Date & Time [5/7/2014 1:40:23 PM]. File Size [36130 KB]. Run Time [02:30:33].
(CRTclerk). (Entered: 05/08/2014)

Limiting Personal Information:

Counsel and involved parties are responsible for ensuring that pleadings and testimony of record comply with the Court's rules requiring redaction of personal data identifiers. If private information is stated on the record during a hearing or trial that is selected for publication in digital audio format, this information will not be redacted. Counsel is reminded to avoid introducing personal data identifiers or other sensitive information into the record, unless necessary to the case. If private information is on the record, you may move the Court to seal, restrict or otherwise prohibit placement of the digital audio file of the hearing or trial on the Internet through the PACER System.

Optimal Practice for the Digital Record:

- Announce yourself and speak directly into the microphone.
- Avoid having off the record remarks recorded – anything parties say near a microphone during court may be recorded and posted to the internet.
- Protracted private conversations should be kept at a minimum or taken outside the courtroom whenever possible.

The digital recording is a copy of a court proceeding and is provided as a convenience to the public. In accordance with 28 U.S.C. § 753(b) "[n]o transcripts of the proceedings of the court shall be considered as official except those made from the records certified by the reporter or other individual designated to produce the record."