

Land Court Standing Order 1-18: Electronic Recordation of Proceedings

1) All Land Court courtroom proceedings shall be recorded by a digital audio recording system. Recording shall take place whether or not a court stenographer is present in the courtroom. Unless the Court on its own motion or that of one or more of the parties shall by order direct otherwise, the official record of the proceedings shall be the digital audio recording made by the Court whether or not a court stenographer is present.

2) Access to audio recordings

a) For courtroom proceedings that took place on or before June 30, 2016, and recorded on the CourtSmart system:

A copy of the original recording or any portion thereof may be requested. Pursuant to the procedures prescribed by the Chief Justice of the Trial Court, the copy shall consist of a compact disc of the original recording, or such portion as is requested. The request for a compact disc of the original recording shall be filed with the Recorder of the Land Court on the form prescribed by the Trial Court. These forms are available at the Land Court and on the Trial Court web site.

b) For courtroom proceedings that took place after June 30, 2016, and recorded on the For the Record system:

A digital audio file copy of the original recording or any portion thereof is available via an on-line request to the audio vendor, "For the Record" (FTR), at the website us.court.fm.

c) Costs:

The costs for a compact disc or an on-line digital audio file are set forth in the Uniform Schedule of Fees for the Trial Court, adopted pursuant to Massachusetts G. L. c. 262, § 4B. The Court deems Massachusetts G. L. c. 261, §§ 27A through 27G applicable to requests by or on behalf of parties determined to be indigent, and deems the cost of a compact disc or digital audio file to be an "extra cost" as defined in § 27A.

This Standing Order 1-18, supersedes Standing Order 1-06, dated January 3, 2006.

Adopted November 26, 2018, effective December 17, 2018.