



Request Form/Undertaking to the Court for Access to Digital Court Recordings

Case Information

Order Date: (mm/dd/yyyy) _____

Name of Case: _____ Court File/Info/Indictment#: _____

Presiding Judicial Official: _____

Court Address: _____

Date(s) of Proceeding: (mm/dd/yyyy) _____

Proceedings from: Ontario Court of Justice Superior Court of Justice

Type of Proceeding: Civil Criminal Family Intake Court YCJA POA

Other: _____
(Please specify)

Ordering Party Information

Please check the appropriate box:

Litigant/Accused (Court order required for OCJ matters) Member of the public (Court order required) Ontario Judicial Council Justices of the Peace Review Council

Prosecutor of record:

Federal Prosecutor
 Provincial Prosecutor
 Municipal Prosecutor
 Other

Media:

On the Joint Courts' List of Designated Media for Access to Digital Court Recordings
 Not on the Joint Courts' List of Designated Media (Court order required)

(Court order may be required): _____
(Please specify)

Name: _____ Organization/Firm: _____
(Last Name, First Name) (If applicable)

Address: _____ City: _____ Postal Code: _____

E-Mail: _____ Phone Number(s): _____
(Include all contact numbers)

Date Required (mm/dd/yyyy): _____

Digital Recording Fee Schedule

- Single Day's Recording Per Case:** For a request for a single day's recording, per case:
 - \$22.00 (regardless of the length of the day's proceeding)
- Multiple Day Recordings Per Case:** For a request for multiple day recordings, per case:
 - \$22.00 for the first day requested (regardless of the length of the day's proceeding)
 - \$10.50 for each additional day ordered of the same case (regardless of the length of each day's proceeding)*

* In order for the \$10.50 fee to apply, the order for multiple days must be received at the same time and all proceedings ordered must have taken place so that the request can be processed as a single transaction.

FOR JUDICIAL USE ONLY (WHERE COURT ORDER REQUIRED)

Date: _____

Order to go permitting access to digital audio recording

Application to be heard in Court

Signature of Presiding Judicial Official

Signature of Presiding Judicial Official

Superior Court of Justice/Ontario Court of Justice

Undertaking to the Court for Access to Digital Court Recordings

A. Select the Applicable Box to Identify the Applicant:

- Litigant/Accused (party to the proceeding)
- Member of Media: Pursuant to a court order
- Member of Media: On the Joint Courts' List of Designated Media for Access to Digital Court Recordings
- Prosecutor of record (Federal, Provincial and Municipal)
- Member of the Public: Pursuant to a court order
- Other: _____

B. Complete and Read Only if the Applicant is a Representative of an Organization:

I, _____ (please print legibly), am a representative of _____ (name of organization), acknowledge that:

- a) I am authorized to sign this undertaking on behalf of the company or organization named above.
- b) I understand that this undertaking is binding upon me personally and upon that corporation or organization.

C. All Applicants Must Complete and Read this Section:

1. I, _____ (please print legibly), acknowledge

a) The digital recording is being provided to me solely for the purpose of:

- supplementing or replacing handwritten notes of the court proceeding, or
- to enable me to listen to the following court proceeding that I was unable to attend in person: _____ (name of case) on the following date(s): _____, or
- preparation in connection with the legal proceedings with respect to this case, or
[Note: Only a litigant, accused or prosecutor of record may use the digital recording for this purpose.]
- access provided pursuant to a court order

b) Any other use of the digital recording is prohibited without an order from the presiding judicial officer or a judicial officer of the Court.

2. I understand and agree that the digital recording to be provided pursuant to this request will be provided subject to the following terms and conditions:

- a. I have read and understand [s.136 of the Courts of Justice Act, R.S.O. 1990, c.C.43](#), including that every person who contravenes this section is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 or to imprisonment for a term of not more than six months, or to both.
- b. I will not publish, broadcast, reproduce or otherwise disseminate the digital recording, including any annotation in the audio file, in any way.
- c. I will not copy, save, upload or download the digital recording.
- d. I will not authorize, assist or permit anyone to publish, broadcast, reproduce or otherwise disseminate the digital recording, including any annotation in the digital recording, in any way.
- e. I will not provide the digital recording, or copies of same, in any format to any third party.
- f. If a witness exclusion order has been made in the proceeding, I will not disclose the contents of the digital recording to any prospective witness who has not given evidence.
- g. I acknowledge that any notes, transcription or similar document that I produce using the digital recording is not a court transcript or a court record, and I will not purport that it is a court transcript or a court record.
- h. When the digital recording is not being used for the purpose permitted by the undertaking, I will keep the digital recording in a secure place where it cannot be accessed by other persons.
- i. I will destroy the digital recording and render it inoperable when the purpose for which the digital recording was provided to me has concluded.

Signature

Date (mm-dd-yyyy)