



**Land and Environment
Court**
of New South Wales

Your Ref:

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24 October 2013

Philip Selth
Executive Director
NSW Bar Association
DX 1204 Sydney

Via email

Dear Mr Selth,

RE: Land and Environment Court User Pays Civil transcript Scheme

On 28 October 2013, the Land and Environment Court (LEC) will be introducing a new transcript provision system. All transcript for civil matters (including daily transcripts) in the LEC will be produced by private transcription firms with the full costs to be met by the parties to the proceedings. Transcripts in criminal proceedings are not affected by this change.

The system will be similar to the system that has operated successfully in the District Court since 2011.

The system will benefit parties because the provision of transcript will be faster than under the current system and in some cases cheaper. The cost of back transcripts will remain as currently legislated under the *Civil Procedure Act 2005* at \$9.95 per page. The cost of daily transcript will now be \$19.50 per page; however, unlike the current scheme this cost can be shared amongst all parties who order a daily transcript. A minimum fee of \$250.00 is applicable. The minimum fee of \$250.00 is payable if the service is cancelled within 24 hours of the commencement of the matter. It is the obligation of the parties to inform Reporting Services Branch (RSB) of any cancellation of the hearing.

New order forms will be available on the LEC and Courts and Tribunal Services (CaTs) websites prior to the commencement date.

The changes to the ordering process will be minimal. When a Registrar lists a matter for hearing the parties will be given information about the new system and an order form. If a party requires a daily transcript, they should complete the form and sent it to RSB prior to the hearing commencing. Order forms will no longer be processed by the LEC and it will no longer be necessary to have a Judge's prior approval to order daily transcripts. In



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general, most requests for daily transcripts will be able to be met. If, however, a daily transcript is not possible in a particular case the parties will be informed in advance of the hearing.

To pay for the transcript, parties will be required to provide credit card details to the nominated service provider who then processes the transcript and invoices the parties accordingly.

The procedure for ordering back transcript will be similar to ordering daily transcript. The required forms will be on the LEC and CaTs websites.

It would be appreciated if you could inform your members of this change.

Thank you for your assistance and please feel free to discuss the changes and any resulting issues at any stage

Yours faithfully

Leonie Walton
Acting Registrar