

LA PAZ COUNTY
SUPERIOR COURT CLERK
SHERI NEWMAN

07 APR 30 AM 11:07



IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF LA PAZ

In the Matter of:)
)
THE POLICY AND PROCEDURE)
FOR MAINTENANCE AND)
PRODUCTION OF ELECTRONIC)
RECORDINGS OF)
COURT PROCEEDINGS)
_____)

Administrative Order
No. 2007-024



S1500AO200700001

The Superior Court of the State of Arizona in La Paz County is a court of record. The Superior Court in La Paz County is working toward the development of more efficient and secure ways to memorialize the record electronically. To assure that the integrity of the electronic record is maintained and in conformance with the Arizona Code of Judicial Administration, the Arizona Rules of the Supreme Court, the Arizona Revised Statutes and after conferring with the Clerk of the Superior Court, the following procedures are adopted by the Superior Court:

IT IS ORDERED:

1. Arizona Revised Statutes Section 38-424 permits the use of recording devices by the judiciary in lieu of reporters or stenographers for court proceedings, unless a party requests that a court reporter or stenographer be used. Said request shall be made, in writing, to the Court's judicial assistant at least seven (7) business days prior to the hearing.


2. A court reporter shall be present at all proceedings held in criminal capital cases and criminal and civil jury trials.
3. When a court reporter is present, the court reporter's notes/transcripts shall be deemed the official court record. Any other recordation of the proceedings shall not constitute the official record. When a court reporter is not present and the court proceedings are being digitally recorded, by the court, the digital recording shall be deemed the official court record.
4. The primary contact for an authorized transcriber shall be Tri-State Reporting and can be contacted at: 2126 McCulloch Boulevard, Suite 10, Lake Havasu City, Arizona 86403, (928) 855-1366. Official transcripts of court proceedings prepared from electronic recordings shall comply with the Arizona Manual of Transcript Procedures.
5. Nothing in this order shall preclude the Clerk of the Court from digitally recording court proceedings to capture information required for the preparation of minute entries if a court reporter is present for any court proceedings. Said recordings are deemed a work product and may be destroyed after reference value is served.
6. Court reporters shall transmit to the Court a copy of their electronic dictionary, their software application annually and their electronic notes at a minimum every thirty (30) days for preservation in a generic format that will permit them to be interpreted by other reporters in the event the author is not available to prepare a transcript.
7. On behalf of the Superior Court, the Deputy Courtroom Clerk of the Superior Court will bear the responsibility for assuring that the components of the recording and playback system are functioning properly prior to each court proceeding where no court reporter is present.

8. Prior to each court proceeding day, the Deputy Courtroom Clerk will prepare Log Notes to indicate whether a court reporter is present and, if present, state the name and address of the court reporter.
9. The Deputy Courtroom Clerk will maintain the Log Notes of the proceedings in a standardized manner as set forth by the Superior Court Clerk. The Log Notes will capture minimal information relating to the events and event sequences occurring while court is in session.
10. The Deputy Clerk will indicate in the Log Notes and in the minute entry anytime there is a system failure during the official recording of a court proceeding. The notation on the Log Notes will be entered when the system is again available to record such entry.
11. Copies of CD's shall be prepared for the purpose of transcription. The copy will be marked with a notation that it is a "copy for temporary release," and will have the date and Deputy Clerk's initials written on the CD. This copy is to be returned to the Clerk upon filing of the transcript. The "copy" label is to be updated with the date of return and the initials of the Deputy Clerk receiving the returned "copy." The "copy" is to be packaged and stored in the Clerk's secure vault. The Deputy Clerk is authorized to release a copy of the record to a transcriptionist, to a requesting judge, or to a party to the case.
12. Whenever a party seeks to have a transcript prepared, the party must file with the Clerk of the Court, a pleading setting out the dates and times of the proceeding for which a transcript is required.
13. If a party wishes to have as an attachment to any motion or pleading all or part of a record of the proceedings, it must be an official transcript which is transcribed by

an authorized court transcriber. The clerk shall not accept for filing a copy of an electronic recording attached to any motion or pleading in lieu of the official transcript.

14. Upon payment of any statutory fees, the Deputy Clerk will assemble the necessary recordings, make copies for release, and forward it to an authorized transcriber.
15. Any storage media, other than CD, may be used as technology permits.

DATED this 30th day of April, 2007.



**Hon. Michael J. Burke, Presiding Judge
La Paz County Superior Court**

Copies of the foregoing filed, mailed/delivered
this 20 day of April, 2007, to:

Sheri Newman, Superior Court Clerk
Martin J. Brannan, County Attorney
Richard J. Tozer, Superior Court Administrator
Ella G. Johnson, County Public Defender
John C. Churchill
Charles E. Cruise
Michael L. Frame
Matthew G. Newman
Tony Rogers
Fred H. Welch
Tri-State Reporting

By: 

Deputy Clerk