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AT THE TIME AND DATE NOTED
PAUL F. HARTSFIELD
CLERK OF CIRCUIT COURT

IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 77-37

IN RE: Clarifying reporting requirements by Court Reporters, their Deputy Reporters or by mechanical devices.

It has come to the attention of the Chief Judge the need to further clarify reporting requirements by Court Reporters, their Deputy Reporters or by mechanical devices in the Second Judicial Circuit. In compliance with Florida Rules of Court Procedure and Transition Rule 12 promulgated by the Florida Supreme Court the following rule shall govern the reporting requirements of certain proceedings and this Order shall supersede Administrative Orders 75-12 and 77-32.

Accordingly, it is:

ADJUDGED that, all proceedings or matters in the Criminal Division of Circuit Court, including criminal depositions, which are requested to be reported by the State Attorney, Public Defender or Court appointed Attorney, shall be reported by an Official Court Reporter or duly appointed Deputy Official Court Reporter, as provided for in Chapter 24, F. S. unless otherwise directed by the Presiding Judge.

Further, it is ORDERED that all proceedings or matters in the Juvenile Division of the CIRCUIT COURT, as provided for in Rule 8.130, Florida Rules of Court Procedure may be reported either by the Official Reporter, a Deputy Official Court Reporter or by mechanical devices, except all Juvenile Detention Hearings shall be mechanically recorded, and such mechanical device shall be operated by a person designated by the Presiding Judge. If any Detention Hearing matters or any other proceedings, which were recorded by mechanical device, need be transcribed, the Presiding Judge shall determine and appoint the person who will transcribe such proceedings.

It is further ORDERED that any proceedings required to be reported in the Probate Division of the CIRCUIT COURT which invloves any Baker Act, Myers Act, Incompetency or any similar hearings may be reported either by the Official Court Reporter, a Deputy Official Court Reporter or by mechanical device at the descretion of the Presiding Judge. The operator of the mechanical device and any transcripts of these proceedings will be governed as stated in the foregoing paragraph pertaining to Juvenile matters.

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ADMINISTRATIVE ORDER NO. 77-37 CONTINUED

It is further ORDERED that all proceedings required to be reported in the Criminal Division of the COUNTY COURTS, shall be recorded by mechanical device unless otherwise ordered by the Presiding Judge, except the taking of criminal depositions, which are requested to be reported by the State Attorney, Public Defender or Court appointed Attorney, shall be reported by the Official Official Court Reporter or a duly appointed Deputy Official Reporter unless otherwise directed by the Presiding Judge. Such mechanical devices shall be operated by the Clerk or the Bailiff in attendance or such other person as may be designated by the Presiding Judge.

Any transcript requested by the State Attorney, Public Defender or Court appointed Attorney in any criminal matter of the COUNTY COURTS shall be first approved or disapproved by the Presiding Judge. The Presiding Judge shall determine and appoint the person who will transcribe the proceedings if recorded by mechanical device.

Further, it is ORDERED that in any criminal proceedings in the COUNTY COURTS wherein the defendant, acting in his or her own behalf, or private counsel representing a defendant, shall require the services of a Court Reporter, they shall be responsible for procuring such services and responsible for all fees charged by the Court Reporter. Any defendant acting in his or her own behalf or private counsel may request the proceedings be mechanically recorded, and if done shall be recorded as would normally be in any other proceedings which are mechanically recorded. It shall be the responsibility of the defendant or private counsel requesting any transcription of the proceedings to make such request to the Presiding Judge and said Judge shall cause arrangements for same to be made. The requesting party shall be responsible for payment of all fees charged for any transcripts of any proceeding.

It is further ORDERED that any proceeding in the Traffic Division of the COUNTY COURTS which is classifed as a civil infraction and comes under the Civil Rules of Procedure shall not be required to be reported either by a Court Reporter or mechanical device. Any defendant requiring such proceeding to be recorded shall be responsible for any arrangements with the Court Reporter to report such proceedings.

It is the sense of this ORDER that no party, as of right, may demand the

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services of an Official Court Reporter or a Deputy Official Court Reporter, but may make private arrangements for such reporting.

Further, it is ORDERED and ADJUDGED Official Court Reporters shall be responsible for all billing for services to the County or State and any salaries or fees to be paid to their Deputy Reporters.

DONE and ORDERED in Tallahassee, Florida, this 12th day of August, 1977.

Ben C. Willis

BEN C. WILLIS, CHIEF JUDGE

CC: All Clerks, Second Judicial Circuit
All Judges, Second Judicial Circuit
Public Defender
State Attorney
Court Administrator
All Official Court Reporters

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