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BOOK H. MARSHALL
CLERK OF CIRCUIT COURT

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 85-21

RE: Procedures for Official Court Reporter Assignments; Court Reporter Responsibilities; and Use of Mechanical Devises for Reporting Court Proceedings.

This Order supersedes all other Administrative Orders in conflict.

To better serve the needs of the various courts of the Second Judicial Circuit, the following procedures for assignments of the official court reporters and use of mechanical devices for reporting court proceedings will be implemented and become effective May 27, 1985.

All assignments will be prepared by the Court Administrator or his designee, who will have supervisory authority over all court reporters within the Second Circuit with regard to assignments and responsibilities.

Assignments in Leon and Jefferson Counties shall be on a weekly rotating schedule.

LEON COUNTY

Three reporters will be assigned to Leon County each week and will be responsible for reporting those proceedings in the Criminal Division of both Circuit and County Courts which are required to be reported, except those matters designated to be reported by mechanical devices.

LEON CIRCUIT COURT

Two reporters will be assigned to the Circuit Court Criminal Division; one to Division D and one to Division H. Each reporter will be responsible for reporting all required matters within the division in which they are assigned.

CIRCUIT COURT

Criminal Division

All proceedings shall be reported by an official court reporter unless otherwise ordered by the presiding judge.

Juvenile Division

All proceedings shall be reported by mechanical device unless otherwise ordered by the presiding judge.

Probate Division

All proceedings which are required to be reported shall be reported by mechanical device unless otherwise ordered by the presiding judge.

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Leon County Court - Criminal Division

One reporter will be assigned to County Court And will be responsible for reporting all matters required to be reported, except for those matters designated to be reported by mechanical devices.

1. All criminal jury and non-jury trials shall be reported by an official court reporter, unless otherwise ordered by the presiding judge.
2. All other criminal proceedings, including arraignments, plea day, motion hearings, all criminal traffic except trials shall be mechanically recorded. The exception may be a motion to suppress or similar type proceedings in which the presiding judge determines a need to have it reported by a court reporter, and then only by issuing a timely order to the reporter.
3. Proceedings in the Traffic Division which are classified as civil infractions or any civil cases shall not be reported either by a court reporter or mechanical devices.

All three reporters in Leon County will be required to back-up each other when possible, i.e., the Circuit Court reporters will back-up each other first, then the County Court reporter. If the County Court reporter needs assistance, the first Circuit Court slot on the schedule will be first back-up.

Jefferson County

Circuit Court

One reporter will be assigned each week and will be responsible for reporting criminal matters and any other proceeding which the presiding judge requires to be reported. Mechanical recordings are authorized in those proceedings to be reported in which a court reporter is not required.

County Court

All proceedings required to be reported shall be reported by mechanical device unless otherwise ordered by the presiding judge.

This reporter will be the first back-up reporter for the Circuit. See first reserve for second back-up.

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Gadsden and Liberty Counties

Mrs. Priscilla Williams is permanently assigned to these two counties and is responsible for reporting all proceedings required to be reported by the presiding judge and the use of mechanical recordings are hereby authorized in those proceedings in which the court reporter is not required.

Wakulla and Franklin Counties

Mrs. Cathy Harden Webster is permanently assigned to these two counties and is responsible for reporting all proceedings required to be reported by the presiding judge and the use of mechanical recordings are hereby authorized in those proceedings in which the court reporter is not required.

First Reserve

One reporter will be assigned to first reserve position each week. This reporter will not be assigned to any court and may use the time to do private work or assist any other reporter if the reporter desires, except the first reserve position will be the second back-up reporter for the Circuit.

Second Reserve

One reporter will be assigned to the second reserve position each week. This reporter will not be assigned to any court, except in an emergency, and may use the time to do private work or assist any other reporter if the reporter desires. All other reporters will be called on first if there is a need, before this position is called on.

Back-up Reporters

The back-up positions are designated as follows:

Leon County - Each reporter is responsible to assist the other, when possible, if there is a conflict. Circuit Court reporters back each other first, then the County Court Reporters. If County Court needs assistance, the first Circuit Court slot on the schedule will be 1st back-up.

Jefferson County - First back-up for the Circuit.

First Reserve - Second back-up for the Circuit.

Third back-up is any reporter not busy in their own assignment.

Second Reserve - Emergency back-up only when all else has failed.

Grand Jury and Coroner's Inquest Reporting

Leon County

Each reporter, when required, will report Grand Jury or Coroner's

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Inquest within their assigned court jurisdiction. If the Circuit or County Court reporters are busy within their assigned duties, then the back-up reporter system will be in effect.

All Other Counties

All other reporters when required will be responsible for reporting these proceedings in their assigned counties.

Deposition - Public Expense

The taking of criminal depositions, which are requested by the State Attorney, Public Defender, or Court appointed attorney, shall be reported by an official court reporter or deputy reporter unless otherwise directed by the presiding judge.

Leon County

All misdemeanor depositions requested by the Public Defender, State Attorney or Court appointed shall be assigned to the reporter in the Jefferson County slot during the week in which the depositions are requested. All felony depositions requested by the Public Defender, State Attorney or Court Appointed attorney shall be assigned to the reporter in the first reserve slot during the week in which the depositions are requested.

Jefferson County

All depositions requested by the Public Defender, State Attorney or Court appointed attorney shall be assigned to the reporter assigned to Jefferson County during the week in which the depositions are requested.

Gadsden-Liberty and Wakulla-Franklin Counties

All depositions shall be assigned to the reporter permanently assigned to those counties.

Transcribing - Mechanical Recordings

If a transcription of a proceeding is ordered in those divisions in which a matter is mechanically recorded, the presiding judge may order it transcribed by the official court reporter who was assigned to that division during the

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week in which the recording was made, except for Leon County Juvenile. If the official reporter is ordered to transcribe, the notice shall be forwarded to the Office of the Court Administrator for assignment. The Court Administrator will assign the reporter who was assigned to the division or county during the week in which the recording was made. In Leon County, any order for transcription from the Juvenile Division shall be assigned to the reporter in the County Court position during the week in which the recording was made.

Fees - Mechanical Transcriptions

If an official court reporter is required to transcribe a mechanical recording, the same page rate fees shall be charged as authorized for this circuit by administrative order. In addition to the page rate fees, the reporter is authorized to charge a fee of $15 per hour not to exceed two hours. The minimum fee shall be $15 and if the time is less than two full hours, but more than one hour, then the reporter shall charge for two hours. If the reporter feels the length of the proceeding should require additional fee, the request must be made to the Court Administrator for approval or disapproval.

Deposition and Transcription Fees - Private Counsel

Any person represented by private counsel or acting in his own behalf who requests a deposition be taken or transcription of any proceeding shall be responsible for all fees and costs of the court reporter for transcribing such matters. The court reporter may require a deposit for fees before taking or transcribing the proceedings.

Fees - Grand Jury and Coroner's Inquests

If a court reporter is required to report Grand Jury or Coroner's Inquest proceedings, the reporter is authorized to bill the county in which the proceeding was ordered to be reported. The fees charged shall be as prescribed by administrative order setting such fees to be charged by reporters.

Civil Reporting and Transcribing

All civil cases and cases classified as civil traffic infractions

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are not required to be reported. Any party in any civil action requesting a proceeding to be reported and/or transcribed shall be responsible for all court reporter fees and costs for reporting or transcribing such proceedings. The court reporter may require a deposit for fees before taking or transcribing the proceedings.

Deputy Court Reporter Fees

The official court reporter using the services of any duly appointed deputy reporter shall be responsible for all billings for services to the County or State and any salaries or fees to be paid to the deputy reporter.

Responsibilities

1. Each reporter is responsible for knowing his or her assignment during each week and to be available at all times for each assignment.
2. If any reporter desires to be off on any given day during his or her assignment, arrangements must be made with another reporter to cover the assignment not to conflict with any other schedule.
3. If at any time, except for emergency reasons to be determined by the Court Administrator, an assigned official court reporter fails to cover his or her assignment, and another official reporter or special reporter is assigned by the Court Administrator, that reporter is responsible for payment to the official or special reporter as outlined in the schedule of fees. The official reporter receiving the pay shall not claim credit on the Court Reporters Monthly Certification forms towards the sixty hours overtime requirement.
4. All reporters may request assistance from any other official or deputy reporter when necessary if there is a conflict in taking the depositions except official court reporters will have first refusal before requesting the assistance of a deputy reporter.
5. Any proceeding which is transferred to another county, the court reporter assigned to the county in which the case originated shall be responsible for reporting all pro-

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ceedings, unless the reporter has a conflict in the assignment. If there is a conflict, the back-up system in effect for that county will be used. However, the reporter may use the assistance of any other official reporter to cover any conflict.

6. Each reporter who is away from the office for an extended length of time is required to have another reporter on standby and to notify the office of the Court Administrator and the County or Division in which they are assigned the name of the reporter who is on standby call.
7. The primary reporter shall relieve the back-up reporter where possible, i.e., if the primary reporter finishes their assignment early, that reporter shall relieve the back-up reporter.
8. Any personal conflicts that may arise between court reporters which cannot be resolved between the parties will be reported to the Court Administrator. An effort will be made by the Court Administrator and the reporters to resolve the problem before any other action is taken.
9. Each reporter will make arrangements to have assignments covered during his or her vacation period. Only one reporter will be permitted to be on vacation at a time except if a hardship exists or if court calendaring during the requested period permits. This is to be determined and approved by the Court Administrator.
10. Each reporter has the responsibility of assisting all other court reporters during emergency situation, sickness or other unavoidable situations.

Effective Date

This Order shall become effective May 27, 1985.

DONE and ORDERED in Chambers at Tallahassee, Florida, this 13 day of May, A.D., 1985.

Donald O. Hartwell
DONALD O. HARTWELL, CHIEF JUDGE

Copies furnished to:

All Judges - Second Circuit
All Court Reporters - Second Circuit
State Attorney - Second Circuit
Public Defender - Second Circuit
All Clerks of Court - Second Circuit
County Court - Leon
Traffic Court - Leon

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