IN THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO. 00-24

R20020108357
RECORDED IN
PUBLIC RECORDS LEON CNTY FL
BK: R2774 PG: 00393
DEC 03 2002 12:24 PM
BOB INZER, CLERK OF COURTS

RE: ELECTRONIC RECORDING OF
JUDICIAL PROCEEDINGS /

WHEREAS, Rule 2.070 (c), Fla. R. Jud. Admin., provides that the chief judge may authorize, by administrative order, the use of electronic reporting for any judicial proceedings required to be reported; and

WHEREAS, Rule 2.010, Fla. R. Jud. Admin., provides that these rules shall apply to administrative matters in all courts to which the rules are applicable by their terms; and

WHEREAS, there is an insufficient number of official court reporters to attend and report all proceedings required to be reported and the reporting system can be satisfactorily supplemented with the use of electronic recording equipment in the manner hereinafter prescribed; it is therefore

ORDERED THAT

A. The use of electronic recording equipment is hereby authorized for preserving testimony in all judicial proceedings in the circuit and county courts which are required to be reported by Rule or law, directed by the Court to be reported, or requested by the parties to be reported.

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B. Electronic recording equipment shall be operated by a qualified deputy clerk, designated by the Clerk. The operator shall be responsible for the following:

1. Operate the equipment in such a manner as to insure the production of a reliable record, including monitoring the tape input where technically feasible and alerting the presiding official when the quality of the recording is in doubt.

2. Maintain a detailed, accurate, and written log of all proceedings recorded so that each proceeding can be independently reconstructed by another individual. The log shall specifically identify those persons present and their capacity; style and case number; nature of the proceeding; location, time and date of proceeding; a correlation between the foot meter and major incidents; and name of the operator.

3. Deliver the original tape, properly identified and sealed so that it cannot be opened without noticeably being broken, and recording log to the appropriate division of the clerk's office for safe keeping and storage. The tapes, so delivered, shall be indexed in a special book maintained for that purpose and shall be

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released only upon authorization of the Court. Responsibility for care and custody of original tapes shall rest with the Clerk.

C. Provisions for transcript production from electronic tape recordings shall include the following:

1. No transcript shall be made except with the approval of Court. Upon motion either party may obtain from the presiding judge an order for transcription to be made from the tape. A motion for transcript shall identify with particularity that portion of the proceeding which is needed for the movant's purpose. The Court in its order shall designate an individual who shall transcribe the tape(s).

2. The transcriber shall certify before a notary public or other officer authorized to administer oaths that the transcript is a true and accurate text of the tape. The transcript so certified shall be presumed to be a prima facie correct record of the testimony given.

3. Transcripts prepared in any manner authorized herein shall conform to specifications prescribed by Rule 2.070(f), Fla. R. Jud. Admin.

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D. In the event that a dispute arises which challenges the accuracy or correctness of the transcript, the dispute shall be submitted to and resolved by the Court and the transcript made to conform accordingly.

E. The Court Administrator is authorized and directed to secure electronic equipment to supplement existing inventory and such additional electronic recording devices necessary to accomplish the objectives this Order.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, this 19th day of September, 1990.

CHARLES D. MCCLURE
CHIEF JUDGE

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