

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue  
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**Report**

TO: Members of the Judicial Council

FROM: Christine M. Hansen, Director, Finance Division, 415-865-7951  
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DATE: November 9, 2004

SUBJECT: Report to the Legislature on Superior Court Purchase and Lease  
of Electronic Recording Equipment (Action Required)

Issue Statement

Senate Bill 1102 (Chapter 227, Statutes of 2004), a trailer bill to the Budget Act of 2004 (Chapter 208, Statutes of 2004), which was signed on August 16, contained language relating to electronic reporting in superior courts. It amended Government Code section 69957 to provide that electronic recording equipment shall be of a type approved by the Judicial Council for courtroom use “and shall only be purchased for use as provided by this section. A court shall not expend funds for electronic recording technology or equipment to make an unofficial record of an action or proceeding or to use that technology or equipment to make the official record of an action or proceeding in circumstances not authorized by this section.”

The legislation also added Government Code section 69958 which requires superior courts to report to the Judicial Council, and the Judicial Council to report to the Legislature regarding all purchases and leases of electronic recording equipment that will be used to record superior court proceedings, with the following identified:

- The superior court in which the equipment will be used;
- The types of trial court proceedings in which the equipment will be used;
- The cost of purchasing, leasing, or upgrading the equipment; and
- The type of equipment purchased or leased.

The first report to the Legislature is due by December 31, 2004, and covers the period August 16 through September 17, 2004. Thereafter, reports are to be submitted to the Legislature on a semiannual basis.

Recommendation

Staff recommends that the Judicial Council approve the attached report for submission to the Legislature.

Rationale for the Recommendation

The attached report addresses each of the report requirements based on information received from the courts.

Alternative Actions Considered

No alternative actions were considered. Senate Bill 1102 requires that this report be submitted.

Comments from Interested Parties

None.

Implementation Requirements and Costs

Once approved, the report will be submitted to the Legislature. There are no costs associated with this report.

Report to the Legislature on Electronic Recording  
Equipment Purchased or Leased by the Superior Courts  
(Chapter 227, Statutes of 2004)

December 31, 2004  
Judicial Council of California

## Report on Purchase or Lease of Electronic Recording Equipment by Superior Courts

### Background

Senate Bill 1102 (Chapter 227, Statutes of 2004) amended Government Code section 69957. This code section provides that when an official reporter or official reporter pro tempore are unavailable, approved recording equipment and recording monitors may be used during specific types of proceedings. The amendment provides that this equipment “shall only be purchased for use as provided by this section. A court shall not expend funds for electronic recording technology or equipment to make an unofficial record of an action or proceeding or to use that technology or equipment to make the official record of an action or proceeding in circumstances not authorized by this section.”

Senate Bill 1102 also added Government Code section 69958:

Each superior court shall report to the Judicial Council on or before October 1, 2004, and semiannually thereafter, and the Judicial Council shall report to the Legislature on or before December 31, 2004, and semiannually thereafter, regarding all purchases and leases of electronic recording equipment that will be used to record superior court proceedings, specifying all of the following:

- a) The superior court in which the equipment will be used.
- b) The types of trial court proceedings in which the equipment will be used.
- c) The cost of purchasing, leasing, or upgrading the equipment.
- d) The type of equipment purchased or leased.

### Purchases/Leases of Recording Equipment

Administrative Office of the Court staff recently surveyed all 58 superior courts to obtain the information required by Government Code section 69958 for the period August 16 through September 17, 2004. During this brief period, only one court, the Superior Court of Monterey County, responded that they had purchased or leased electronic recording equipment for use in court proceedings. The court reported purchasing the following two systems:

- FTR Gold Portable Notebook PC based system and laptop to be used for limited civil cases, at a cost of \$9,270.
- FTR 4-Channel permanent system to be used for infraction-small claims cases, at a cost of \$4,160.

Both sets of equipment will be used for creating a record. Neither purchase was made to replace or upgrade existing equipment.

The total amount spent by all superior courts on the purchase and/or lease of recording equipment was \$13,430. The next report on this subject will be submitted to the Legislature by **June 30, 2005**.