

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

### **Background**

Senate Bill 1102 (Stats. 2004, ch. 227) 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.”

SB 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 Courts staff recently surveyed all 58 superior courts to obtain the information required by Government Code section 69958 for the period April 16, 2005, through December 31, 2005. During this period, five courts responded, as indicated below, that they had purchased or leased electronic recording equipment or related items for use in court proceedings.

- The Superior Court of Contra Costa County purchased digital audio recording equipment for one courtroom. The equipment will be used for creating the official record of proceedings heard by the family law commissioner, under Government Code section 70141.11. The court purchased the equipment for \$15,184. The equipment was not a replacement or upgrade of existing equipment.

- The Superior Court of Imperial County purchased four sets of audio recording equipment, including Liberty 4 Channel Digital Recorder, USB Mixer, Spectra Dynamic Twin Speakers, and headsets, to create an official record in misdemeanor cases at the parties' request. This purchase, in the amount of \$25,261, was not an upgrade or replacement of existing equipment.
- The Superior Court of Lake County purchased microphones, mixers, amplifiers, computers, and FTR software to replace out-of-date equipment in five courtrooms. The equipment is used in limited civil, infraction, and misdemeanor cases. The equipment is only used when court reporters are not available. The cost of the equipment was \$55,744.
- The Superior Court of Riverside County purchased tape recorders, microphones, and microphone mixers. The equipment is used to record all types of proceedings not requiring an official record, including traffic cases, small claims, limited civil cases, and misdemeanors. They are used for internal purposes only. The equipment was purchased for \$650 and did not replace or upgrade existing equipment.
- The Superior Court of San Diego County purchased five Sony BM-246 and three Lanier Advocare V (LCR) recorders to be used in limited jurisdiction matters to create a record. This equipment was purchased to replace equipment for which parts were no longer available and cost \$13,686.

The total amount spent by all superior courts on the purchase or lease of electronic recording equipment during this reporting period was \$110,525.