

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

455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Christine M. Hansen, Director, Finance Division, 415-865-7951  
Christine Patton, Regional Administrative Director, Bay Area/  
Northern Coastal Region, 415-865-7735  
Vicki Muzny, Finance Division, 415-865-7553

DATE: June 24, 2005

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), 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 was due by December 31, 2004, and covered the period August 16 through September 17, 2004. Thereafter, reports are required to

be submitted to the Legislature on a semiannual basis. This report covers the period September 18, 2004 through April 15, 2005.

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)

June 30, 2005  
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 Courts staff recently surveyed all 58 superior courts to obtain the information required by Government Code section 69958 for the period September 18, 2004 through April 15, 2005. During this period, seven 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 Alameda County purchased FTR Gold Software for Digital Audio Recording (DAR) to be used in misdemeanor arraignments for audio recordings of the proceedings. The court purchased the equipment for \$8,573. This was not a replacement or upgrade.
- The Superior Court of Imperial County purchased a JCG digital recorder to record motions and other proceedings in misdemeanor appeals cases. This purchase, in the amount of \$8,475, was an upgrade to replace tape systems for the Calexico Court.

- The Superior Court of Merced County purchased two Sony MZN-H1 Minidisc Recorders with microphones and media to use in misdemeanor trials to create a record in lieu of a court reporter. The equipment cost \$858 and was not a replacement or upgrade.
- The Superior Court of Napa County purchased a Liberty Digital Recording System V2 for \$21,000 for use in non-felony criminal and small claims proceedings when the court is unable to secure court reporter services where a court reporter is not required by law. This equipment is not an upgrade or replacement of other equipment.
- The Superior Court of Sacramento County purchased four Sony BM-246 Desktop Conference Recorders with Sony MCRU10M headsets to perform multiple purposes, including creating the record in limited civil law and motion, and to create the record in DUI and misdemeanor arraignments and proceedings (non-trial). This purchase was an upgrade or replacement and cost \$8,331.
- The Superior Court of Santa Clara County purchased a Veri-Scribe Reporter, Player, and cabling to be used for recording traffic proceedings. They purchased this equipment for \$6,146 to upgrade or replace existing equipment.
- The Superior Court of Ventura County purchased FTR and CVC digital audio recording equipment for \$42,926, to record court proceedings in the following types of cases: civil, small claims, infraction, and misdemeanor. This software and hardware is to be placed in six additional courtrooms and will replicate what is currently used in other courtrooms.

The total amount spent by all superior courts on the purchase and/or lease of electronic recording equipment during this reporting period was \$96,309.