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Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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**ADMINISTRATIVE OFFICE
OF THE COURTS (SAC)**

RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

February 24, 2009

Ms. Diane F. Boyer-Vine
Legislative Counsel
State of California
State Capitol, Suite 3021
Sacramento, California 95814

Mr. Gregory P. Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: Report to the Legislature on Electronic Recording Equipment Purchased and
Leased by the Superior Courts, Required by Government Code Section 69958

Dear Ms. Boyer-Vine, Mr. Schmidt, and Mr. Wilson:

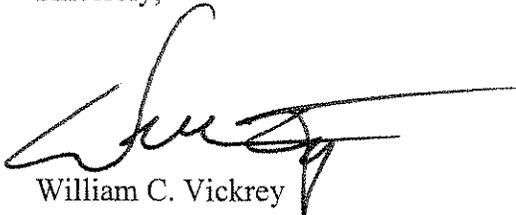
Attached is the Judicial Council report on the purchase and lease of recording equipment by superior courts for the period July 1 through December 31, 2008, as required under Government Code section 69958 (Stats. 2004, ch. 227).

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If you have any questions related to this report, please contact Stephen Nash, Director, Administrative Office of the Courts (AOC), Finance Division, at 415-865-7584 or Christine Patton, Regional Administrative Director, AOC Bay Area/Northern Coastal Region, at 415-865-4099.

Sincerely,



William C. Vickrey
Administrative Director of the Courts

WCV/VM

Attachment

cc: Members of the Judicial Council

Ronald G. Overholt, AOC Chief Deputy Director

Brian Brown, Consultant, Senate Committee on Budget and Fiscal Review

Matt Osterli, Fiscal Consultant, Senate Republican Caucus

Joe Stephenshaw, Consultant, Assembly Budget Committee

Allen Cooper, Consultant, Assembly Republican Fiscal Office

Sheila Calabro, Regional Administrative Director, AOC Southern Region

Jody Patel, Regional Administrative Director, AOC Northern/Central Region

Christine Patton, Regional Administrative Director, AOC Bay Area/Northern Coastal Region

Stephen Nash, Director, AOC Finance Division

Donna Hershkowitz, Assistant Director, AOC Office of Governmental Affairs

Henry Sepulveda, Senior Governmental Affairs Analyst, AOC Office of Governmental Affairs

Judicial Administration Library (two copies)

Report on Purchase and Lease of Electronic Recording Equipment by Superior Courts (July 1–December 31, 2008)

Background

Government Code section 69957 provides that when an official reporter or official reporter pro tempore is unavailable, approved recording equipment and recording monitors may be used during specific types of proceedings. The section further specifies 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.”

Government Code section 69958 includes the following related reporting requirements:

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 and 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 July 1 through December 31, 2008. Eight courts indicated that they had purchased or leased electronic recording equipment or related items for use in court proceedings during this period.

The Superior Court of Fresno County purchased FTR Gold digital recording software, FTR Log Notes software, a DMX8 sound mixer, and installation of the equipment. It will be used in small claims cases to evaluate the performance of temporary judges. The equipment is not an upgrade or replacement and cost \$10,003.

The Superior Court of Kern County purchased 10 software licenses with one year of maintenance and 10 external hard drives and support and maintenance, to be used in traffic, misdemeanor, and limited civil cases for internal note taking. Seven of the

external hard drives and the software and hardware support and maintenance were replacements or upgrades. The cost of the items was \$31,091.

The Superior Court of San Bernardino County purchased an FTR ReporterDeck 2 digital recording management solution with external clock display and annual service agreement, to be used to create a record for limited civil unlawful detainers and small claims trials. The equipment was not a replacement or an upgrade of existing equipment and cost \$5,032.

The Superior Court of San Diego County purchased Liberty Express digital recorders. The new digital recorders are replacing analog machines that are failing and will be used in the same courtrooms for misdemeanor, limited civil, small claims, and traffic cases. The equipment cost \$318,875.

The Superior Court of San Luis Obispo County purchased two FTR Gold software licenses and paid for professional installation of software and equipment, to be used for creating the official record in small claims and traffic cases and for note taking by judges in family law and unlimited civil cases. The equipment cost \$6,033. This was not a replacement or upgrade of existing equipment. When used for the judges' note taking, the equipment is not used to create an unofficial or official record of the proceedings or for use or distribution other than for this internal purpose. There is a court reporter in the courtroom responsible for creating the official record.

The Superior Court of Santa Barbara County purchased an FTR Reporter 2.2 digital recording system for \$6,990. The equipment was a replacement of existing equipment and will be used for recording and playback and for duplicating on CD-ROM for limited civil, small claims, and misdemeanor cases.

The Superior Court of Shasta County purchased a mixer, an equalizer, an amplifier, four microphones, and eight ceiling speakers to be used in its new modular courtroom for note taking by the judge in misdemeanor, limited civil, family law, and small claims cases and for creating a record if requested by counsel in misdemeanor cases. When used for the judges' note taking, the equipment is not used to create an unofficial or official record of the proceedings or for use or distribution other than for this internal purpose. The purchase was not an upgrade or replacement of existing equipment and cost \$12,366.

The Superior Court of Ventura County purchased six FTR Reporter 2.2 with FTR Log Notes 2.2 software programs and licenses. It also purchased six USB/serial display clocks, three 4-channel encoder cards, one Rolls black box replacement, two Furman sequencer/power conditioners, three Audio-Technica microphones, two U857QLU Audio-Technica microphones, and 14 Sony headphones. The sequencer/power conditioners, microphones, and headphones were replacements or upgrades of existing equipment. The equipment will be used to record proceedings to be provided to any

individuals who request the recordings in limited civil, small claims, trial de novos, traffic, misdemeanor, and infraction cases and cost \$15,069.

The total amount spent by all superior courts on the purchase or lease of electronic recording equipment during this reporting period was \$405,459.