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**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER # 2007-00-04

**RE: CIRCUIT-WIDE COURT REPORTING PLAN FOR ALL PROCEEDINGS
REQUIRED TO BE REPORTED AT PUBLIC EXPENSE**

Whereas, Rule 2.215 (b) (2), Florida Rules of Judicial Administration, establishes that the chief judge of a circuit “shall exercise administrative supervision over all courts within the judicial circuit;”

Whereas, Rule 2.535 (g) (2), Florida Rules of Judicial Administration, directs the chief judge, after consultation with the circuit and county court judges, to develop a circuit-wide plan for court reporting of all proceedings required to be reported at public expense;

Whereas, Rule 2.535 (g) (3), Florida Rules of Judicial Administration, further allows the chief judge to enter a circuit-wide administrative order authorizing the electronic recording and subsequent transcription by persons other than court reporters, of any judicial proceedings, that are otherwise required to be reported by a court reporter;

Whereas, Rule 2.535 (h), Florida Rules of Judicial Administration, directs the Chief Judge to also include a plan for court reporting all trials in which the state seeks the death penalty and in capital post-conviction proceedings.

Whereas, Rule 2.420 (e), Florida Rules of Judicial Administration, provides for a procedure for the public to access court records and the court to charge for the copy of those records which are not exempt.

Now Therefore, it is ORDERED and ADJUDGED that the following circuit-wide plan for ensuring court reporting of all proceedings required to be reported at public expense is

implemented throughout the circuit and after consideration of guidelines issued by the Office of the State Courts Administration.

I. SCOPE OF COURT REPORTING AND COURT RECORDING SERVICES PROVIDED THROUGHOUT THE CIRCUIT

The circuit-wide court reporting plan provides guidelines and procedures for ensuring the reporting or recording of court proceedings required at public expense and delineates the preferred method for taking of the record. Whenever possible, this plan should be followed. However, exigent circumstances and limited resources may require an alternative but legally sufficient method of taking the record to be employed, typically by way of an independent contract reporter or by other appropriate means.

The Fourteenth Judicial Circuit employs court reporting personnel and independent contractors to fulfill its obligation of taking the record of proceedings required to be recorded. *Stenographic court-employed court reporters* are those full-time court reporters employed by the Fourteenth Judicial Circuit and have demonstrated specific skills as a stenographer. *Digital court-employed court reporters* are those full-time court reporters employed by the Fourteenth Judicial Circuit who monitor, tag, safe-keep, and transcribe electronic recordings produced from the circuit's *CourtSmart* system or from other digital recording systems. *Independent court reporting contractors* are those court reporting service providers who have entered into a contract with the Fourteenth Judicial Circuit to provide court reporting or transcript production services to the court on the circuit's request.

II. METHODS OF PROVIDING COURT REPORTING OR COURT RECORDING SERVICES

As an identified element of the state courts system, court reporting services is the responsibility of the trial courts for all proceedings required to be recorded at public expense. The Fourteenth Judicial Circuit has determined the most economical, efficient and effective strategy for providing the court record is by using a hybrid model which uses the skill and talents of specially trained court employees and specially selected independent contractors who combine their abilities as stenographers, digital court reporters, and transcriptionists to ensure the taking of the court record at public expense.

The following divisions of court and specific court proceedings are delineated to specify the specific method by which court reporting or court recording should be provided:

Circuit Court

A. Appellate Proceedings

The Court DOES NOT provide any court reporting or court recording services in Appellate Division matters. Parties wishing to record appellate proceedings or oral argument may use any private court reporter, following procedures found in Section V of this Order.

B. Civil Division

The Court DOES NOT provide any court reporting or court recording services in Civil Division matters. Parties wishing to record civil proceedings or trials may use any private court reporter, following procedures found in Section V of this Order.

It should be noted that a record of trials under Chapter 394, Part IV, Florida Statutes, does require a record; however, the Office of the Public Defender or its court-appointed attorney or a private attorney representing the defendant, or the Office of the State Attorney is the responsible party to ensure that the record taken.

C. Criminal Division

All proceedings except for trials and capital proceedings, which are addressed in Section V of this Order, shall be recorded by electronic means. Trials shall be reported by stenographic court-employed court reporters, whenever possible. If sufficient stenographic court-employed court reporters are not available, such trials may be reported by independent contract court reporters, or electronic recordings.

D. Probate Division

Parties in Probate Division proceedings may use any private court reporter in accordance with Section V of this Order, except that all proceedings in which the Court is required to provide a record, including but not limited to proceedings pursuant to chapter 744, Florida Statutes, regarding 1) adjudication of incapacity; 2) appointment of a guardian; 3) modification, termination, or revocation of the adjudication of incapacity; or 4) restoration of capacity, shall be reported by electronic recordings, a stenographic court-employed court reporter, or an independent contract court reporter.

F. Family Division

Parties in proceedings which fall under the Florida Family Law Rules of Procedure may use any private court reporter in accordance with Section V of this Order except that all proceedings in which the Court is required to provide a record, including but not limited to

Injunctions for Protection proceedings under section 741.30, Florida Statutes; as well as all dating, sexual, and repeat violence proceedings under chapter 784, Florida Statutes, shall be reported by electronic recording, a stenographic court-employed court reporter, or an independent contract court reporter.

G. Juvenile Division

All delinquency and dependency proceedings except for Termination of Parental Rights trials shall be recorded by electronic means. Termination of Parental Rights trials shall be reported by stenographic court-employed court reporters, whenever possible. If sufficient stenographic court-employed court reporters are not available, such trials may be reported by independent contract court reporters, or electronic means.

COUNTY COURT

H. Civil Division, including Small Claims

The Court DOES NOT provide any court reporting or court recording services in County Court Civil Division matters. Parties wishing to record civil proceedings or trials may use any private court reporter, following procedures found in Section V of this Order.

I. Criminal Division

All criminal proceedings, including trials, shall be reported by electronic recording.

J. Traffic Division

Civil Traffic: The Court DOES NOT provide any court reporting or court recording services in County Court Civil Traffic Division. Parties wishing to record civil traffic proceedings may do so in compliance with Rule 6.460 (b), Florida Rules of Traffic Court.

Criminal Division:

All criminal traffic proceedings, including trials, shall be reported by electronic recording.

**III. ELECTRONIC RECORDINGS OF PROCEEDINGS HELD BEFORE
MAGISTRATES AND HEARING OFFICERS**

All proceedings held before magistrates or hearing officers (except for Civil Traffic Infraction Hearing Officers as outlined in item J. above, shall be reported by electronic means.

Parties wishing to appeal the recommendations/report made by magistrates or hearing officers shall ensure that a transcript is provided to the judge following procedures set out in Rule 12.490 (g), Family Law Rules.

IV. COURT REPORTING PROCEDURES FOR HEARINGS OCCURRING OUTSIDE REGULAR COURT HOURS

First appearance (advisory) hearings, Chapter 39 Shelter Hearings, and Proceedings to Waive Parental Notification of Abortion pursuant to section 390.01114, Florida Statutes, which are held outside the regular court hours on weekends, holidays, and any other time outside of the regular court hours shall be electronically recorded. Whenever possible, access to *CourtSmart* systems should be used; however, if such access is not possible, digital court recording systems which have been provided to each jail should be used..

Digital court-employed court reporters are responsible for securing the first appearance recordings of each county and ensuring that appropriate recording systems are being used.

V. COURT REPORTING PROCEDURES WHERE THE COURT DOES NOT PROVIDE A RECORD

1. If a party wishes to make a record of a court proceeding for which the Court does not provide a record as delineated in this Order, it is the responsibility of the party or the party's attorney to secure the services of a qualified private court reporter.
2. All notices of hearings for proceedings where the Court does not provide a record must specify whether or not the party setting a matter for hearing will be securing the services of a qualified private court reporter. All costs associated with the court reporter's appearance will be the responsibility of the party requesting the court reporter. This does not preclude the taxation of costs as authorized by law, as stated in Rule 2.532 (b), Rules of Judicial Administration.

VI. COURT REPORTING PROCEDURES IN CAPITAL CASES

1. Any proceeding involving the potential or actual imposition of the death penalty, including but not limited to pretrial hearings, trials, sentencing hearings, and post-conviction hearings, shall be reported by a stenographic court-employed court reporter.
2. All efforts shall be made to expedite the finalization of certified transcripts to include but not be limited to reasonable restrictions on the court-employed court

reporter's work assignments to ensure the production of capital case transcripts are given priority.

3. The use of a real-time transcription service may be used only when specifically authorized by the Chief Judge.

VII. PROCEDURES FOR ORDERING TRANSCRIPTS

1. Base on a cost-sharing plan established as part of an efficient government initiative, the Fourteenth Judicial Circuit shall provide transcripts to the Office of the State Attorney, Office of the Public Defender, and conflict counsel for all proceedings required to be recorded at public expense. The following procedure to request such transcription should be followed by these entities:
 - A. All Assistant State Attorneys and Assistant Public Defenders shall complete a *State Attorney or Public Defender Request for Transcript* form which can be found at the Fourteenth Judicial Circuit's website (www.jud14.flcourts.org) and forward the request to the Court Reporting Services unit as directed on the form.
 - B. All conflict counsel, either under contract or employed by the state, shall complete a *State-funded Conflict Counsel Request for Transcript* form which can be found at the Fourteenth Judicial Circuit's website (www.jud14.flcourts.org) and forward the request to the Court Reporting Services unit as directed on the form.
2. Private parties or attorneys representing private parties may request transcripts from their case. The following procedure to request a case-related transcript should be followed by a private party or attorney representing a private party:
 - A. Complete a *Private Party Request for Transcript* form which can be found at the Fourteenth Judicial Circuit's website (www.jud14.flcourts.org) and forward the request to the Court Reporting Services unit as directed on the form.
 - B. Submit a check or money order, made payable to *State of Florida* along with the *Request for Transcript* form. Depending on the size of the transcript, the Court Reporting Services unit may accept the \$50 as a down payment for the production of the requested transcript or may require full payment before the transcript is provided.

- C. Rates for the production of transcriptions shall follow those established by the Fourteenth Judicial Circuit's Indigent Service Committee for court reporting transcription.

VIII. PROCEDURES FOR ORDERING COPIES OF ELECTRONICALLY RECORDED PROCEEDINGS

Electronic copies duplicated on discs can be purchased from the Court Reporting Services unit of any proceeding recorded at public expense. These copies DO NOT represent the *official court record*. **PLEASE NOTE:** Proceedings which are exempt from the public or exempt from public records under Rules of Juvenile Procedure, Probate Rules, or Rules of Judicial Administration shall be provided by COURT ORDER only.

If an individual would like a recording of a proceeding that is not exempt or has the proper court order, the following procedures shall be followed:

1. Complete a *Request for Digital CD of Due Process Court Recording* including the case number, case style (e.g., State v. Name of the Defendant), date and approximate time of the proceeding; county recording was made; and the judge before the recording was made. Include a phone number or some method to contact you in case additional information is necessary in order to complete the order. The *Request for Digital CD of Due Process Court Recording* can be downloaded from our website at www.jud14.flcourts.org. Copies of the form are also available in each Office of the Clerk or County Judge's Office in each county within the Fourteenth Judicial Circuit.
2. If the proceeding is exempt, provide a COURT ORDER specifying that a copy of the exempt proceeding can be produced for the requesting party.
2. Include a personal check, cashier's check, or money order for \$15 made payable to the *State of Florida*. Cash or credit card payments are NOT accepted.
3. Requests will be processed in three business days once all the necessary information is received by the Court Reporting Services unit in Panama City, Florida.
4. The CD will then be mailed to the requesting party or the party will be called to pick up the item.

DONE and ORDERED in Chambers at Panama City, Bay County, Florida, this 9
day of May, 2007.


WILLIAM L. WRIGHT, CHIEF JUDGE



A CERTIFIED TRUE COPY
HAROLD BAZZEL, CLERK
OF THE CIRCUIT COURT
By Sammy B. Hoffmann
Deputy Clerk

FILED
7007 MAY 10 P 3:51
HAROLD BAZZEL
CLERK CIRCUIT COURT
BAY COUNTY, FLORIDA

**Fourteenth Judicial Circuit
Court Reporting Services**
Bay County Courthouse
300 East Fourth Street
Panama City, Florida 32401
(850) 747-5332 or (850) 747-5333

REQUEST FOR DIGITAL CD OF DUE PROCESS COURT RECORDINGS

Please complete the following information so that Court Reporting Services can locate the record you are requesting and produce a digital copy. A personal or cashier's check or money order for \$15.00 made out to **State of Florida** must be received along with this request form.

Case Number: _____ Date/Time of Proceeding: _____

Case Style: (State v. Name; In the interest of: Name)

Name of Presiding Judge/Magistrate _____

County: _____

Send Digital CD To: _____

If Questions Contact: _____ (phone)

_____ (email)

**Fourteenth Judicial Circuit
Court Reporting Services**
Bay County Courthouse
300 East Fourth Street
Panama City, Florida 32401
(850) 747-5336 or (850) 747-5333

PRIVATE PARTY REQUEST FOR TRANSCRIPT

Please complete the following case-related information. Provide contact information as well. Upon review of the record, a representative from the Fourteenth Judicial Circuit's Court Reporting Services will contact you with an estimated time for producing the transcript and the required total cost (if applicable) which must be submitted prior to the production of the transcript.

Case Number: _____

Case Style: (State v. Name; In the interest of: Name)

Date/Time of Proceeding: _____

Name of Presiding Judge/Magistrate _____

County: _____

Date Transcript Requested By: _____

Transcript Requested By:

Name /Address: _____

Telephone Number: _____ Fax: _____

Email Address: _____

**Fourteenth Judicial Circuit
Court Reporting Services**
Bay County Courthouse
300 East Fourth Street
Panama City, Florida 32401
(850) 747-5336 or (850) 747-5333

STATE ATTORNEY OR PUBLIC DEFENDER REQUEST FOR TRANSCRIPT

Please complete the following case-related information. Provide contact information as well. Upon review of the record, a representative from the Fourteenth Judicial Circuit's Court Reporting Services will contact you with an estimated time for producing the transcript and the required total cost (if applicable) which must be submitted prior to the production of the transcript.

Case Number: _____

Case Style: (State v. Name; In the interest of: Name)

Date/Time of Proceeding: _____

Name of Presiding Judge/Magistrate _____

County: _____

Date Transcript Requested By: _____

Transcript Requested By:
Name /Address: _____

Telephone Number: _____ Fax: _____

Email Address: _____

Supervisor Approval: _____

**Fourteenth Judicial Circuit
Court Reporting Services**
Bay County Courthouse
300 East Fourth Street
Panama City, Florida 32401
(850) 747-5336 or (850) 747-5333

STATE-FUNDED CONFLICT COUNSEL REQUEST FOR TRANSCRIPT

Please complete the following case-related information. Provide contact information as well. Upon review of the record, a representative from the Fourteenth Judicial Circuit's Court Reporting Services will contact you with an estimated time for producing the transcript and the required total cost (if applicable) which must be submitted prior to the production of the transcript.

Case Number: _____

Case Style: (State v. Name; In the interest of: Name)

Date/Time of Proceeding: _____ County: _____

Date Transcript Requested By: _____

Is the entire court proceeding required to be transcribed? Yes No

If "No", please specify as close as possible, what part of the proceeding needs to be transcribed:

Reason for Requesting Transcript: _____

APPROVAL: Signature from the Regional Director of the Office of Criminal and Civil Conflict Counsel or Presiding Judge is required before submitting request.

Name of Regional Director or Presiding Judge _____

Regional Director or Presiding Judge's Approval: _____
Signature

Transcript Requested By:
Attorney Name /Address: _____

Telephone Number: _____ Fax: _____

Email Address: _____