

**Minutes of
The Subcommittee on Audio Recording of Court Proceedings
Wednesday, March 25, 2009**

The Subcommittee on Audio Recordings of Court Proceedings met on Wednesday, March 25, 2009, at 90 Washington Street, Hartford, Connecticut.

In attendance: Atty. Charles Howard (Chair), the Hon. David P. Gold, Nancy Brown, Thomas B. Scheffey, Patrick Sanders.

Guests: Atty. Joseph Del Ciampo, Branch Legal Services. John Brandon.

I. The meeting was called to order by Mr. Howard at 2 p.m. and the minutes of the March 9 meeting were read. After some discussion, Mr. Scheffey asked that his remarks as reflected in the draft minutes be clarified to read that he “generally” favors audio recordings in courtrooms. The minutes were amended and the amended minutes were approved.

II. Discussion of possible rule on audio recording by the public: The subcommittee members received a packet of 35 e-mailed letters from various certified court reporters opposed to allowing the public the right to personally record court proceedings. Many of the letters were from members of the Connecticut Court Reporters Association. The letter-writers expressed concerns about the reliability of personal tapes vs. the accuracy of certified transcripts; the possibility of personal recordings being publicly posted or played to humiliate or intimidate parties to court cases; and the potential lost income for court reporters who earn separate income from providing transcript services.

The members then engaged in a lengthy conversation about their feelings on the existing rules regarding personal recording. There was a consensus between the members that the many issues raised during this committee’s meetings make it a virtual certainty that there will not be a unanimous recommendation to make to the larger Judicial-Media Committee.

Some members believe that it appears that the current Practice Book rule, 1-10, does allow with a judge’s permission an individual to make a personal recording of a court proceeding.

There was a general discussion about what each member thinks should be done in terms of making a recommendation to the Judicial Media Committee. Mr. Howard suggested, and the members agreed, that an informational report be created with input from each member. The report will include the committee’s charge; the information from other states that the members considered; the feedback that the committee received from the public; and the concerns and views of each member. There are a number of considerations that the larger committee will have to take up, the members said. Each member will submit to support staff a written synopsis of his/her concerns and beliefs. Support staff will write the report, which will then be edited and/or modified to reflect the committee

members' concerns. The members said one more meeting would have to be held prior to the Judicial-Media Committee's May 11, 2009, meeting.

The committee then heard from Mr. Brandon, who is a certified court reporter and owns his own court reporting business. He urged the members to reject the notion that anyone is entitled to personally record court proceedings as they wish with no restrictions. Mr. Brandon said that it appears to him after listening to the discussion that the current rules do allow personal recording with the judge's permission, and he believes that is acceptable.

III. Set next meeting: The Subcommittee will next meet on Monday, April 20, at 2 p.m. in the fourth-floor conference room at 90 Washington Street, Hartford, Connecticut.

IV. The meeting was adjourned at 3:05 p.m.