

## **Draft Minutes**

### **Committee on Court Recording Monitors and Court Reporters**

**May 24, 2010**

**2:00**

**Wethersfield, Connecticut**

The Committee on Court Recording Monitors and Court Reporters met at 225 Spring Street, Wethersfield, Connecticut on Monday, May 24, 2010.

Committee members in attendance: Justice Joette Katz (chair), Mr. Claude Albert, Hon. Marshall K. Berger, Jr., Atty. Peter Dreyer, Atty. Scott Hartley, Mr. James Maher, Atty. Richard O'Connor, Atty. Harry Weller, and Atty. James Brawley.

The meeting was called to order at 2:15 PM by Justice Katz.

1. Justice Katz welcomed the members of the Committee.
2. The minutes of the April 27, 2010 meeting were approved with all members present voting in favor.
3. The discussion on pilot programs was delayed to accommodate Mr. Albert, who indicated he would be arriving late.
4. Judge Berger reported to the Committee on his recent trip to the Washington, D.C. Superior Court. Specifically, Judge Berger spent time with court officials there discussing that courthouse, which contains 96 courtrooms, the CourtSmart audio recording system, and the District's transcription system. Judge Berger said that 321,000 pages of transcription were completed by court-employed transcribers and a private vendor in 2009 in D.C. Time of completion of transcription varies, from 12 days to 55 days on average. D.C. employs 37 court reporters and eight transcribers. An additional nine people run the courthouse's CourtSmart program, simultaneously viewing up to 10 proceedings each. Courtroom clerks do the tagging and "playback" when requested during a proceeding. Judge Berger said D.C.'s court reporters report on major cases, but also rely on the CourtSmart audio recording system to memorialize proceedings. Judges there also have access to the audio recording, in chambers. Judge Berger said D.C. does not make available to the public recordings of proceedings, but could; instead, the court's culture keeps them paper-bound. The Committee discussed CourtSmart's abilities versus Connecticut's FTR system. While Connecticut does not currently make available CDs of recordings of proceedings, the FTR system does allow that. FTR, like CourtSmart, also has video recording capability. It was noted by Judge Berger that D.C.'s audio recordings of court proceedings are also made part of the electronic case management system.

5. Mr. Albert arrived at 3:00 p.m. and the Committee then began discussion on several pilot programs, as put forth by the members, and another pilot that was suggested by Judge Christine Keller, Chief Administrative Judge for Juvenile Matters and a member of a Judicial Branch committee studying and recommending ways to reduce waiting time for permanent child placement.

Mr. Albert said this Committee should recommend a pilot program that is forward looking, i.e., not just access to audio records, but video recordings of proceedings. Mr. Albert suggested four test sites: a high-volume G.A., a civil court, a Part A criminal court, and the Juvenile Court in Middletown. Mr. Albert also supports the installation of equipment that would allow parties to proceedings the ability to plug in to a court-operated recording device to capture the recording for themselves.

Atty. O'Connor had similar suggestions for testing pilots at several G.A.'s, contested family proceedings, juvenile court, and some superior court proceedings.

Mr. Maher supports Judge Keller's suggestion of making available court recordings in the Child Protection Session in Middletown, as well as a high-volume arraignment court and a complex litigation docket.

Judge Keller's written proposal asks this committee to pilot a program in the Regional Child Protection Sessions, in both Middletown and Willimantic, to allow attorneys to obtain disc recordings of the proceedings. Last year, Judge Keller said, the Child Protection Commission paid almost \$100,000 for expedited transcripts. Allowing attorneys to have copies of the audio recording would greatly improve the expeditious filing of juvenile appeals because the trial attorney, or the second attorney appointed to the case, could determine by listening to the recording whether there is merit to an appeal and which portions of the proceeding need to be transcribed for the appeal record. This would lead to the ordering of fewer, costly expedited transcripts while still providing counsel with the full ability to assess the merits of an appeal, Judge Keller said. That type of instant access will not only save the state money, it will help expedite appeals and lead to children being placed more quickly in permanent homes.

Atty. Dreyer noted for the Committee that in a 7-week civil trial that he just completed, he and his firm spent in excess of \$30,000 on expedited transcripts.

5. Following a lengthy discussion, there was a general consensus among the Committee to support pilot programs that would make CDs available to attorneys in the Child Protection Session, and to attorneys in a civil matter, possibly a complex litigation case.
6. The next meeting will be on Tuesday, July 6, 2010, at 2:00 p.m. at 225 Spring Street. The meeting adjourned at 5:15 p.m.