

Minutes

Committee on Court Recording Monitors and Court Reporters

November 9, 2009

2:00

Supreme Court – Attorney Conference Room

The Committee on Court Recording Monitors and Court Reporters met in the Supreme Court attorney conference room, located at 231 Capitol Ave., Hartford, on Monday November 9, 2009.

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

The meeting was called to order at 2:05 PM by Justice Katz.

1. Justice Katz welcomed the members to the Committee and thanked them for agreeing to participate. The Committee members introduced themselves to the group.
2. Justice Katz reviewed the Committee's charge. The charge requires the Committee to make recommendations to Chief Justice Chase T. Rogers to increase access to transcripts, improve the quality of the transcripts provided and to improve the delivery of service provided by the Court Transcript Services Unit. Justice Katz indicated that she intended for the Committee to meet monthly and to submit recommendations to the Chief Justice in June.
3. Justice Katz introduced Mr. James Maher, Director of the Judicial Branch's Superior Court Operations Division, Administration Unit. Mr. Maher provided an overview of the Court Transcript Services Unit, including the distinction between court reporters, who are sworn officers of the court, and court recording monitors. The Branch employs approximately 250 people in its Court Transcript Services Unit, including many part-time and temporary employees.
4. Mr. Maher then provided an overview of the current recording devices used by the Judicial Branch: stenographic machines, Sony tape recording machines and computer-based digital recording systems. Mr. Maher explained and demonstrated how each piece of equipment is used.
5. A discussion ensued about the usage of computer-based digital recording systems which are used by court recording monitors on For The Record (FTR) software. Mr. Maher explained that the equipment currently is installed in approximately 120 courtrooms and the Branch is moving to install more as resources allow.

6. A discussion ensued regarding the compensation received by Judicial Branch court reporters and court recording monitors for producing paper transcripts of court proceedings. "Regular" per-page compensation rates (0.75 cents to \$3.00) are determined by statute, while per-page rates for expedited (\$1.25 to \$4.75) and overnight (\$1.55 to \$6.35) transcripts are set by the Chief Court Administrator. When the purchaser of the transcript is from the State of Connecticut, most reporters or monitors are paid through their regular paycheck. When the purchaser of the transcript is a private individual, that individual directly pays the reporter or monitor.
7. A discussion ensued regarding a recent opinion (2009-3) from the Office of State Ethics and its potential applicability to the Judicial Branch. The opinion focused on hearing reporters for the Workers' Compensation Commission, and the finding by the Office of State Ethics that it is not permissible, under the Code of Ethics, for Workers' Compensation Commission hearing reporters to use "state-compensated time to engage in activity that generates income from private sources."
8. A discussion ensued regarding the Judicial Branch's policy of granting "CU" time to court reporters, which allows them to generate income from private attorneys, typically for the production of depositions, while being compensated by the Branch. According to Mr. Maher and Atty. Hartley, who is the deputy director of the Transcript Services Unit, the practice dates back to just after World War II.
9. There was a discussion about the trend towards increasingly paperless-files and what the demand for paper transcripts may be as more information is shared and stored electronically. Judge Berger noted that an increasing number of civil cases are now being filed via e-mail, or E-filed, as mandated by the Branch.
10. At Justice Katz's request, Mr. Albert provided a brief overview of the work done by the Subcommittee on Audio Recording of Judicial Proceedings, a subcommittee of the Judicial Media Committee. The Subcommittee looked at the availability of audio-recorded proceedings, including a federal court pilot program that allows the public to access and purchase online audio downloads of certain court proceedings. Mr. Albert also noted the recent recommendation by the Judicial Media Committee to the Chief Court Administrator that members of the media be permitted to use audio recorders in court proceedings for note-taking purposes only and with approval from the judicial authority.
11. The Committee agreed to meet next on November 23, 2009. At that meeting, Justice Katz and Attorney Joseph D. D'Alesio will lead the Committee in an affinity diagram exercise.

The meeting was adjourned at 3:54 PM.