

## Chief Judge Directive 17-05

### Use of Court Reporters in Criminal Cases:

Pursuant to Chief Justice Directive 05-03 (as amended) “the chief judge of each judicial district shall determine which methods of recording court proceedings are to be used based upon current economic issues, availability of reporters, and other relevant factors.”

Over a dozen years ago, the Chief Judge at that time decided to replace real time court reporters with an electronic record (audio recording). That decision was not memorialized by a Chief Judge Directive.

I find that the decision made in the past still makes sense in the present. The 11<sup>th</sup> Judicial District has not budgeted for real time court reporters in many years. It is more cost efficient to use an electronic record. The 11<sup>th</sup> Judicial District has invested significant funds in upgrading our electronic recording equipment and audio systems in all of the courtrooms in the District. I have confidence that the current equipment captures an accurate record. Finally, I am not aware of any certified real time court reporters living within the 11<sup>th</sup> Judicial District.

Pursuant to Chief Justice Directive 05-03 (as amended) the Chief Judge is to prioritize those types of criminal cases that will be recorded by a real time court reporter (if possible).

Therefore, trials and other significant hearings in all class 1 Felonies will be recorded by a real time court reporter (if possible). If the case is a death penalty case, and if a court reporter cannot be obtained, the District Administrator will contact the State Court Administrator’s Office for assistance.

In all other criminal cases, the record will be captured using an electronic record.

If the parties or a judge believe that a particular criminal case that is not a class one felony requires a real time court reporter, that request can be made and will be reviewed by the Chief Judge.

The Clerk of Court for the respective County is the custodian of the audio record.

Otherwise, the provisions of Chief Justice Directive 05-03 (as amended) apply.

Done in Salida, Colorado, this 30<sup>th</sup> day of March 2017.

(Amended 3-6-18)

/s/ Patrick W. Murphy, Chief Judge, 11<sup>th</sup> Judicial District

