

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE**

FILED

2021 SEP -9 PM 3:21

**Administrative Order No. 2021-024**

**IN RE: Use of Court Reporters and Digital Audio to Create an Official Record**

ANN HUNLEY  
BY \_\_\_\_\_

**WHEREAS**, A.R.S. § 38-424, which allows the use of electronic recording devices in lieu of court reporters in most trials and hearings, goes into effect on September 29, 2021; and

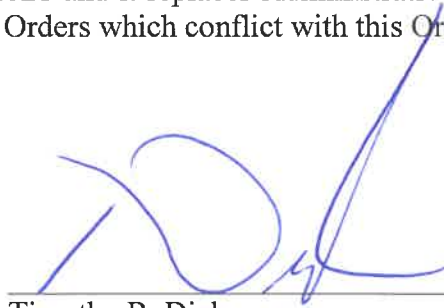
**WHEREAS**, this court has insufficient number of court reporters and has been unable to attract new court reporters;

**IT IS ORDERED:**

1. To the extent allowed by A.R.S. § 38-424 and except as noted in this order, an electronic recording device will be used to create an official verbatim record of all hearings and trials.
2. As provided in A.R.S. § 38-424.A, court reporters will be used to create the official verbatim record of Title 21, Chapter 4 (Grand Jury) and Title 36, Chapter 5 (Mental Health) proceedings.
3. Court reporters will also be used to create the official record in criminal jury trials, if one is available.
4. A written request for use of a court reporter made pursuant to A.R.S. § 38-424.B (for a trial or hearing arising out of an indictment or information, i.e. a felony criminal case) or A.R.S. § 38-424.C (for a trial or hearing held pursuant to Title 36, Chapter 37, i.e. Sexual Violent Persons), must be filed with the Clerk of the Superior Court at least five days before the trial or hearing and a copy provided the same day to Court Administration and the Judicial Assistant of the division conducting the hearing or trial.
5. Anyone may request a digital audio copy of a recording, if an electronic recording device is used to create the official record. A Minimum Clerk Fee pursuant to A.R.S. § 12-284.A, Class E (currently \$30) will be paid by the requestor to the Clerk of the Superior Court, if the request is made by someone other than a court-appointed attorney or government agency. The request for a copy of the audio recording is made to Court Administration and a court order is not necessary.
6. If a court reporter is used to create the official record, then the audio recording is not a public record pursuant to Rule 123(d)(5), Rules of the Supreme Court.
7. A transcript of a hearing or trial may be obtained by a court-appointed attorney by filing a motion with an order substantially the same as the one attached as Exhibit A. A copy of the order will be presented to the court reporter or to Court Administration if the record was created by use of an electronic recording device.

8. A person other than a court-appointed attorney may obtain a transcript of a hearing or trial by contacting the court reporter who created the record, or if the record was created by use of an electronic recording device, by contracting with either the vendor selected by Court Administration or any Arizona certified court reporter. The vendor or court reporter will obtain a digital copy of the audio recording from Court Administration. A Minimum Clerk Fee pursuant to A.R.S. § 12-284.A, Class E, (currently \$30) will be paid by the requestor to the Clerk of the Superior Court.
9. This order is effective September 29, 2021 and it replaces Administrative Order No. 2006-018 and any other prior Administrative Orders which conflict with this Order.

Dated this 9 day of September 2021.



---

Timothy B. Dickerson  
Presiding Judge, Cochise County

## **Exhibit A**

IT IS ORDERED:

- 1) Court reporter (name) [if the record was created by a court reporter] shall prepare a transcript of the followings proceedings within 60 days of this order pursuant to Rule 33.8(b), Arizona Rules of Criminal Procedure: [state nature of the proceeding and date, for example "Plea Proceeding on \_\_\_\_"].
- 2) A transcript of the followings proceedings shall be prepared from the audio recording within 60 days of this order pursuant to Rule 33.8(b), Arizona Rules of Criminal Procedure: [state nature of the proceeding and date, for example "Plea Proceeding on \_\_\_\_"].
- 3) The court reporter or vendor preparing the transcript must send an invoice to Court Administration and follow the Court Administration Fee Schedule. The invoice must include a page rate, page number, and case information.