

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHMENT OF THE TASK) Administrative Order
FORCE TO SUPPLEMENT KEEPING) No. 2019 - 49
OF THE RECORD BY ELECTRONIC)
MEANS)
_____)

Production and preservation of a record of proceedings in a court of record are fundamental functions of the Judicial Branch. Arizona Revised Statutes and Arizona Rules of Procedure require that courts produce a verbatim record of certain judicial proceedings.

Consistent with trends nationwide, several Arizona counties are experiencing a shortage and unavailability of court reporters. This situation may require courts to reschedule or delay scheduling judicial proceedings, negatively impacting the ability to secure a speedy trial, hearing, or other resolution and ultimately delaying the administration of justice to the parties, victims, and all involved in the legal system broadly. The shortage also impacts court reporters' ability to transcribe the proceedings in a timely manner.

Delays in transcript production also are one of the major factors contributing to delay in resolving appeals. Transcript production, which is required before any briefing can occur on appeal, can take months, delaying all types of appeals, including those where critical liberty interests are involved, such as criminal appeals and termination of parental rights appeals.

Given these issues, electronic recording technology has been deployed in many Arizona courts to supplement the use of a court reporter in making a record of court proceedings. Use of electronic recording technology is limited, however, by statutes and rules enacted at a time when such technology did not exist or was not available or dependable.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the Task Force to Supplement Keeping of the Record by Electronic Means is established as follows:

1. **Purpose.** The Task Force shall develop recommended changes to statutes, rules, and the Arizona Code of Judicial Administration to permit courts to create and maintain a complete and accurate court record electronically to supplement court reporters and to prevent delay in resolving disputes in the trial court and on appeal.

2. **Membership.** The individuals listed in Appendix A are appointed as members of the Task Force effective immediately and ending November 30, 2019. The Chief Justice may appoint additional members as may be necessary.
3. **Meetings.** The Task Force shall meet at the discretion of the Chair. All meetings shall comply with the public meeting policy of the Arizona Judicial Branch, Arizona Code of Judicial Administration § 1-202: Public Meetings.
4. **Recommendations.** The Task Force shall submit its recommendations, together with recommended changes to statutes, rules, and the Arizona Code of Judicial Administration, by September 1, 2019 for circulation for comment and for presentation to the Arizona Judicial Council on October 24, 2019.

Dated this 21st day of May, 2019.

SCOTT BALES
Chief Justice

APPENDIX A

MEMBERSHIP LIST

TASK FORCE TO SUPPLEMENT KEEPING OF THE RECORD BY ELECTRONIC MEANS

Chair

Honorable Samuel A. Thumma, Chief Judge
Arizona Court of Appeals, Division One

Members

Honorable Pamela Gates
Superior Court of Arizona in Maricopa
County

Ms. Kate Roundy
President
Arizona Court Reporters Association

Mr. Rolf Eckel
Court Administrator
Superior Court of Arizona in Yavapai County

Ms. Tracy Johnston
President Elect
Arizona Court Reporters Association

Mr. Bob James
Deputy Court Administrator
Superior Court of Arizona in Maricopa
County

Jacob Jones
Attorney
Snell & Wilmer, LLP

Ms. Sheila Polk
County Attorney
Yavapai County

Staff

Ms. Marretta Mathes
Court Project Specialist
Administrative Office of the Courts

Mr. Dean Brault
Director of Public Defense Services
Pima County

Ms. Amy Love, Legislative Liaison
Intergovernmental Relations
Administrative Office of the Courts

Mr. Ed Gilligan
Cochise County
County Administrator