

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
EXPERIMENTAL USE OF DIGITAL	)	Administrative Order
VIDEO RECORDING TECHNOLOGY	)	No. 2001- <u>118</u>
TO MAKE THE OFFICIAL RECORD	)	
OF TRIAL COURT PROCEEDINGS	)	
IN MARICOPA COUNTY	)	
_____	)	

The Superior Court in Maricopa County has in use new electronic courtrooms (e-courtrooms) utilizing state-of-the-art digital video technology capable of making the trial record. In an e-courtroom, video recordings can be created on VHS tape or digital videodisk formats. Either tapes or disks can be given to the parties immediately following the conclusion of the recorded proceeding. The videotape can be observed immediately on an ordinary video playback machine (VCR). The digital videodisk can be easily reviewed on a standard personal computer within minutes of the conclusion of the proceeding. The videodisk is indexed by major events in the trial and does not need to be viewed from beginning to end (analog fashion), but can be directly accessed, via personal computer, at any of the indexed points.

The Superior Court in Maricopa County has requested the Chief Justice of the Arizona Supreme Court, who has constitutional administrative supervision over all courts in the state, to authorize the use of digital video technology as the official record of trial court proceedings in e-courtrooms on hearings of one hour or less as a test project to determine whether recording of judicial proceedings in short proceedings without transcription will benefit the court, the users of the court and the public. Benefits include expedited availability of the court record, reduced delay on appeal, potential cost savings and a comprehensive audio and video record of trial court proceedings.

The judges of the Arizona Court of Appeals, Division I, have reviewed this proposal and observed a demonstration of the quality and nature of the digital video record produced in the e-courtrooms. At a bench meeting on September 12, 2001, Division I judges endorsed the experiment by a 15-1 vote.

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that a pilot project regarding the experimental use of digital video recording technology to make the official record of trial court proceedings in the Superior Court in Maricopa County is established as follows:

1. RECORD ON APPEAL.

In Maricopa County, if the record designated for the appeal consists of digital video/audio recording totaling one hour or less, the official record on appeal shall be the digital recording. Subject to payment or waiver of appropriate fees, upon filing a notice of appeal, the parties will be provided either a copy of the videotape of the proceedings or a copy of the proceeding on digital videodisk.

In appellate briefs, the parties shall cite to the portion of the digital recording where the testimony referred to appears.

Upon request of a party, a court reporter shall be assigned to record the proceeding. A party may, at any time, request a copy of the digital recording.

2. LENGTH OF THIS ORDER.

This administrative order shall expire twelve months from its effective date.

3. REPORTS.

The presiding judge of the Superior Court in Maricopa County and the chief judge of the Court of Appeals, Division I shall file a joint report on this pilot project to the Supreme Court at its conclusion. The joint report shall make reference to the impact of litigation costs for those cases taken on appeal.

Dated this 12<sup>th</sup> day of December, 2001.

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THOMAS A. ZLAKET  
Chief Justice