

Chief Judge Directive 06-02  
11<sup>th</sup> Judicial District of Colorado  
Policy on Privately Employed Court Reporters

It is appropriate on occasion to make a record of official proceedings by persons not employed by Colorado State Judicial Department. This policy applies to cases in which a court reporter who is not an employee of, or on contract with, the Colorado State Judicial Department makes a record of the hearing or trial.

1. Only reporters certified under Colorado or federal standards shall be permitted to record official proceedings. The reporter shall provide a copy of his or her certification to the court and to the parties in each case. The reporter and the attorneys and/or the pro se parties, shall sign a copy of this policy in each case and it shall be binding on all. In the event that all of the parties and the reporter do not agree, the court shall utilize either a reporter retained by the court or its electronic recording system to make the official record.
2. The record prepared shall be the official record of the court and is the property of the state. The reporter shall provide, without charge to the court, his or her notes and/or electronic/taped storage of the record, vocabularies, indices and any other material or data necessary to preparation of transcription of the record in the event the reporter becomes unavailable.
3. While the reporter shall be in the employ of the retaining party or parties, the reporter shall be subject to the orders of the court. The reporter shall comply with the Colorado Constitution, statutes, rules (including, but not limited to, C.R.C.P. 80), directives, and orders.
4. The reporter shall not be the custodian of evidence. The court, or its clerk, shall act as the custodian of the evidence.
5. In the event the reporter becomes unavailable to complete the proceedings, the court shall complete it either by the substitution of another reporter or by use of the court's electronic recording system.
6. The reporter shall prepare transcripts of portions, or the entirety, of the proceeding for any party and the court upon request, including appeals. The person requesting the transcript, including the court, shall pay the reasonable cost. The state shall pay for transcripts at the rate provided in CJD 05-03. Fee and payment agreements among the parties shall be as agreed by the; the state will not be responsible for those arrangements. The transcripts shall be prepared in a timely manner, the court may provide the reporter's notes to another transcriber who can do so.
7. The undersigned shall agree to abide by all conditions of this directive. The undersigned shall keep confidential any information her or she receives in the course of

reporting which is privileged or confidential. Violation of this policy may subject the reporter to contempt or other lawful sanctions.

8. The court shall also record the proceeding on its electronic recording system. In the event of dispute about the record, the court will determine the official record by obtaining a transcription of the record from the court's electronic recording from a transcriber designed by the court.

This policy is adopted by the court this 2<sup>nd</sup> day of March, 2006.

/s/ C.M. Barton \_\_\_\_\_  
C.M. Barton  
Chief Judge

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Case Name \_\_\_\_\_

Case No. \_\_\_\_\_

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Reporter Date \_\_\_\_\_

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Plaintiff or plaintiff's attorney Date \_\_\_\_\_

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Plaintiff or plaintiff's attorney Date \_\_\_\_\_

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Plaintiff or plaintiff's attorney Date \_\_\_\_\_

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Defendant of defendant's attorney Date \_\_\_\_\_

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Defendant of defendant's attorney Date \_\_\_\_\_

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Defendant of defendant's attorney Date \_\_\_\_\_