IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order No. 2023-32-Gen (Amendment 2)
COURT REPORTING PLAN

(a) Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.
(b) Florida Rule of General Practice and Judicial Administration 2.215(b)(2) states that the chief judge is the "administrative officer of the courts within the circuit and shall, consistent with branch-wide policies, direct the formation and implementation of policies and priorities for the operation of all courts and officers within the circuit."
(c) Florida Rule of General Practice and Judicial Administration 2.215(b)(3) states that the chief judge ensures the efficient and proper administration of all courts within [this] circuit, considering available resources."
(d) Florida Rule of General Practice and Judicial Administration 2.535 requires the chief judge, after consultation with the circuit court and county court judges, to enter an administrative order for (1) developing and implementing a circuit-wide plan for the court reporting of all proceedings required to be reported at public expense using either full or part-time court employees or independent contractors; (2) ensuring that all court reporting services are provided by approved court reporters; and (3) if necessary to ensure the efficient provision of court reporting services, providing for multiple delivery strategies.
(e) Florida Rule of General Practice and Judicial Administration 2.535 permits the chief judge, after consultation with the circuit court and county court judges, to enter a circuit-wide administrative order authorizing the electronic recording and subsequent transcription by approved court reporters or approved transcriptionists of any judicial proceeding.
(f) Florida Rule of General Practice and Judicial Administration 2.535 further requires the chief judge, after consultation with the circuit court judges, to enter an administrative order developing and implementing a circuit-wide plan for court reporting in all trials in which the State seeks the death penalty and in capital post-conviction proceedings.

(g) The Circuit has historically employed a hybrid model of court reporting, with independent contract stenographers covering all felony court proceedings and full-

time employee digital court reporters covering all other judicial proceedings required to be reported. Over time, the Circuit has experienced a shortage of contract stenographers, which has caused delays in both trial and appellate proceedings, forcing the Circuit to expand the use of digital court reporting in proceedings normally covered by a stenographer. Pursuant to Florida Rule of General Practice and Judicial Administration 2.535, the only court proceedings requiring a stenographer, real-time or otherwise, are trials where the state seeks the death penalty and all capital post-conviction proceedings.

(h) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rules of General Practice and Judicial Administration 2.215 and 2.535, it is hereby **ORDERED, effective immediately**:

I. Definitions and Designations. For purposes of this Administrative Order, the terms below have the following definitions and designations:

(A) "Court reporter" means a contractor or contractor personnel, who meets the Circuit's qualifications for delivery of court reporting services and whose duties include operating a stenographic machine in the courtrooms of the Seventeenth Judicial Circuit.

(B) "Contractor" means any person or business entity with whom the Circuit contracts to provide court reporting and/or transcription services for judicial proceedings required to be reported at public expense.

(C) "Contractor personnel" includes and is collectively defined as employees, independent contractors, subcontractors, agents, assigns, students, or interns of the contractor.

(D) "Court reporting" means the act of making a verbatim record of the spoken word, whether by the use of written symbols, stenomask equipment, stenographic equipment, or electronic devices, in any judicial proceeding in the courts of the Seventeenth Judicial Circuit.

(E) "Digital court reporter" means a contractor, contractor personnel, or any person employed by the State Courts System who meets the Circuit's qualifications for delivery of court reporting services and whose duties include digitally recording judicial proceedings held in the courtrooms of the Seventeenth Judicial Circuit.

(F) "Digital court reporting," means the process of digitally capturing and recording, with the assistance of encoding hardware and software, the complete verbatim Multi-Media Court Record of any judicial proceeding in the courts of the Seventeenth Judicial Circuit.

(G) "Judicial proceeding" means all criminal proceedings, juvenile delinquency proceedings, dependency proceedings, and any other matter before a judge or general magistrate or hearing officer when law or rule of court requires a verbatim record. It includes all communications that take place in open court during such proceedings between the judge (including general magistrates and hearing officers) and the lawyers or other parties to the proceedings, and the testimony of any witnesses. This term does not include any communications which are protected by the attorney-client or work product privileges, or which are otherwise not part of the public proceeding before the judge, general magistrate, or hearing officer. If there are *in camera* or side bar matters heard by the presiding judge, such proceedings are part of the record, but are exempt from public access, and shall only be made available to the court, party to the action, and attorney for the party, unless the presiding judge orders otherwise.

(H) "Multi-Media Court Record" means any combination of the digital audio file, metadata file, text file, annotated file, and/or video file that is generated from the performance of court reporting.

(I) "Official record" means the transcript, which is the written or electronically stored record of court proceedings as prepared by a court reporter, digital court reporter, transcriptionist, or other qualified person as set forth herein and which is filed with the Clerk of the Court. The official record does not include CDs, DVDs, tapes, or any other electronic record of a judicial proceeding nor does it include any transcript of a judicial proceeding produced by a party or entity not authorized by this Administrative Order.

(J) "Transcriptionist" means a contractor, contractor personnel, or any person employed by the State Courts System who performs transcription services as part of their regular job duties, and who meets the Circuit's qualifications for transcribing proceedings.

II. Hybrid Model of Court Reporting. The Seventeenth Judicial Circuit has implemented a hybrid model of court reporting, combining the use of stenographic equipment by contractors, and electronic digital recording by contractors and full-

time court employees and subsequent transcription by approved transcriptionists and/or court employees.

III. Ownership of Records. The Chief Judge of the Seventeenth Judicial Circuit, in his or her official capacity, is the owner of all records and electronic records made by a court reporter, digital court reporter, or transcriptionist in proceedings required to be reported at public expense and proceedings reported for the Court's own use.

IV. Court Reporting Procedures When the Court Does Not Provide a Record. The Court does not provide court reporting services at public expense for proceedings held in the Circuit Civil Division, the County Civil Division, or the Family Division (except for proceedings that the Court is required to provide at public expense and which are specifically listed herein). If a party wishes to make a record of a court proceeding for which the Court does not provide a record, it is the responsibility of the party or the party's attorney to secure the services of a court reporter. All costs associated with the court reporter's appearance will be the responsibility of the party requesting the court reporter. This does not preclude the taxation of costs as authorized by law.

V. Court Reporting Procedures by Division. Court reporting coverage of proceedings recorded at public expense are as follows:

Capital Cases

Trials in which the State seeks the death penalty – Stenography (real-time, when available)

Post-Conviction Proceedings – Stenography (real-time, when available)

All Other Proceedings – Stenography or Digital Recording

Circuit Criminal

Trials 1st Degree – Stenography or Digital Recording

Trials 2nd Degree – Stenography or Digital Recording

Trials 3rd Degree – Stenography or Digital Recording

First Appearance – Digital Recording

Adult Drug Court – Digital Recording

All Other Circuit Criminal Proceedings – Stenography or Digital Recording

County Criminal

All County Criminal Proceedings – Digital Recording

Unified Family Court

Juvenile Delinquency – Digital Recording

Juvenile Drug Court – Digital Recording
Dependency – Digital Recording
Shelter Hearings – Digital Recording
Termination of Parental Rights (TPR) under Ch. 39, Fla. Stat. – Digital Recording

Domestic Violence Injunctions (all proceedings, civil and criminal)
Digital Recording

Baker Act/Marchman Act/Guardianship/Jimmy Ryce
Digital Recording

General Magistrate/Hearing Officer Proceedings
Digital Recording

Proceedings Taking Place Outside of Regular Court Hours
Stenography or Digital Recording

Computer-Aided Real-Time (CART) for Hearing Impaired (ADA)
Real-Time Stenography

VI. Electronic (Digital) Recording. Pursuant to Florida Rule of General Practice and Judicial Administration 2.535, the use of electronic recording and subsequent transcription by persons other than court reporters of any judicial proceedings that are otherwise required to be reported by a court reporter is permitted only as set forth herein.

(A) Court Reporting Services.

(1) Electronic court reporting in the Seventeenth Judicial Circuit is primarily managed and provided by the Office of the Trial Court Administrator through the office of Court Reporting Services (CRS). CRS is responsible for ensuring that proceedings mandated by law to be recorded at public expense and which are recorded by CRS are recorded at the highest quality attainable, that accurate transcripts are prepared, and that the electronic recordings are retained and archived as required by law. There shall be a Director/Manager of CRS who, under the auspices of the Trial Court Administrator, shall:

a. Direct and manage the operations of all court reporting services provided within the Circuit, inclusive of maintaining schedules for the circuit and county courts.
b. Implement policies and procedures for the effective administration of court reporting programs.

c. Provide and coordinate training of digital court reporters employed by the Circuit and assigned to digitally record judicial proceedings in the circuit and county courts, as needed.
d. Recommend the establishment of new programs and/or services to ensure the use of the latest court reporting technology.
e. Ensure adequate court reporting coverage for all courtrooms where the court is required to provide a record.

(2) The Director/Manager shall report to the Trial Court Administrator or designee for day-to-day operations. The Chief Judge or his or her designee shall establish qualifications for CRS staff to ensure qualified court reporters or digital court reporters with the ability to record and transcribe proceedings, and certify the correctness of the electronic recording and transcript.

(3) Court employees working within CRS are considered officers of the court and shall not disclose or discuss any confidential information to which they may be privy. As officers of the court, employees must comply with all applicable Florida Statutes, court rules, and other requirements as established by the Chief Judge, Trial Court Administrator, and/or State Courts System.

(B) Reliability of the Record. To ensure a reliable record of proceedings electronically recorded, the following procedures and directives are prescribed to be applied in all cases where digital court reporting is used.

(1) CRS shall be responsible for capturing, managing, maintaining, and storing the complete verbatim Multi-Media Court Record for all judicial proceedings electronically recorded by CRS.

(2) Operation of Equipment. The Court's electronic recording equipment shall be operated by CRS and/or such other persons designated by the Trial Court Administrator or Chief Judge. All equipment utilized by digital court reporters shall be operated and maintained in such a manner and under such conditions to ensure the reliability of capturing the record. These employees shall operate the electronic recording equipment in such manner and under such conditions as to ensure the production and safekeeping of an understandable recording capable of being transcribed into a reliable record.

(3) Monitoring the Recordings. When proceedings are being electronically recorded by CRS as the official court record, the digital court reporter shall monitor the recording input and shall immediately signal or notify the trial judge or other designated in-court official when the quality of the recording is in question or doubtful.

(4) Responsibility of Other Court Personnel. When digital court reporting is utilized in a courtroom, all court personnel and participants are expected to comply with this Administrative Order.

a. *Trial Judges, General Magistrates and Hearing Officers.* In all proceedings in which electronic digital court reporting is utilized, the judge, general magistrate or hearing officer should remind all participants:

i. The proceeding is being electronically recorded and/or monitored.
ii. All questions need verbal responses.
iii. Each participant shall identify self, spell their names for the record, and speak clearly, loudly, and distinctly into or near a microphone.
iv. No person shall speak at the same time as another or otherwise interrupt or obstruct the recording of another's speech.
v. All physical and visible happenings and events are reported in sound.
vi. To notify the court if equipment has been tampered with or is not functioning.
vii. The proceedings will be stopped when needed to remedy any matter preventing an adequate recording.
viii. To signify when it is appropriate to use the "mute" button.

b. *Court Deputies.* The court deputy should assist the trial judge, general magistrate or hearing officer as needed or desired in maintaining courtroom discipline and should be constantly alert for signals from the trial judge, general magistrate or hearing officer or clerks to communicate with others and to remedy any circumstance interfering with the making of an adequate recording. The court deputy shall ensure that all participants refrain from tampering with equipment including the inappropriate use of microphone mute buttons or the unauthorized removal of microphones from their original location.

c. *Counsel.* All participating counsel must be constantly aware of the special requirements for making a clear, reliable, and transcribable recording. Counsel must speak loudly, distinctly, and only from a position at or near a microphone. Counsel must make all directions and explanations verbally and should air and direct all witnesses as needed. Counsel should use the push to mute feature on the counsel table when engaging in privileged communications or otherwise go to a location that is inaccessible to the recording equipment.

(5) Alteration or Circumvention of Recording System Prohibited. Alteration or circumvention of the court's electronic recording system in any fashion is prohibited. This includes, but is not limited to, unplugging a microphone, repositioning a microphone, covering a microphone, or permanently engaging a microphone's mute switch with books, rubber bands, or other objects. All parties shall operate on the assumption that their conversations are being recorded while in the courtroom. The mute switches provided are designed for brief moments of private consultation. Parties desiring to have extended private conversations should take appropriate measures including, but not limited to, going to a location that is inaccessible to the recording equipment. Persons who tamper with the digital recording equipment, including the microphones, may be held in contempt of court.

(6) All courtrooms where electronic recording may take place shall have appropriate signage indicating to all persons the following:

PLEASE BE ADVISED
THIS COURTROOM IS EQUIPPED WITH AN ELECTRONIC RECORDING SYSTEM. THIS EQUIPMENT IS SENSITIVE ENOUGH TO RECORD AUDIBLE CONVERSATIONS ANYWHERE IN THE COURTROOM

VII. Retention of Stenographic Notes, Digital and Electronic Recordings. Pursuant to Florida Rule of General Practice and Judicial Administration 2.430, court reporters, digital court reporters, or persons acting as court reporters for judicial proceedings shall retain the original notes or electronic records of judicial proceedings covered as follows:

(1) Two (2) years from the date the transcript was filed or otherwise prepared.

(2) Five (5) years from the date of the relevant court proceeding, if no transcript was prepared in a non-felony case.

(3) Ten (10) years from the date of the relevant court proceeding, if no transcript was prepared in felony cases.

VIII. Court Reporting Procedures in Capital Cases.

(A) All trials in which the State of Florida seeks the death penalty, and all capital post-conviction hearings, shall be reported by a court reporter. The use of digital court reporting as the court reporting system is prohibited. If available, real-time stenography shall be used. All persons and entities, including contractors, providing court reporting services shall give priority to capital cases in the production of transcripts, and shall use all measures necessary to expedite the preparation of the transcript, including but not limited to:

(1) Where available, the use of a court reporter who has the capacity to provide real-time transcription of the proceedings;

(2) If real-time transcription services are not available, the use of a computer-aided transcription qualified court reporter;

(3) The use of scopists, text editors, alternating court reporters, or other means to expedite the finalization of the transcript; and

(4) The imposition of restrictions on work assignments by employee or contractor court reporters to ensure that transcript production in capital cases is given a priority.

VIV. Procedures for Requesting Electronic Recordings and Transcript

The following provisions governing requests for electronic recordings and transcripts apply when CRS electronically records a judicial proceeding as the official court record. Requests for electronic recordings and transcripts of judicial proceedings not recorded by CRS as the official record are to be directed to the appropriate court reporter or digital court reporter and their agency.

(A) Electronic Recordings

(1) *Non-Parties and Attorneys Not of Record.* Any non-party or attorney who is not listed on the Clerk's docketing system as an attorney of record may request and obtain a digital recording of a judicial proceeding recorded by CRS except for those proceedings that are exempt from public access, which shall not be provided to non-parties without an order of the presiding judge. The request will be treated as one for judicial branch records in accordance with the Florida Rules of General Practice and Judicial Administration and any applicable local administrative order. A review of the electronic recording is required to ensure the redaction of any confidential material found therein.

(2) *Parties and Attorneys of Record.* Attorneys of record and parties to a case, including self-represented litigants, seeking to obtain a digital recording of a judicial proceeding electronically recorded by CRS must execute an acknowledgement that states confidential information may be contained on the recording, further dissemination of confidential information contained in the recording is prohibited, and violation of the prohibition against the dissemination may subject the requestor to an action for contempt of court.

(3) The digital recording will be provided to the requesting party on compact disc (CD) or downloadable audio file. The cost for the electronic recording is $25.00. To request a copy of a digital recording of a judicial proceeding recorded by CRS a "Multi-Media Request Form" must be completed in its entirety and submitted to CRS with the appropriate payment in accordance with the instructions provided. The "Multi-Media Request Form" is attached to this Administrative Order, available in CRS, and is also available on the Circuit's website.

(B) Transcripts

(1) *Non-Parties and Attorneys Not of Record.* Any non-party or attorney who is not listed on the Clerk's docketing system as an attorney of record may request and obtain, without a court order, a written transcript of an electronically recorded judicial proceeding unless a record of such proceeding is deemed confidential and exempt from public access (for example, juvenile delinquency and Baker Act proceedings), in which case the transcript will only be provided to those persons authorized by law or upon court order. The request will be treated as one for judicial branch records in accordance with the Florida Rules of General Practice and Judicial Administration and any applicable local administrative order. A review of the transcript is required to ensure the redaction of any confidential material found therein.

(2) Requests for a written transcript are to be made in writing utilizing a Transcript Request Form approved by and available from CRS. The form will also be made available on the Circuit's website. All privately requested/ordered transcripts require an initial 50% nonrefundable deposit, with the balance due upon receipt. No transcript shall be released by CRS until payment has been made in full.

(3) Except for transcripts prepared for appellate proceedings after receipt of a properly served designation to court reporter and requests for judicial branch records, a court order is required for transcription of any confidential and exempt judicial proceeding and for any judicial proceeding an hour or longer in duration when the proceeding is digitally recorded by CRS as the official court reporter. Judges shall strive to determine requests for transcripts where the proceedings lasted longer than one hour within three (3) business days of receipt of the request. In all instances, it is incumbent on the requesting party to secure an order from the presiding judge

(4) All transcripts prepared by any court reporter, digital court reporter, transcriptionist, or other qualified person as set forth herein must comply with the form, size, spacing, and method of printing as prescribed by Florida Rule of General Practice and Judicial Administration 2.535, and Florida Rules of Appellate Procedure, as applicable. All individuals shall prepare transcripts of proceedings to meet deadlines as established by law, court order, or rule of court. Any individual called upon to produce official transcripts of court proceedings within the Seventeenth Judicial Circuit must possess a certification from the National Court Reporters Association (NCRA), National Verbatim Reporters Association (NVRA), Florida Court Reporters Association (FCRA), the American Association of Electronic Reporters and Transcribers (AAERT), or otherwise demonstrate proficiency in the transcription of legal proceedings through experience. Only CRS or a transcriptionist approved by the Court and at the request of CRS, may prepare the transcript as the official court record from an electronic and digital recording recorded by CRS.

(5) Any written transcript produced from an electronic recording is to be filed with the Clerk of the Court, unless the court orders otherwise or a rule of court provides otherwise. It is the responsibility of the individual creating the

transcript and/or the requesting party to ensure the transcript is timely filed with the Clerk of the Court.

(6) When an attorney of record or self-represented party requires a transcript of a proceeding electronically recorded by CRS for purposes of an appeal the party shall complete and submit to CRS a "Multi-Media Request Form," a copy of which is attached to this Administrative Order, available in CRS, and also available on the Circuit's website. The party must also serve on CRS a designation to court reporter pursuant to rule 9.200, Florida Rules of Appellate Procedure. The designation must be hand-delivered or emailed to CRS at 201 S.E. 6th Street, Room 19170, Fort Lauderdale, Florida 33301, crstran@17th.flcourts.org. Filing an original designation with the Clerk of the Court does not constitute service on CRS. In the event a party serving a designation on CRS does not receive an acknowledgement as required by rule 9.200(b), the party shall contact CRS or Court Administration's Office of the General Counsel to determine the status of the acknowledgement.

(7) All persons transcribing digital recordings shall certify the transcript as a true and accurate text of the digital recording of the proceeding. All court personnel providing a copy of the original recording on electronic medium to any party, shall certify the copy to be true and accurate. If any dispute arises as to whether the transcript accurately reflects the electronic and digital recording, the attorneys and/or parties shall first attempt to resolve the matter with the Director/Manager of CRS or designee. If the attorneys and/or parties are not able to resolve the matter with the Director/Manager of CRS, then the matter shall be resolved by the presiding judge.

(C) If the electronic recording requested pertains to a proceeding that is confidential and exempt from public access pursuant to law or rule of court, and the person requesting the transcript or digital recording is not an attorney of record, party to the case, or court staff in the performance of his or her duties, the requesting party must first secure an order from the presiding judge permitting the production and dissemination of the transcript or electronic recording.

(D) Transcription Costs for Electronic, Digital, or Video Proceedings by CRS. The following provisions apply if CRS is directed to prepare a transcript from an electronic recording of a proceeding covered by CRS.

a. All privately ordered transcripts require an initial 50% nonrefundable deposit, with the balance due upon receipt. No transcript shall be released by CRS until payment has been made in full.
b. Payment for privately ordered transcripts shall be made payable to the State of Florida by attorney trust account check, money order, official bank check, or credit card.
c. The following fees are established for routine audio or transcription services and expedited transcription services.

Delivery Time *if available due to resources	Number	Cost per page
24 hours (overnight)*	Original and two (2) Each additional copy	$10.25 $1.10
Three (3) business days from deposit*	Original and two (2) Each additional copy	$9.75 $1.10
Six (6) business days from deposit*	Original and two (2) Each additional copy	$8.50 $1.10
Ten (10) business days*	Original and two (2) Each additional copy	$7.25 $1.10
Thirty (30) days from deposit	Original and two (2) Each additional copy	$6.25 $1.10
Appeals	Original and two (2) and disks Each additional copy	$6.25 $1.10

The cost for a copy of a compact disc or downloadable audio file, the contents of which are not transcribed, is $25.00.

This Administrative Order supersedes and vacates Administrative Order 2023-32-Gen (Amendment 1).

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 27th day May 2025.

/s/ Carol-Lisa Phillips
Carol-Lisa Phillips, Chief Judge

SEVENTEENTH JUDICIAL CIRCUIT
OFFICE OF THE COURT ADMINISTRATOR
Court Reporting Services
Broward County Courthouse
201 S.E. 6th Street, Suite 19170
Fort Lauderdale, FL 33301
Telephone: (954) 831-6260 Fax: (954) 831-6230

*****SEND ALL REQUESTS TO CRSTRAN@17TH.FLCOURTS.ORG*****

MULTI-MEDIA REQUEST FORM

CASE STYLE: _____

CASE NUMBER: _____ **JUDGE/GM** _____

DATE RECORDED: _____ **APPROXIMATE TIME**_____

REQUESTED BY: _____

REQUESTOR'S HOME ADDRESS: _____

EMAIL ADDRESS: _____

REQUESTOR'S PHONE NUMBER: _____

All requests for electronic recordings will be fulfilled via email, unless a CD is specifically requested.

All multi-media requests are $25.00. Payments in the form of a check or money order must be made payable to the State of Florida.

DO NOT SEND PAYMENT UNTIL WE HAVE CONFIRMED ACCESS TO THE AUDIO RECORDING.

All juvenile court proceeding requests must be accompanied by a signed judge's order allowing release of the specific requested data to you.

FOR CRS USE ONLY

TOTAL PAYMENT RECEIVED: $_____ DATE: _____

CHECK #: _____ MONEY ORDER #: _____

REQUEST COMPLETED: _____