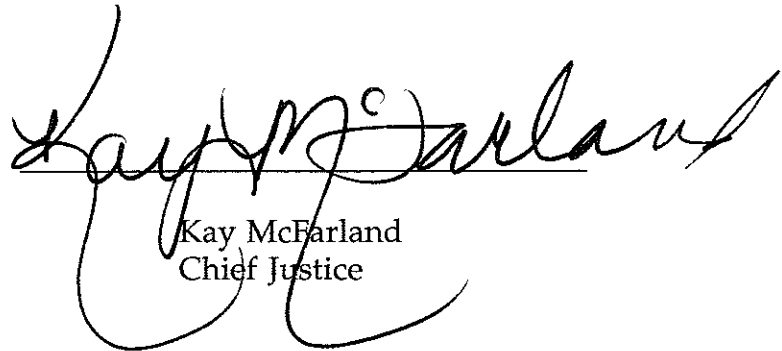


IN THE SUPREME COURT OF THE STATE OF KANSAS
OFFICE OF JUDICIAL ADMINISTRATION

Administrative Order No. 130

The attached technical specifications for electronic recording as an official record of court proceedings are hereby approved pursuant to Supreme Court Rule No. 360.

BY ORDER OF THE COURT this 16th day of June, 1998.



Kay McFarland
Chief Justice

Attachment

ELECTRONIC RECORDING AS OFFICIAL RECORD OF PROCEEDINGS

I. APPLICABILITY - These technical specifications are applicable when a court orders proceedings to be electronically recorded.

II. DEFINITIONS - "Tape" means an individual reel or cassette of magnetic recording tape or a comparable unit of the medium on which an electronic recording is made. "Monitor" means any person designated by the court to operate electronic recording equipment, and to make appropriate notations to identify the proceedings recorded on each tape, including, but not limited to, the date and time of the recording; the names of witnesses and their addresses which include the spelling, the trial judge, the attorneys for the litigants. When recording is of sound only, a separate monitor without any other substantial duties is recommended.

III. SPECIFICATIONS FOR ELECTRONIC RECORDING EQUIPMENT

Specifications Mandated - All electronic recording equipment, purchased after the effective date of this order, used in making the official verbatim record of oral courtroom proceedings shall conform to the specifications in this order. Transcripts may not be made from any recordings that do not meet the standards for electronic recording equipment. Equipment currently in use that does not meet these specifications must be replaced by December 31, 2000.

IV. SPECIFICATIONS FOR SOUND RECORDING EQUIPMENT

The following specifications for electronic recording devices apply when electronic recording machines are to be used to record the court proceedings.

1. **Recording Channels** - The device must be capable of simultaneously recording at least four separate channels or "tracks", each of which has a separate play back control so that one channel separately or any combination of channels may be played back.
2. **Erasure** - The device shall not have an erase head.
3. **Digital Counter** - The device shall have a digital counter or comparable means of logging and locating the place on a tape where specific proceedings or testimony took place.
4. **Earphones** - Earphones are provided for monitoring the recorded signal. The signal going to the earphones comes from a separate play back head so that the monitor will hear what has actually been recorded on the tape, not just information from the microphones.

5. **Record Time** - Must be capable of at least 180 minutes of continuous uninterrupted recording. Dual cassette deck units are desirable with the capability of recording 360 minutes without changing tapes and continuous uninterrupted recording.
6. **Controls** - The recorder must have:
 - a. Separate play back controls for each channel
 - b. Tone control
 - c. Individual channel selection switch
 - d. An all channel selection switch
7. **Alarm Systems** - An audible warning signal must notify the operator of:
 - a. Nearing end of tape and record mode
 - b. End of tape
 - c. Irregular or broken tape
 - d. No audio
 - e. No tape in standby deck
8. **Transcribing Capability** - Must be capable of being used as a transcribing unit. Unit must have sufficient headphone output to provide enough volume to be heard over typewriter sound. A foot switch must be available to control play, fast forward, stop, and back space. Optional equipment may include a separate transcriber unit which must meet all specifications outlined in Section IV of this Rule.
9. **Wire Shielding** - Radio frequency suppression circuits and/or shielding to guarantee preventing pick up of radio frequency interference or other electronic interference.
10. **Power Requirement** - Must operate on a standard 110-120 vac, 60Hz unless bid specifications specify other power requirements.
11. **Loud Speaker** - Unit must be self-contained with a loud speaker which will allow for courtroom play back.
12. **Erasement Prevention** - Device must be equipped to prevent recording over a previously recorded segment of tape.

13. **Auto Gain Control** - Recording level should be controlled by auto gain control rather than manual.
14. **Security** - A key switch should be available to prevent the unauthorized removal of cassette(s) when machine is in the off position. The control panel should be disabled when the key switch is in the off position.

V. SPECIFICATIONS OF MICROPHONES

1. **Number of microphones** - Each court sound recording system must be equipped with at least four microphones. Microphones assigned to the judge will be omnidirectional; microphones assigned to the witness and the attorney tables normally will be unidirectional. Additional microphones may be assigned as needed; however, no more than three microphones may be connected to any one channel.
2. **Impedance rating** - The impedance rating of microphones shall be matched to the impedance rating of the sound recording equipment.
3. **Balanced Lines** - Microphone cables must be dual connector-shielded wire equipped with an XLR male connector at one end and an XLR female connector at the other end.
4. **Output Level** - Microphone must have an output level of not less than 60dB. Vendors must supply the conditions under which the dB must be measured.
5. **Construction** - Microphones may either be electric or dynamic and should be of rugged durable construction. Microphones should be capable of being attached to microphone stands. Stands shall be constructed of metal and shall be of sufficient weight to provide a high level of stability. Microphone stands shall be acoustical isolating and capable of being attached to microphones with a swivel adapter. Additionally, stands should be capable of being fastened to a fixed object where security is an issue.
6. **Microphone Switches** - Microphones other than the one used by the judge shall not be equipped with an individual on/off switch. This precaution is required to prevent accidentally turning off a microphone.
7. **Optional Microphone Arrangements** - Courts may choose to purchase wireless microphones. In those instances, required microphone features and previous data in the above-stated standards must be met.

- VI. **MIXERS** - Courts may wish to consider the utilization of a mixer to enable the use of multiple microphones on one channel. This option on equipment may be of value in voir dire or when more than one attorney is representing one or more of the parties, permitting each attorney to be assigned to a microphone.

- VII. **CENTRALIZED RECORDING SYSTEMS** - Centralized recording systems which have the capacity of serving multiple courtrooms must meet required specifications outlined above.

SUPREME COURT RULES RELATING TO ELECTRONIC TAPES AND TRANSCRIPTS

- I. **SUPREME COURT SPECIFICATIONS - SUPREME COURT RULE 360** - A district court may provide for the electronic sound recording of court proceedings by use of equipment which meets specifications approved by the Supreme Court.
- II. **SERIAL NUMBER AND INDEXES - SUPREME COURT RULE 361** - Each reel of electronic tape shall be distinctively marked with a serial number and an appropriate reference to the court in which it is used. The clerk of the district court shall maintain an index to proceedings that are electronically recorded which identifies the reel or reels used for such purpose. The clerk shall maintain general control and provide for the safekeeping of all tapes.
- III. **PREPARATION OF TRANSCRIPTS - Supreme Court Rule 362** - Written transcripts of electronic recordings shall be prepared by court personnel under the direction of the clerk of the district court. The person making the transcript shall certify under seal of the court that the transcript is a correct transcript of the specified proceedings as recorded. Upon request of counsel, the clerk of the district court shall make arrangements for counsel to review the tapes of the case involved. The clerk may correct a transcript of recorded proceedings upon stipulation by counsel or upon order of the court.
- IV. **LEGAL EFFECT OF TRANSCRIPT - Supreme Court Rule 363** - A certified transcript produced from approved electronic recordings shall have the same legal effect as one produced by an official court reporter.
- V. **ORDERING PREPARATION AND DELIVERY OF TRANSCRIPT - Supreme Court Rule 364** - Supreme Court rules relating to the ordering, preparation, and delivery of official transcripts prepared by official court reporters shall also apply to transcripts to be prepared from electronic tapes under direction of the clerk of the district court.
- VI. **ORDER FOR TRANSCRIPTS AND TO WHOM MADE - Supreme Court Rule 365** - Orders for transcripts from electronic tapes shall be made to the clerk of the district court. The rates charged by the clerk for such transcripts shall be the same as authorized for transcripts prepared by official court reporters.