Montana Judicial Branch

Policies & Procedures

|  |  |
| --- | --- |
| **Subject: Court Reporter Court Record Archival** | **Policy No.: 930** |
| **Chapter: 3-5-603 MCA** | **Pages: 2** |
| **Section: Court Reporters** | **Effective Date: June 6, 2017** |

## **POLICY**

The policy covers court reporters employed by the Judicial Branch, pro tempore reporters, and employees designated as responsible for court record archival.

### DEFINITIONS

## The courtroom record contains the entirety of the proceedings held before a district court judge. That record consists of the following:

2.1.1 For stenographic court reporters, the courtroom record includes all files produced by a stenographic machine and computer-aided transcription software, including, but not limited to, stenographic notes, an edited or unedited transcript file, job dictionary, format files, and audio file; or

2.1.2 For audio court reporters, the courtroom record includes an audio file, a log note file, and transcript file if one exists.

## **3.0 ARCHIVING PROCEDURES**

3.1 The courtroom record must be retained for a period of ten years, as delineated in 3-5-603, MCA. The courtroom record shall be stored in the Court Reporter Repository and maintained by the Judicial Branch Information Technology department.

3.2 The court reporter has the duty to preserve the courtroom record pursuant to the Montana Code Annotated and Supreme Court policy by archiving the courtroom record to the Court Reporter Repository.

3.3 Court reporters will have upload-only access to the Court Reporter Repository.

3.4 The court reporter shall upload the courtroom record to the Court Reporter Repository no later than the next business day or, in the case of illness or emergency, as soon as practicable thereafter. The Repository will contain only this initial upload of each day’s courtroom record; no updated edited files will be uploaded to the Repository.

3.5 Prior to uploading, the files comprising the courtroom record as defined in Section 2.1 shall be compressed into a single .zip file containing all required files.

3.6 Stenographic court reporters will retain in the courthouse the backup media from the stenographic machine. This media shall be retained for a period of ten years, as delineated in 3-5-603, MCA.

3.7 For proceedings where the court record is audio recorded without a court reporter present, a staff member in the district shall be designated to archive pursuant to this policy.

3.8 Contract fill-in court reporters do not have archive access, but will archive as follows:

3.8.1 A storage medium will be available at the conclusion of each court day upon which the court reporter will save a .zip file containing the courtroom record as defined in Section 2.1.

3.8.2 The employee court reporter assigned to that judge will upload the .zip file to the Court Reporter Repository the first business day upon his/her return. If the court reporter is on extended leave, then another member of the district court staff will be given access to the Repository to archive the files.

3.9 Stenographic court reporters shall at a minimum of twice annually upload a .zip file containing their personal dictionary. Preference would be also uploading an RTF file of their personal dictionary.

3.10 Court reporters who need access to archived files in the Court Reporter Repository shall contact Judicial Branch Information Technology to request relevant files.

**4.0 CLOSING**

Questions about this policy should be directed to the OCA at the following address:

Montana Supreme Court

Office of Court Administrator

P.O. Box 203005

Helena, Montana 59620-3005

Phone: (406) 444-2621