

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO

ORDER REGARDING THE USE)
OF COURT RECORDINGS) ADMINISTRATIVE ORDER
) 06-16
)
_____)

WHEREAS it has become possible for attorneys and members of the public to obtain audio recordings of court proceedings; and

WHEREAS, Idaho Court Administrative Rule 27(d)(e), prevents the improper and/or unauthorized use of audio recordings of court proceeding in lieu of obtaining an official transcript of a Magistrate or a District Court proceeding;

IT IS HEREBY ORDERED that effective December 20, 2006, any copy of any audio recording of any court proceeding from any county within the Fifth Judicial District, which is obtained by anyone, shall be labeled with the following:

Idaho Court Administrative Rule 27(d)(e)

(d) Official Transcripts. When a court reporter stenographically reports court proceedings, the court reporter's transcript shall be the official transcript of the proceedings. If a court reporter has not reported a district court proceeding, a transcript or partial transcript prepared from the electronic recording of the proceeding becomes the official transcript of the proceeding for all purposes if it is prepared by the district court reporter or a transcriber under the control or supervision of the district court clerk and the transcriber executes a certificate of transcription attesting to its accuracy in the form prescribed by Rule §3(k), I.R.C.P.

(e) Use of Official Transcripts of District Court Proceedings. In all cases where a party desires to place in evidence a transcript or partial transcript of a district court proceeding, or disclose the contents of a transcript during the examination of a witness, the transcript must be an official transcript as provided in subsection (d) of this rule.

The contents of this CD CANNOT be used or cited in contravention of the rule.

IT IS FURTHER ORDERED that upon receipt of the copy of the electronic recording, the purchaser shall be required to sign the attached acknowledgement, which will remain in the designated case file of the county.

IT IS FURTHER ORDERED that this Administrative Order be published in the next issue of the Advocate.

IT IS HEREBY ORDERED.

Dated this 20th day of December 2006.

BARRY WOOD
Administrative District Judge

C: Elected Clerks of the Fifth Judicial District
Fifth District Bar Association