

§ 6-1405. Recording of court proceedings; request for transcription; request for copy of digital recording.

(A) All proceedings in county court shall be recorded, and such proceedings shall be preserved as set forth in the County Court Records Retention Schedule. Requests for a transcription of such recording shall be made and paid for as in § 6-1452.

(B) Except for "restricted hearings," as defined herein, in cases where the county court proceedings have been digitally recorded by the court, any person may request a copy of the audio record of a court proceeding. The request shall be made on a form approved by the State Court Administrator as set out at Appendix 9 and shall contain:

(1) The case number, case name, date, time and location, and judge of the hearing for which the copy of the recording is sought;

(2) That portion of the hearing requested;

(3) Acknowledgment that the recording is not the official court record; and

(4) Requesting party's agreement that it will comply with all laws regarding privacy of information; and agreement not to publish or disseminate any content that may be protected, including, but not limited to, the information described in §§ 6-1521, 6-1464, and 6-1701.

(C) A request to limit public access to information in a court recording may be made by any party to a case, an individual identified in the court record, or on the court's own motion. For good cause, the court may limit the manner or extent of public access. In limiting the manner or extent of access, the court will use the least restrictive means that achieves the purposes of these access rules and the needs of the requestor.

(D) "Restricted hearings" shall mean any court proceeding that is closed to the public for any reason or any proceeding subject to an order pursuant to § 6-1405(C). Parties, counsel of record, and individuals present and participating in "restricted hearings" may request a copy of the audio record of such restricted hearings. The requesting party shall be required to give notice of the request to all interested parties and advise them of their right to file, with the court within 10 days, an objection to the requested copy. If an objection is filed, the court shall set a hearing giving the objector an opportunity to show cause why the copy should not be provided, or why it should be redacted in some manner.

(E) Before providing an electronic copy, court staff shall review the court file of the proceeding subject to the request to determine if any access limitation under § 6-1405(C) has been ordered or is pending. Court staff shall also notify the judge presiding at the hearing which is the subject of the request(s), or the presiding judge of the jurisdiction, of the request for an electronic copy.

(F) The cost of the copy shall be paid prior to preparation of the copy. The cost shall be \$10

for the first hearing copied (\$5 for materials to the county and \$5 for court staff time spent on the recording). There shall be a \$5 charge for each additional hearing copied onto the same compact disc (CD) and a charge of \$5 for each additional CD required.

Rule 5 amended November 10, 2004. Renumbered and codified as § 6-1405, effective July 18, 2008; § 6-1405 amended June 8, 2011; § 6-1405(A) - (F) amended November 23, 2011.
