

**STATE OF MAINE
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-05-14 (A. 6-14)

DUPLICATION OF ELECTRONIC RECORDINGS

Effective: June 1, 2014

This order amends JB-05-14 (A. 7-10), signed and effective July 1, 2010. This amended order is issued to refer to the Office of Transcript Operations instead of the Office of Transcript Production, to authorize contractors of the Office of Transcript Operations—in addition to the Office itself—to request a deposit in advance if a duplicate recording is requested, and to reword items 3 and 4 for clarity.

Pursuant to Maine Rule of Civil Procedure 76H, the preparation and availability of duplicates of official court proceedings shall be governed as follows:

1. The Office of Transcript Operations shall provide a duplicate recording of any official court proceeding which has been electronically recorded pursuant to Maine Rule of Civil Procedure 76H to counsel of record or a party upon request and payment of the fee.
2. Duplicates shall not constitute a part of an official record nor shall they be admissible into evidence.
3. No record or transcription made from a duplicate, nor any part thereof, shall be incorporated in or substituted for any portion of a transcript included in an official record unless all parties to the proceeding consent and the presiding justice or judge approves the incorporation or substitution.
4. No record or transcription made from a duplicate, nor any part thereof, shall be incorporated in or substituted for any portion of a transcript which is to be admitted in evidence or used for the impeachment or rehabilitation of a witness in any official proceeding unless all parties to the proceeding consent and the

presiding justice or judge approves the incorporation or substitution.

5. Duplicated recordings of proceedings which are confidential by statute or rule may not be duplicated except by order of the court.
6. Where ordered pursuant to M. R. Civ. P. 91(f), a copy of the recording, prepared by the Office of Transcript Operations, may be used, in lieu of a paper transcript, to provide a transcript of proceedings to be included in the record on appeal. The copy of the recoding ordered in lieu of a paper transcript shall be filed directly with the Law Court by the Office of Transcript Operations in the same manner as a paper transcript would be filed.
7. The Office of Transcript Operations, or its contractor(s) shall request a deposit in advance which shall be sufficient to cover the estimated costs of providing a duplicate recording.

For the Court,

/s/

Leigh I. Saufley
Chief Justice

Promulgation Date: May 27, 2014

Duplication Of Electronic Recording Tapes

AO JB-05-14 (A. 6-14), Effective June 1, 2014, and Dated May 27, 2014

Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court

Issued to refer to the Office of Transcript Operations instead of the Office of Transcript Production, to authorize contractors of the Office of Transcript Operations—in addition to the Office itself—to request a deposit in advance if a duplicate recording is requested, and to reword items 3 and 4 for clarity.

Historical Derivation JB-05-14:

Duplication Of Electronic Recording Tapes

AO JB-05-14 (A. 7-10), Effective and Dated July 1, 2010

Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court

Duplication Of Electronic Recording Tapes

AO JB-05-14 (A. 1-06), Effective January 1, 2006, and Dated December 19, 2005

Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court

Duplication Of Electronic Recording Tapes

AO JB-05-14, Effective August 1, 2005 and Dated June 29, 2005

Signed by: Leigh I. Saufley, Chief Justice, Maine Supreme Judicial Court

Administrative Order Regarding the Electronic Recording in the Superior and District Courts

Superior And District Court AO SJC- 324, SJC- 406, Dated: March 15, 1995

Signed by: Thomas E. Delahanty II, Chief Justice, Maine Superior Court and Susan W. Calkins, Chief Judge, Maine District Court