



ADMINISTRATIVE ORDER
STATE OF COLORADO
EIGHTH JUDICIAL DISTRICT

ADMINISTRATIVE ORDER REGARDING ELECTRONIC SOUND RECORDINGS OF
COURT PROCEEDINGS

AMENDED ORDER 2023-1

The Eighth Judicial District utilizes electronic recording devices in its courtrooms to digitally record most court proceedings. A small percentage of hearings are stenographically recorded by the court reporters. Occasionally requests are made for a copy of the digital recording of a court proceeding. Chief Justice Directive 05-03 (V)(D) authorizes each judicial district to determine and post on its website a policy outlining procedures for ordering transcripts, tapes, or digital recording disks. Chief Justice Directive 05-03 (V)(D)(2) permits reproduction of electronic sound recordings of court proceedings to be made by the court if the judicial district provides such service.

To clarify the standing Eighth Judicial District procedure and policy regarding audio recordings, the undersigned Chief issues amended Administrative Order 2023-1. In all County and District Proceedings for the Eighth Judicial District, all persons, including litigants, counsel, and the public, may obtain only certified transcripts. No draft transcripts shall be provided to any person, unless done so pursuant to Eighth Judicial District policies. Copies of the audio will not be provided for the following reasons:

1. The Eighth Judicial District uses “For The Record” (FTR) recording devices in the courtrooms. Microphones are placed throughout the courtroom, including at the parties’ tables, to record the proceedings. As a result, confidential communications between an attorney and client at counsel table will likely be recorded, yet these

conversations are not part of the court record and should not be transcribed by a transcriptionist preparing a written transcript from the audio recording. Court personnel copying the electronic recording will not know whether confidential communications have been recorded unless the staff member listens to the entire proceeding, which is time intensive.

2. The District must also be careful not to release information which is protected or is to be redacted from the record. There are times when certain information must be redacted from the record before it can be released to the public, such as removing the name and any other information identifying the victim of a sexual offense from the record. C.R.S. § 24-72- 304(4)(a). To complicate matters more, courts frequently call multiple cases on a docket and there are occasions when other matters are heard by the court in the middle of the case for which the transcript is requested without ever stopping the recording. This could result in unrelated hearings being included on the disk as well as potential for protected information to inadvertently be released. Court personnel copying the electronic recording will not know what information to redact.
3. This policy aims to prevent confusion which would be caused by the creation of alternate records. Only the official record will be the certified transcript. Despite the restrictions found in the Chief Justice Directive 05-03, litigants have violated the Directive by using a recording in a court proceeding or preparing their own written transcript from the recording for use in court. There are numerous local examples of individuals who self-prepared a written transcript from an electronic recording. The existence of alternate records is problematic because they are not certified for accuracy.
4. Exceptions to the prohibition on releases of audio recordings:
 - A. Small claims appeals exception. Although an audio recording may not be used as the official record in an appeal or during any motions or other court proceedings, pursuant to C.R.S. § 13-6-410, they can be used and will still be made available in small claims appeals.
 - B. Appellate record exception. When a case is on appeal and a party has objected to the record, the Court, in its discretion, may authorize the dissemination of an audio recording to the parties for the limited purpose of perfecting the record. The Court should issue a protective order prohibiting the audio recording's use for any other purpose.

Persons requesting all or part of the record of a court proceeding must complete and file a transcript request form, JDF 4, which can be obtained electronically from the Eighth Judicial District webpage on the state judicial website, www.coloradojudicial.gov or by visiting Judicial Administration.

Any law enforcement agency seeking a digital recording of court proceedings for investigative purposes must make a separate request seeking an exception to this policy and explaining why an expedited transcript would delay justice.

Dated: May 26, 2026

By the Court:

A handwritten signature in blue ink, appearing to read "Gregory M. Lammons", is written over a horizontal line.

Gregory M. Lammons
Chief Judge
8th Judicial District