

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

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SUSPENDING COURT REPORTER  
REQUIREMENTS AND SETTING  
PRIORITIES

AMENDED<sup>1</sup> ADMINISTRATIVE ORDER  
NO. 23-07-20

This Order repeals and replaces Administrative Order 22-04-29.

The Fourth Judicial District faces a critical and chronic shortage of court reporters. The district has inadequate coverage by contracted remote reporters otherwise necessary to offset the current shortage of locally situated, employed reporters.<sup>2</sup> In addition, there are other vacancies in reporter positions in the district—beyond those allocated for Revotext coverage—for which there have not been qualified applicants. Thus, an ongoing emergency exists in this district with respect to court reporter coverage. Accordingly, this Administrative Order suspending the requirements of I.C.A.R. 27(a) and (h)(1) is entered pursuant to the authority provided by I.C.A.R. 27(h)(2). Further, it is necessary to establish priorities for the assignment of court reporters, both in-person and remote, including identifying those hearing types where reporters will not be assigned absent approval by the Administrative District Judge.

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<sup>1</sup> Due to a scrivener's error, Administrative Order No. 23-07-20 is amended to reflect the correct effective date of the Order as July 20, 2023.


<sup>2</sup> Ada County has five courtrooms capable of employing live-remote reporting. The district had to allocate five reporter positions to be unfilled by local reporters to purchase coverage by Revotext to replace these five positions and equip the five courtrooms for live-remote reporters. However, the latest statewide contract with Revotext only provides coverage for the equivalent of three reporter positions in Ada County, leaving a net deficit of two reporter positions.

Therefore, IT IS HEREBY ORDERED AND THIS DOES ORDER as follows:

- (1) Reporters may appear remotely when court is held by video conferencing or is held in a courtroom designated for court reporter coverage by live-remote reporting, or when receiving a verdict after hours, and at other times when permitted by the presiding judge or the Administrative District Judge.
- (2) Further, the district judges of the Fourth District agree that the judges will pool their court reporters pursuant to a priority of coverage as established by the Administrative District Judge, and as outlined herein.
- (3) Court reporters, including live-remote reporters, will be assigned by the Administrative District Judge, through the Trial Court Administrator, to cover hearings based on the following rank order of priorities:
  - a. felony trials;
  - b. felony arraignment calendars, including sentencings;
  - c. special set felony sentencings, felony evidentiary hearings, including motions to suppress, and entry of guilty pleas;
  - d. the selection of Grand Jurors;
  - e. civil jury trials
  - f. civil court trials.
- (4) If a reporter (including a live-remote reporter) is not available for a proceeding outlined above, the official record shall be the "FTR" electronic recording of the proceeding.
- (5) The following matters will not be provided a court reporter or live-remote reporter, except upon the express approval by the Administrative District Judge. Unless a court reporter or live-remote reporter is assigned by the Administrative District Judge, the official record of any of the following proceedings will be the "FTR" electronic recording of the proceedings:
  - a. proceedings in felony cases other than those set forth above in Paragraph (3)
  - b. dispositive motions in civil cases in district court
  - c. other civil hearings in district court
  - d. preliminary hearings in cases in which capital punishment could be imposed
  - e. termination of parental rights trials
  - f. grand jury proceedings
  - g. treatment court hearings.

- (6) For Grand Jury proceedings, except when a court reporter is present, the Trial Court Administrator will assign a deputy clerk of the court or a person employed by the Trial Court Administrator who is trained and properly deputized to sit in with the Grand Jury while it is in session (except during deliberations) to ensure that the FTR system is employed and properly functioning, including ensuring that all testimony can be heard on the recording.

Dated: July 25, 2023, *nunc pro tunc* July 20, 2023.



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HONORABLE STEVEN J. HIPPLER  
Administrative District Judge

cc: All Judges  
Sandra Barrios, Trial Court Administrator, Fourth Judicial District  
Trent Tripple, Ada County Clerk of Court  
Mary T. Prisco, Boise County Clerk of Court  
Shelley Essl, Elmore County Clerk of Court  
Douglas Miller, Valley County Clerk of Court  
Robert Reisig, Administrative Staff Attorney  
Fourth District Elected County Prosecuting Attorneys  
Fourth District Chief Public Defenders  
Idaho State Bar  
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