

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN RE: MAINTAINING AND)
PRESERVING THE COURT'S)
RECORD)

ADMINISTRATIVE ORDER 2019-2

This 16th day of September 2019.

WHEREAS, pursuant to 10 *Del. C.* § 525, the Superior Court Court Reporters (“Court Reporters”) are tasked with the duty to attend each session of Superior Court and every proceeding designated by rule or order of the court or by one of the judges, as may be required;

WHEREAS, also pursuant to 10 *Del. C.* § 525, the Court Reporters are required to create a verbatim record of all evidence, opinions and other matters as the Court prescribes and perform such other duties as the Court finds necessary;

WHEREAS, Superior Court Civil Rule 77(f)(4) requires that the Superior Court’s stenographers, in all civil matters, retain the stenographer’s notes, in a place designated by the Court, for a period of 10 years from the date of said notes.

WHEREAS, with advancements in technology, the Court’s record is currently created in various formats¹;

WHEREAS, pursuant to Administrative Directive 2001-1, the Chief Court Reporter in each county is accountable for maintaining the Court’s record regardless of the format;

¹ Superior Court’s record is maintained in the following forms: stenographer’s notes (includes PDF format and RTF format) and audio recordings. In addition to the foregoing forms of the Court’s record, this Administrative Order shall also be applicable to additional forms of the record approved by the Superior Court.

WHEREAS, the Court finds it necessary to issue this Administrative Order to set forth a statewide standard procedure to maintain and preserve the Court's record, to ensure the integrity thereof, to ensure compliance with the Delaware Public Archives retention policy, and to provide for the timely delivery of the Court's record as required by statute, court order or as requested, regardless of the format utilized to make the recording.

NOW, THEREFORE, this 16th day of September, IT IS ORDERED that all Court Reporters shall follow the same procedure for creating and maintaining an electronic archival backup as set forth in Exhibit 1 and as all electronic archival backups are the property of the Superior Court these electronic archival backups shall not be removed from the courthouse premises without written permission of Superior Court's Court Administrator;

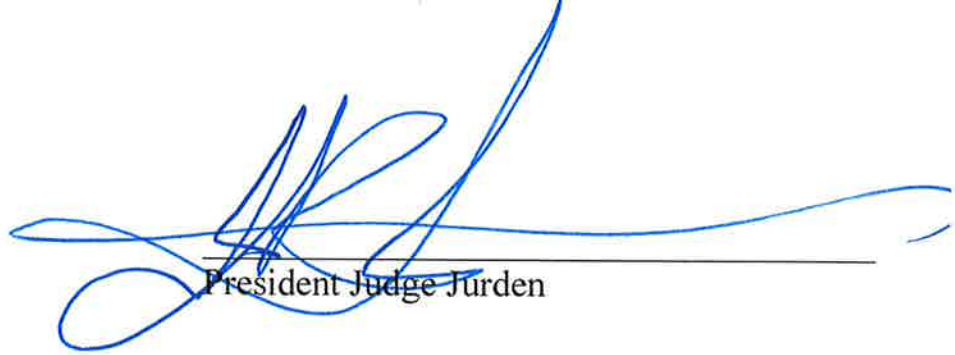
IT IS FURTHER ORDERED that the procedure for electronic archival backup as ordered in this Administrative Order 2019-2 shall also be subject to the following:

1. Effective Date

This Administrative Order shall be effective September 16th, 2019. All prior inconsistent Administrative Orders and/or Administrative Directives are hereby rescinded to the extent of any inconsistency.

2. Publication and Acknowledgement

- a. The Court Administrator shall provide a copy of this Administrative Order to the Deputy Court Administrator in each county, who shall provide a copy to each Court Reporter.
- b. A copy of this Administrative Order shall be provided to the Prothonotary in each county.



President Judge Jurden

EXHIBIT 1

Three Methods of Routine Court Stenographer Backup:

Daily Backup

32 GB Kingston Data Traveler Flash Drive

- Transfer PDF (Unprotected) Format and RTF (Unprotected) Format Notes to the Flash Drive
- All Notes are Converted to Standard Transcription (No Decoded Format Note Files)
- ⚠ ***Please Do Not Save Any Other Types of Files on this 32 GB Kingston Flash Drive***

Weekly Backup

Court Reporter Secured Shared Drive Network Folder

- Upload Daily Content of 32 GB Flash Drive to the Court Reporter Shared Drive Network Folder
- Sign onto a State Networked PC:
 - Court Reporter State PC (located in CR Copy Room)
 - Courtroom PC (Bench\Clerk but not FTR PC)
 - Court Reporter Administrative Assistant PC (Front Desk-Reception)
- Folder: [\\zjic-storage\Superior\Superior Court Reporters\Court Reporters NewCastle](#)
- Select Court Reporter Folder **Last Name** then the Appropriate **Year**
 - Standardize Folder Name Format
 - Date_JUDGE_Reporter (e.g., 2019-12-31_XYZ_Jones)
 - Standardize File Name Format (Finals: TYPE_Full Date, Name of Case, and Final)
 - Civil Cases: CV_2019-12-31_Doe_v_Smith_Final
 - Criminal Cases: CR_2019-11-30_McCoy_Final
- Insert Flash Drive into a USB Port on the PC (normally will confirm drive is ready)
- Open File Explorer (Windows Folder) and locate KINGSTON in the Navigation Panel (Left-hand Side)
- Copy the current files from the Flash Drive and paste to the appropriate [Shared Drive](#) Folder
- ⚠ ***Do Not Upload Audio Files to the Kingston Flash Drive or Court Shared Drive Storage***
- ⚠ ***Return the Kingston Flash Drive to front desk for secure storage by COB each day.***

1TB Seagate External Hard Drive

- Backup All Files and Content from Court Reporter's Laptop (Examples but not Limited to):
 - Copy of All Notes

- Copy of your **most current** personal dictionary in RTF (Unprotected) format.
- Copy of your user files for cases of emergency.
- Copy **All Audio Files** to the Seagate External Drive Storage
- External Hard Drive remains with the Court Reporter but **NOT** removed from State\Courthouse premises.
- **Regarding Separation Of Employment:**
 - ❖ **On the last day of your employment with Superior Court, please reference and follow the above steps for "1TB Seagate External Hard Drive". The hard drive must be delivered to either the Chief Court Reporter or the Assistant Chief Court Reporter before your departure.**

The Standard Court Reporter File Folder Structure applies to All Three Methods (*Required Content May Vary*)

Folders Tree for All Storage Methods

Court Reporter Last Name

Year

Date\Judge\Court Reporter Folder

Daily Files

These are the three Superior Court required methods of backup and storage of Court Reporter's court related content. Any additional or previous methods of content backup and storage by the individual court reporter is not an acceptable replacement or alternative to the methods outlined in the "New Procedures for Electronic Archiving".

Examples but not Limited:

- Personal Laptop or Computer
- Personal External Hard Drives, Flash Drives, Memory Cards, SD Cards
- Personal On-line Storage (the Cloud or 3rd Party Vendors)
- Personal CD\DVD or Floppy Disks
- Personal Non-Electronic (Paper, File Folders, Binders)

If there are any questions on this new procedure, please inquire with management for clarification.

