



UNIFIED COURT SYSTEM
SIXTH JUDICIAL DISTRICT
THE KILMER BUILDING
31 LEWIS STREET, FIFTH FLOOR
BINGHAMTON, NEW YORK 13901
Phone: (607) 240-5350
Fax: (212) 295-4927

TAMIKO AMAKER
Acting Chief Administrative Judge

NORMAN ST. GEORGE
Deputy Chief Administrative Judge
Courts Outside New York City

EUGENE D. FAUGHNAN
District Administrative Judge

PORTER L. KIRKWOOD
District Executive

AMANDA WHALEN-GARNAR
Deputy District Executive

MEMORANDUM

To: All Justices, Judges & Staff
From: Hon. Eugene D. Faughnan, 6th JD Administrative Judge *EF*
Date: February 21, 2023

RE: Protocols for the use of Court Reporters

As I'm sure you're all aware, the entire state is experiencing a serious shortage of court reporters. Here in the 6th District, we have a total of 23 court reporter positions and, as of today, we are aware of 7 ½ vacancies. That means we are down 33% (1/3) of our court reporter staff.

While we'll continue to recruit and make every effort to fill these vacancies, in the meantime, we need to make some adjustments in order to function effectively and efficiently.

To that end, I'll take this opportunity to reiterate (below) some prior policies and ask your help with instituting some new protocols for the use of court reporters in our District.

- 1.) Whenever possible, virtual appearances by court reporters should be encouraged and utilized. This process greatly expands our ability to cover multiple matters in multiple counties.
- 2.) Absent an extraordinary circumstance, all family court proceedings should utilize the FTR and not require a court reporter.

- 3.) Supreme & County Court motion terms and motion calendars (with the exception of criminal motions) do not require a court reporter and so, absent an extraordinary circumstance, these proceedings should not utilize a court reporter.
- 4.) Surrogate's Court proceedings do not require a court reporter (except for trials) and so absent an extraordinary circumstance, these proceedings should not utilize a court reporter.
- 5.) All specialty court proceedings (Drug Treatment, Family Treatment, Veterans, Opioid, Mental Health Court, etc.), absent an extraordinary circumstance, should avoid using a court reporter (i.e., when a participant is expected to receive a sanction of incarceration).
- 6.) Most preliminary conferences and pre-trial conferences do not require a court reporter and so, absent a compelling reason, these proceedings should also avoid utilizing a court reporter. However, please consider using the SoundTap program to record civil conferences, with pro se litigants, or under such other circumstance as you deem appropriate.

In addition, we would greatly appreciate if Justices and Judges did not schedule matters outside of their designated terms unless absolutely necessary. Similarly, County Court should be scheduled as a block, separate from family court, and we should place as many matters on the calendar as possible for each day. It is very costly and inefficient when we tie up a court reporter for just one case.

Finally, if everyone would contact Principal Court Reporter, Brenda Friedel, before scheduling ERPO's, MHL hearings or any other type of emergency proceeding, just to ensure that a court reporter will be available, that would help tremendously.

I understand that these policies need to be flexible so that we can adapt to individual circumstances, and we will. At the same time, we need to utilize the court reporters strategically so that we can cover as many counties and move as many cases as possible. I want to thank you for all that you've done, and continue to do, to assist us with this issue.