SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MENDOCINO

AUDIO RECORDING OF COURT PROCEEDINGS
WHEN NO COURT REPORTER IS AVAILABLE **2026-03**

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WHEREAS, the California Supreme Court issued a unanimous opinion on August 10, 2026 in *Family Violence Appellate Project v Superior Court of Contra Costa County, et. al.* [(2026) 20 Cal. 5th 564)] directing trial courts to make audio recordings as the official record in family law, probate and unlimited civil proceedings when an official court reporter or official reporter pro tempore is unavailable;

WHEREAS, California Government Code section 69957 previously authorized the use of audio recordings of limited jurisdiction matters (misdemeanors, infractions and limited civil cases) in proceedings in which an official court reporter or court reporter pro tempore is not available.

WHEREAS, the Supreme Court opined that courts have a 'ministerial duty' to provide litigants access to verbatim records of their proceedings when they are unable to afford or retain the services of a private court reporter or a court-employed court reporter;

WHEREAS, audio recordings must be made available to litigants in these proceedings upon request and when accompanied by a sworn statement from the requesting litigant that no official court reporter or court reporter pro tempore was available to make the verbatim record and the litigant could not reasonably afford to retain a private court reporter or a private court reporter was not reasonably available;

NOW, THEREFORE:

IT IS HEREBY ORDERED that the Court will make an audio recording of all proceedings in which a court reporter or court reporter pro tempore is not available except proceedings in CARE Court, Assisted Outpatient Treatment and Behavioral Health Court;

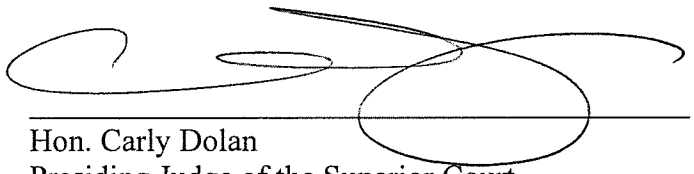
IT IS FURTHER ORDERED that the Court shall establish a procedure that litigants may use to request copies of audio recordings in family law, probate and unlimited civil proceedings, including a sworn statement that the litigant could not reasonably afford to retain a court reporter to make the verbatim record. This procedure shall include completion of Form MMC-980. Litigants requesting audio recordings in misdemeanor, infraction and limited civil cases do not need to complete Form MMC-980.

IT IS FURTHER ORDERED that the Court shall verify that no official court reporter made a verbatim record of the proceeding. If a court reporter made a verbatim record, the request for an audio recording will be denied. If no court reporter made a verbatim record, the Court will make the audio recording

available to the requestor within 15 business days. The fee for an audio recording is $25. Additional fees will apply if the litigant or attorney requests a certified transcript of the recording.

IT IS FURTHER ORDERED that a recording requested through this process shall be designated as the official verbatim record of the proceeding and that only parties and attorneys associated with the specific proceeding may request that a recording be designated as the official verbatim record. Non-parties and others seeking a recording, including members of the media, must submit a motion to the judicial officer who presided over the proceeding.

Dated: November 13, 2026



Hon. Carly Dolan
Presiding Judge of the Superior Court