



Exhibit A

New Mexico Judicial Branch

POLICY ON ACCESS TO *FOR THE RECORD (FTR)* REAL-TIME TRANSCRIPTS

I. Purpose:

The purpose of this policy is to establish uniform standards governing the access, use, and sealing of *For The Record* (FTR) real-time transcripts generated during court proceedings within the New Mexico Judicial Branch. This policy is intended to ensure the accuracy and integrity of the official court record, protect against the dissemination of incomplete or unverified transcripts, and promote consistency across all courts until a secured system to allow controlled access to the real-time transcripts is online and available. Once this secured system is developed, counsel and parties of record to a case will have access to the real-time transcripts of hearings in that case.

II. Scope:

This policy applies to all courts of the New Mexico Judicial Branch and to all judicial officers, court staff, contractors, court reporters, transcriptionists, attorneys, litigants, and members of the public who may have access to FTR real-time transcripts.

III. Definitions:

For purposes of this policy:

- A. For The Record (FTR): The digital audio recording system utilized by the New Mexico Judicial Branch to capture court proceedings.
- B. Real-Time Transcript: A text-based transcript generated contemporaneously or near contemporaneously from FTR audio during or immediately following a court proceeding, which has not yet been reviewed, certified, or approved.
- C. Sealed: Restricted from public access, inspection, or dissemination except as authorized by court order or applicable rule.

IV. Policy Statement:

Real-time transcripts generated from FTR recordings are not the official record of court proceedings. To prevent reliance on incomplete or inaccurate records, all FTR real-time transcripts shall only be available to counsel and parties of records in the case where the FTR real-time transcript was generated. Until the New Mexico Judicial Branch has a secured system for facilitating this access, all FTR real-time transcripts shall be sealed.

V. Sealing of Real-Time Transcripts Until Secured Access System is Available:

A. Automatic Sealing

All FTR real-time transcripts shall be automatically sealed upon creation. Such transcripts shall not be publicly accessible, distributed, or relied upon for any official purpose. The

FTR real-time transcripts, unless specifically sealed by court order or by law, shall not be sealed internally and may be utilized by the judiciary but may not be relied upon as an official transcript.

B. Status of Sealed Transcripts

Sealed real-time transcripts:

1. Are not the official record of the proceeding;
2. May contain errors, omissions, or inaccuracies;
3. Shall not be cited, quoted, or used in filings, appeals, or other judicial or administrative proceedings unless expressly authorized by court order.

C. Duration of Sealing

Real-time transcripts shall remain sealed until a secured access system for counsel and parties of record is available, or until further order of the court.

VI. Access to Real-Time Transcripts Through Secured System for Counsel and Parties of Record:

A. Authorized Access

Upon development of a secure system, access to sealed real-time transcripts is limited to:

1. The presiding judge or judicial officer;
2. Counsel and parties of record in the specific case;
3. Authorized court personnel whose duties require access;
4. Court-approved transcriptionists or contractors for purposes of preparing a final approved transcript.

B. Prohibited Disclosure

Individuals with authorized access shall not disclose, distribute, or reproduce real-time transcripts except as permitted by this policy or by court order.

VII. Compliance and Enforcement:

Failure to comply with this policy may result in corrective action, including revocation of access privileges, disciplinary measures, or other actions as permitted by law, court rule, or judicial branch policy. Contempt proceedings may be initiated for violations by persons outside the Judicial Branch.

VIII. Authority:

This policy is adopted under the administrative authority of the New Mexico Judicial Branch and is intended to be consistent with applicable statutes, Supreme Court rules, and administrative orders.

IX. Effective Date

This policy shall take effect upon approval and shall remain in effect until amended or rescinded.