



CHAMBERS OF
MICHAEL M. MARKMAN
Presiding Judge
Department 1

René C. Davidson Courthouse
1225 Fallon Street
Oakland, CA 94612

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

GENERAL DIRECTIVE BY THE PRESIDING JUDGE

DIRECTIVE NO: 2026-24A

**SUBJECT: RE OPERATION OF ELECTRONIC RECORDING
EQUIPMENT IN THE ABSENCE OF AN
AVAILABLE COURT REPORTER**

The Alameda County Superior Court (“the Court”) is deeply committed to ensuring access to justice for all. In 2018, the California Supreme Court warned that “the absence of a court reporter at trial court proceedings and the resulting lack of a verbatim record of such proceedings will frequently be fatal to a litigant’s ability to [appeal].” (*Jameson v. Desta* (2018) 5 Cal.5th 594, 608 (*Jameson*).) On August 10, 2026, the California Supreme Court granted a writ of mandate that provides the named superior courts in the case “to provide indigent litigants, upon request, with meaningful access in all cases to an official verbatim record of proceedings, including by means of electronic recording if an official reporter or official reporter pro tempore is unavailable,” notwithstanding the language in Government Code section 69957. (*Family Violence Appellate Project v. Superior Court of Contra Costa County* (Aug. 10, 2026) 2026 WL 2291541, at *14, 2026 Daily Journal D.A.R. 6882.)

The Court’s General Directive 2026-24 discusses the ongoing unavailability of official court reporters and reporters pro tempore and the importance of the availability of a record, particularly when liberty and other Constitutional issues are implicated, in connection with the court’s practice of making electronic recordings available in appropriate cases. In light of the Family Violence Appellate Project decision, the Court amends the order set out in General Directive 2026-24 by replacing it with the following Order.

The Presiding Judge hereby ORDERS the Clerk of Court to direct courtroom staff to operate the electronic recording equipment in any department as directed by the judicial officer presiding in such department when that judicial officer finds that: (1) one or more parties wishes to have the possibility of creating a verbatim transcript of the proceedings; (2) no official court-employed court reporter is reasonably available to report the proceeding; and (3) the party requesting a verbatim record has been unable to secure the presence of a private court reporter to report the proceeding because that party has a reasonable inability to pay for a private reporter. The Court

may impose reasonable fees, to the extent permitted by law and after taking into account the ability to pay, when such order is made.

THIS ORDER IS EFFECTIVE IMMEDIATELY AND WILL REMAIN IN EFFECT UNTIL OTHERWISE ORDERED BY THE PRESIDING JUDGE.

General Directive 2026-24 is hereby rescinded.

This directive shall expire on December 31, 2026.

Issued: September 9, 2026



Michael M. Markman, Presiding Judge
Superior Court of California, County of Alameda