

1 **Rule 2-104. Recording meetings.**

2 Intent:

3 To provide a formal method for memorializing Council meetings.

4 To regulate public access to such records.

5 Applicability:

6 This rule shall apply to all meetings of the Council.

7 Statement of the Rule:

8 (1) Except as provided in Rule 2-103(5)(B), the administrative office of the courts
9 shall make an audio recording of all open and closed Council meetings, and the
10 administrative office of the courts shall prepare minutes of all open Council meetings.
11 The recording is a verbatim record of what is said during the meeting. The minutes shall
12 include:

13 (1)(A) the date, time, and place of the meeting;

14 (1)(B) the names of members present, in person or by electronic communication, the
15 names of members absent and the names of staff and guests who testify to the Council;

16 (1)(C) the substance of all matters proposed, discussed, or decided;

17 (1)(D) the substance of the testimony of guests and the reports of staff or a summary
18 reference to such testimony or report if a copy thereof is filed with the minutes;

19 (1)(E) a record of the vote taken on any question, and, if the vote is a roll call vote, a
20 record of the vote of individual members by name;

21 (1)(F) the reason for holding a closed meeting; and

22 (1)(G) any other information that any member requests be entered in the minutes.

23 (2)(A) The recording of a closed meeting is a protected record. ~~The draft minutes of~~
24 ~~an open meeting is a protected record.~~ The recording of an open meeting is a public
25 record. Minutes of an open meeting awaiting approval by the Council are a public
26 record. The approved minutes of an open meeting ~~is~~are a public record.

27 (2)(B) The recording of an open meeting shall be available within three days after
28 the meeting to which it pertains. Minutes awaiting approval by the Council shall be
29 clearly identified as "unapproved" and made available within a reasonable time after the
30 meeting to which they pertain. After approval by the Council, the ~~public~~-minutes shall be
31 posted on the courts' website. The approved minutes of an open meeting ~~is~~are a

32 permanent record. The recording of a public meeting may be destroyed 90 days after
33 the Council approves the minutes. The recording of a closed meeting may be destroyed
34 90 days after the matter to which it pertains is moot.

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