

VIRGINIA:

IN THE CIRCUIT COURT FOR FAIRFAX COUNTY

CERINA FAIRFAX,

Plaintiff,

v.

JUSTIN FAIRFAX,

Defendant.

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Case No. CL-2025-10602

ORDER REGARDING REQUEST FOR MACHINE-GENERATED TRANSCRIPT

THIS MATTER came before the Court with respect to three requests for a copy of the uncertified, artificial intelligence-produced transcripts of the trial on child custody and visitation that took place in this Court on March 17-18, 2026 and March 20, 2026 (collectively, the “*Trial*”).

IT APPEARING THAT:

1. This Court recently began making uncertified transcripts of the audio recordings of Court proceedings (each such transcript, an “*Uncertified Transcript*”) available to parties with a need for them. However, such Uncertified Transcripts are provided for informational purposes only. They are not checked, proofread, or corrected. They are not official Court records and may not be relied upon for any purpose absent agreement of all parties and further Court order;
2. Uncertified Transcripts are machine-generated by natural language processing artificial intelligence software that, while improving, often produces meaningful inaccuracies, limiting the usefulness of such transcripts and creating a risk that a person reading them, and particularly a non-party, will misunderstand what actually happened during the transcribed proceedings;

3. Certified transcripts, produced by qualified court reporters, are far more accurate and are, under Virginia law, the preferred method of recording and demonstrating what occurred in any Court proceeding. *See, e.g.*, Code § 8.01-420.3;

4. This action involved matters of child custody, raising the best interests of the involved children as the paramount concern of the Court. *See, e.g., Bottoms v. Bottoms*, 259 Va. 410, 413 (1995) (quoting *Bailes v. Sours*, 231 Va. 96, 99 (1986));

5. On April 17, 2026, Lauren Burke (“*Requestor*”) submitted three requests for the Uncertified Transcript of the Trial (such requests, the “*Request*”);

6. Requestor was neither a party to this action nor a witness at the Trial;

7. A qualified court reporter attended the Trial and would be able to produce a certified transcript of the proceedings;

8. The Court has reviewed the Uncertified Transcript of the Trial and found it to be replete with errors, omissions, and other inaccuracies such that it does not constitute an accurate record of the testimony, argument, and rulings made during the Trial;

9. Release of the Uncertified Transcript creates a substantial risk of misrepresenting the nature, details, and conduct of the Trial, which is contrary to the best interests of the children involved;

10. A more accurate, certified transcript should be available to the parties from the court reporter who attended the Trial;

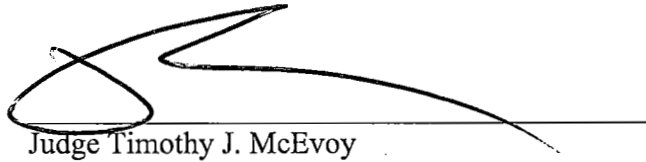
11. Accordingly, declining to release the Uncertified Transcript of the Trial is in the best interests of the children and would result in no prejudice to any party;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Request is DENIED and the fees paid by Requestor shall be returned to her within 30 days;
2. The Uncertified Transcript of the Trial must not be released; and
3. The Clerk must promptly upload this Order to FCE and send a copy to all counsel of record, by email or mail, and to the Requestor by any means calculated to ensure receipt.

THIS ORDER IS FINAL.

Fairfax, Virginia
May 22, 2026



Judge Timothy J. McEvoy
Fairfax County Circuit Court

ENDORSEMENT OF THIS ORDER BY COUNSEL OF RECORD FOR THE PARTIES IS WAIVED IN THE DISCRETION OF THE COURT PURSUANT TO RULE 1:13 OF THE SUPREME COURT OF VIRGINIA. EACH PARTY MAY FILE WRITTEN OBJECTIONS TO THIS ORDER WITHIN TEN DAYS AFTER ITS ENTRY.