

NATIONAL BUREAU OF STANDARDS REPORT

10 643

A STUDY OF COURT REPORTING SYSTEMS

VOLUME III

SUMMARY OF STATE LAWS

Technical Analysis Division
Institute for Applied Technology
National Bureau of Standards

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U.S. DEPARTMENT OF COMMERCE
NATIONAL BUREAU OF STANDARDS

NATIONAL BUREAU OF STANDARDS

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² Located at Boulder, Colorado 80302.

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NBS PROJECT

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NBS REPORT

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John Rick

Suellen Halpin

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PREFACE

The initial impetus for this study was provided by the proposed use of the computer to translate stenotype notes to their English equivalent, offering a potentially large reduction in the time necessary to transcribe these notes manually. The use of this new technology to produce court records was seen as offering possible relief to that portion of congestion and delay in the criminal courts system attributable to backlogs in transcript production.

In order to obtain an objective evaluation of the feasibility of computer-aided transcription of stenotype notes in the criminal courts system, the National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Department of Justice, in conjunction with the Federal Judicial Center, sponsored this study by the Department of Commerce's National Bureau of Standards (NBS). In addition to evaluating the computer-aided transcription process, the study afforded an opportunity to survey the state-of-the-art of legal reporting in general. The study had two limited objectives: (1) identification and analysis of representative examples of criminal

courtroom reporting techniques, and (2) design and execution of an experiment through which the characteristics of each reporting system could be examined. With such system attributes as time and cost documented, it should then become possible to weigh the advantages and disadvantages of each given system for use in a particular courtroom environment.

This study report has been prepared in four volumes:

(a) Volume I - Decision Factors, summarizes the project activity, presents system descriptions, and offers a decision technique for selection of court reporting procedures. This volume is intended for general distribution.

(b) Volume II - Experimental Phase, describes the laboratory and courtroom phases of the experiment. This volume is designed to provide background detail for those readers particularly interested in the data gathering and analyses performed in the course of our work.

(c) Volume III - Summary of State Laws, provides background on the legal requirements and constraints for court reporting throughout the United States.

(d) Volume IV - Annotated List of References.

The judicial enthusiasm for the study was demonstrated by the willingness of court systems to cooperate with

the study team and to participate in the test phases of the program. President Judge D. Donald Jamieson and Court Administrator Edward J. Blake, Esq. of the Philadelphia Court of Common Pleas provided courtrooms* for part of the testing, as well as the time and expenses of two of their court reporters, Mr. Allen Kaplan and Mr. Bernard Goldstein, together with their typists, Mrs. Helen DiPietro and Mr. Vincent Murphy. Chief Justice Thomas Kavanaugh of the Supreme Court of Michigan arranged for the provision of the time and expense of one of their court reporters, Mr. James Mann, to participate in the tests. Mr. William M. Madden, Esq., Deputy Administrator of the Illinois Courts and Mr. Leroy Hoskins, Administrator of Official Court Reporters, also arranged, with the help of the Illinois Law Enforcement Commission, for the participation in the tests of one of their court reporters, Miss Sarah Walker. In addition, the Executive Officer of the Superior Court of the District of Columbia, Mr. Arnold Malech, and his Chief of Court Reporters, Mr. Antony Nigro, arranged for the participation in the tests of two of their court reporters, Mrs. Isabelle Cormier and Mrs. Sylvia Colebreuner.

*The presiding judges of these courtrooms, The Honorable Joseph L. McGlynn, Jr., and the Honorable James T. McDermott, were unfailing in their interest, enthusiasm and cooperation. This support contributed substantially to our efforts.

This study was conducted by the National Bureau of Standards' Technical Analysis Division under the general direction of Richard T. Penn, Jr. and Walter G. Leight. Day-to-day control was exercised by Ernest H. Short, Project Leader. The project staff was composed of representatives of the fields of the law, psychology, operations research, and computer systems analysis, and included the following members of the Technical Analysis Division:

Mr. Ernest H. Short, Project Leader

Dr. Nancy Kingsbury

Miss Jenny Eldreth

Mrs. Suellen Halpin

Mr. Miles Ruthberg

Mr. John Rick

Credit and thanks are due to the ladies who typed the report: Miss Frances Jones, who graciously bore the many burdens of a very demanding staff throughout the course of the project; Mrs. Mary Abbott, Mrs. Theresa Conrad, and Mrs. Frances Hilten.

Finally, deep appreciation must be expressed for the magnificent cooperation of all participants in this program, and most especially the professional reporters and transcribers who took part in the experimental phase.

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I. INTRODUCTION

A survey was made of the laws governing court reporting in the Criminal Courts of the 50 states and the District of Columbia. The results of this survey are presented in Section III.

The survey was generally limited to laws affecting reporting in felony trial courts; only where practicable was the law pertaining to misdemeanor courts noted. This distinction is justified by the fact that the misdemeanor court in many states is not a court of record; hence, misdemeanor appeals are tried de novo in the felony court.

Provisions for assigning reporters to grand jury duty, juvenile court duty, and the like have not been noted.

It should be emphasized that the provisions which follow affect given kinds of courts on a statewide level. Many state codes contain numerous provisions affecting only one county rather than all counties in the state. Such provisions often deal with salaries and have not been included in the survey.

Finally, a description of rules governing format of reporters' transcripts of notes is included wherever specified.

II. ACKNOWLEDGEMENTS

The laws for individual states were summarized and forwarded to appropriate judicial representatives of those states for confirmation or modification. We wish to thank the following people who took time from their busy schedules to aid us in the task of accurately condensing and formalizing this summary of court reporting laws.

Honorable Howell Heflin
Chief Justice
Supreme Court of Alabama

Mr. John W. Abbott
Deputy Administrative Director
Alaska Court System

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Administrative Director of Courts
Supreme Court of Arizona

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United States District Court
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Supreme Court of Florida

Honorable Bond Almand
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Supreme Court of Tennessee

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Administrator for the Courts
Supreme Court of Washington

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Clerk of the Supreme Court of Appeals
State of West Virginia

Mr. William G. Lunney
Assistant Administrative Director of Courts
Supreme Court of Wisconsin

Honorable John J. McIntyre
Chief Justice
Supreme Court of Wyoming

III. STATE LAWS ON COURT REPORTING

The laws for the 50 states (and the District of Columbia) are in the alphabetical order of the state names.

ALABAMA

Code of Alabama, as amended through 1971.

Rules 13-261 to 13-270 Court reporters are appointed by the circuit court judges. It is the reporter's responsibility to correctly report in shorthand the proceedings of all trials as the same may occur and neatly and expeditiously transcribe his notes on the typewriter. The reporter is a sworn officer of the court, serving at the judges' pleasure. Reporters must reside in circuit for which they report. Salaries vary from county to county and expenses and supplies are paid for. The court reporter shall be responsible for his stenographic notes until he retires at which time the notes shall be turned over to the clerk of the court. Should the official court reporter be unable to attend court due to illness or some other cause, the judge of the court may appoint a special reporter to serve until the official reporter can resume his duties. The salary for a special reporter is the same as that for the official reporter.

Transcript

Code of Alabama, Supreme Court Rules, Title 7, Appendix.

Rule 24 Transcripts must be typed or plainly printed on transcript paper.

Rule 48 Transcripts must be certified by the clerk of the court as to accuracy and completeness or they will not be accepted.

ALASKA

Alaska Rules of Court Procedure and Administration, as amended through 1971.

Rule 47 All superior courts will use electronic recording equipment to record court proceedings. Such electronic recordings shall constitute the official court record. It is the duty of each judge to see that the machines are in proper working order before beginning proceedings; they are to be monitored constantly by a clerk-monitor, and proceedings should be stopped if the quality of the recording is doubtful. The judge has a duty to repeat the proceedings where conditions indicate a poor record has been made. The court clerk-monitor is to keep a detailed log of the proceedings. Tapes and logs are to be preserved for 5 years.

Rule 47(e) The Administrative Director of Courts may authorize the use of videotape equipment to record any trial where use of such equipment is feasible and the videotaped record will constitute the official court record.

Transcript

Rules of the Supreme Court of Alaska

Rule 9(b) When transcripts are prepared, they are to be typewritten on 8 1/2 by 11 inch paper and bound on the left margin.

ARIZONA

Arizona Revised Statutes, Annotated, as amended through 1970.

Rules 12-221 to 12-226 Reporters who have satisfied a court appointed examining board as to their qualifications can be appointed by the superior court judge as court reporters. Reporters take an oath of office, and are to be present at all court proceedings unless excused. Court reporters are to furnish a transcript of their notes, certified to as correct and complete, and may charge \$.20 per 100 words on extra copies. Supplies are furnished, and salaries are set by the judge, with approval of the county board of supervisors. Reporters may appoint deputies, but must pay them from their own funds, unless the court needs extra help independent of the reporter.

Local Rules of Practice, Superior Court, Maricopa County

Rule XXXI (a) Court reporters' notes shall be kept either in the office provided for the official court reporter in the courthouse or in storage with the office of the clerk of the court.
(b) Court reporters are responsible for the safekeeping of their notes and the notes of their deputies.
(c) Upon termination of employment, the court reporter shall immediately store his notes with the clerk of the court and shall keep the clerk informed of his address and phone number.

Rule 38-424 Any court may use a tape recorder or other recording device in lieu of a court reporter, unless either party requests a reporter.

Rules of Criminal Procedure for the Superior Courts of Arizona

Rule 252 The official court reporter shall attend all prosecutions by indictment or information, and take notes of all proceedings in court, and anything else upon request.

Rule 363 If the stenographic report of trial proceedings is not available by reason of death, disability or inefficiency of the reporter or loss or destruction of the reporters' notes, the appellant may prepare a statement of evidence or proceedings from the best available means, including recollection, for use instead of the transcript. This statement is submitted to the county attorney for objections and amendments and is then approved by the court and filed with the clerk in the record on appeal.

ARIZONA (Continued)

Transcript

Rules of the Supreme Court of Arizona

- Rule 3(b) (3) Transcripts submitted on appeal are to be printed or typed in the form prescribed for briefs.
- Rule 5(a) Printed briefs are to be on white paper 10" x 7", with margin of 1 1/2", in pica type. Typed or mechanically duplicated briefs are to be clear and legible, on minimum 16 lb. bond, one side double-spaced, not to exceed second impression copies, with the same page size and margins as for printed briefs.
- Rule 19(c) Upon ~~filing of~~ notice of appeal the clerk of the court shall transmit all appeal papers to the clerk of the Supreme Court or Court of Appeals. If 60 days have elapsed and transcript of proceedings has not been included in the record on appeal, it may not be included, except if directed by court.

ARKANSAS

Arkansas Statutes, 1947, 1962 Replacement, as amended through 1969.

Rules 22-351 Upon the recommendation of a majority of the attorneys
to 22-360 licensed to practice in the circuit, the circuit court
judge can appoint a court reporter. The reporter takes
an oath of office; his term of service is coequal with
that of the appointing judge, and he can be dismissed
by the judge for incompetence, neglect of duty, or mis-
conduct. It is the reporter's duty to attend all circuit
court proceedings, and to make a "stenographic record"
of all oral proceedings when so requested by either
party. He is to provide a typed or longhand certified
copy of this record. Salaries, transcript fees, expenses,
and mandatory vs. discretionary appointment vary through-
out the 19 different circuits.

Supreme Court of Arkansas

Rule 12(i) Transcripts must be typewritten on 8 1/2 by 14 inch
paper and fastened at the top of the page.

CALIFORNIA

West's Annotated California Codes, as amended through 1971.

Business and Professional Codes

8000 to 8032 A Certified Shorthand Reporter Board is established in this state. No one can take courtroom testimony unless certified by the Board. The reporting standard demands a verbatim record.

Government Codes

69941 to 70128 Superior court judges appoint official reporters and temporary reporters to serve at the judges' pleasure. Only those of good moral character, and who have secured a certificate from the state board or passed a three man board of attorneys and have been designated by the superior court judges, can be appointed. Reporters must take an oath of office, and must personally perform their work and duties unless excused. A reporter cannot start a new case until pending criminal appeal work is done. Notes become court records. Reporters are to assist the judge when not reporting, for additional compensation. There is a fee schedule, including daily copy, for transcripts, and salaries and expenses vary from county to county.

Codes of Civil Procedure

269 to 274 Reporter's duty is to take down all testimony and oral proceedings, to transcribe the notes, by hand, typewriter or "other printing machine" and to certify the transcript.

Transcript

California Rules of Court, Appellate Rules

Rule 9 Transcripts are to be printed or typewritten. Typewritten records shall be on opaque, unglazed white paper, not less than 1 1/4 inches on the left hand side of the page. The lines on each page shall be double-spaced and numbered consecutively. The pages shall be numbered consecutively.

COLORADO

Colorado Revised Statutes

- 37-12-27
(1969 Supp.) Reporters are appointed by the judge or judges of the district court.
- 37-12-32
(1967 Supp.) The reporter, at the direction of the court, shall record in shorthand all testimony, rulings of court, exceptions, and oral instructions, and other proceedings held during trial of any cause, and in such causes as the court may designate.
- 37-12-33
(1969 Supp.) Reporters may charge a transcript fee of \$.50 per folio of 100 words of original and \$.05 per folio of copy.
- 37-12-34
(1969 Supp.) Reporters' expenses necessarily incurred in the discharge of their duty for work beyond the county of residence are paid.
- 126-1-17 Reporters must be certified by the shorthand reporter examining board for appointment to a court reporter's position.

Colorado Rules of Civil Procedure

- Rule 80 The court may direct that evidence be taken stenographically and appoint a reporter for that purpose.
- Rule 380 The court may designate official court reporters, but at the request of either party, or on the court's own initiative, a verbatim record will be made by "either electronic devices or stenographic means" as the judge chooses. The record produced by either method will be official upon certification by the reporter or recorder.

Transcript

Colorado Appellate Rules

- Rule 10 The reporter's transcript can be made part of the record on appeal. The record shall be folioed, on substantial paper, size 8 1/2" by 13".

CONNECTICUT

Connecticut General Statutes Annotated, 1958, as amended through 1971.

Rules 51-60
to 51-74

Court reporters are appointed by judges after examination and certification by the State Board of Examiners. They serve a term of 2 years, subject to removal for cause. They are to be present at and accurately record all proceedings as directed by the court. Court reporters can employ assistants at the direction of the judge. Judges are empowered to pay for clerical help for the reporters. Reporters and their assistants are salaried and their travel expenses are paid for them. Transcript fees are \$1.00 per page of original and \$.25 per page of copy. The record can be taken by "shorthand, shorthand writing machine, or by such mechanical means as may be approved by the Chief Justice of the Supreme Court."

Transcript

Memorandum dated May 4, 1959 from Office of Executive Secretary, Judicial Department, Subject- Preparation of Transcripts.

Transcripts are to be typewritten on margin ruled paper supplied by the Judicial Department. Each page should contain 27 lines of text, double-spaced, with margins set at 15 and 80. In no case should Q or A be followed by a period. Testimony of each witness sworn or recalled should begin a new page.

DELAWARE

Delaware Code Annotated, as amended 1970.

Rules 10-527,
10529 & 10530 A "skilled and competent" reporter is appointed by the superior court. The court can appoint as many as necessary, with clerical assistants as necessary. The reporter is to attend all sessions and report all proceedings, and anything else directed by the court. Reporters must take an oath of office. Compensation is set by the court, transcript fees are regulated, and expenses are paid. The court can appoint a temporary substitute.

Transcript

Apparently no rules governing format.

DISTRICT OF COLUMBIA

For purposes of this survey, the District of Columbia criminal court reporting laws stem from two sources. Those laws governing the United States District Court, which has most of the felony jurisdiction in the city, are found in the United States Code, as amended through 1971. Those laws governing the Superior Court, which now has some and will eventually have all of the felony jurisdiction (as well as misdemeanor) in the city, are found in the District of Columbia Code Annotated, as amended through 1971, and in the District of Columbia Court Reform and Criminal Procedure Act of 1970, P. L. 91-358, 7/29/70.

U. S. District Court

Rule 28 U.S.C. 753 The number and qualifications of court reporters in each district is set by the Judicial Conference of the United States. The Judicial Conference can also decide to merge the reporter's job with another, such as that of clerk. Each district appoints its allotted reporters, and can also appoint 3-month temporaries in emergency cases with approval of the Administrative Office of the U. S. Courts. The reporter takes an oath, and is to attend all sessions of court and proceedings as directed. He is to record the proceedings "verbatim by shorthand or by mechanical means which may be augmented by electronic sound recording, subject to regulations promulgated by the Judicial Conference." The Judicial Conference is to specify the kind of mechanical equipment used. The reporter is to certify his notes and transcripts, and file a copy with the clerk. He is also to record all arraignments, pleas and sentencings, and transcribe them. Transcript fees are set by the Judicial Conference.

Transcript

Apparently no rules governing format.

D. C. Superior Court

Rule 11-1727 The court executive will appoint court reporters, and can hire temporaries. The reporter is also subject to the chief judge and individual judges, and can use sound recording in lieu of audio or manual mechanical systems. No supplies are furnished, and the court executive sets transcript fees in accordance with those in the District Court.

DISTRICT OF COLUMBIA (continued)

Rule 11-1726 The court executive sets the reporter's salary, to be commensurate with others with similar duties and ability in the judicial and executive branches.

Rules of Civil Procedure

Rule 10(i) (4) All felony trials and motions are to be reported in such a method as to allow transcription by an individual other than the reporter from an audible record. If such a system is not used, the reporter shall reduce his notes to an audible record immediately after an appeal is noted.

Rules of the Superior Court

Rule 201(b) Transcript fees are \$1 per page of original and \$.40 per page of copy. Daily copy is \$2 per page of original and \$.50 per copy.

Rule 201(e) A privately hired reporter must consent to and be bound by the judges' rulings on preservation of the notes, free copies of transcript to the court, furnishing transcript to the parties and the fees to be received therefrom.

Transcript

"A page of transcript shall consist of 25 lines written on paper 8 1/2 x 11" in size, prepared for binding on the left side, with 1 3/4" margin on the left side and 3/8" margin on the right side. Typing shall be 10 letters to the inch."

FLORIDA

Florida Statutes Annotated, as amended through 1971.

Rules 457-011 to 457-016 A board to certify shorthand reporters is established in the state. No one may represent himself to be a Certified Shorthand Reporter without a certificate from this board. The reporter must be bonded to obtain a certificate.

Rules 43-05 to 43-14 All constitutional courts of record shall appoint a reporter who is an expert stenographer and typist. The reporter is appointed by the governor through the judges, and serves at the governor's pleasure. Women are eligible to be reporters. It is the reporter's duty to report the testimony in any criminal case at the request of the judge or parties. Reporters are paid a salary, and extra money for secretarial work done at the judge's direction. The reporter can appoint a deputy for whom he is fully responsible, and the judges may appoint substitutes when no official reporter is available. Transcripts must be certified by the reporter.

Rules 29-01 to 29-10 Circuit court reporters appointed by the governor through the judges shall be "efficient [and] experienced in reporting judicial proceedings." Travel expenses are paid from public funds. Reporters must notarize any certification of their transcripts.

Transcript

Apparently no rules governing format.

GEORGIA

Code of Georgia Annotated, as amended through 1970.

Rules 24-3101 to 24-3106(a) Reporters are appointed and removed at pleasure by superior court judges. It is the reporter's duty to "exactly and truly record or take stenographic notes" of the proceedings, and to provide a transcript on request, certified as "true, complete and correct." Salaries are fixed by the court; expenses and travel are paid according to a schedule. The reporter can buy "such recording machines and equipment" as he thinks necessary to do his job in court.

Rule 27-2401 A reporter must be present at and record the proceedings of all felony cases.

Transcript

Rule 6-813 A stenographic transcript of the trial may be sent up on appeal, but immaterial questions and answers must be omitted.

Rules of the Supreme Court

Rule 24-451 Reporter's transcript must be done in a form as prescribed for the rest of the record. This means that it shall be plainly written or printed on white paper "not so thin as to be transparent," with ample space between the lines. It shall occupy only one side of the page, unless printed, with a minimum margin of 1 1/4" at the top. Paper size shall be 7 3/4" x 12 1/2" minimum to 8 1/2" x 14" maximum. No carbon or tissue copies shall be filed.

HAWAII

Hawaii Revised Statutes, 1968

Rules 606-9
to 606-13

Circuit court judges appoint a "competent" shorthand reporter, or a clerk-reporter. Court reporters are Civil Service employees and have Civil Service tenure. They must pass a test consisting of two-voice dictations at 200 wpm administered by the Office of Administrative Director of Courts and must be certified. The salary is set by legislative appropriation, and the reporter takes an oath of office and serves at the appointing judge's pleasure. The court can appoint non-certified reporters, when necessary, for 60 days. The reporter must be present at and report all proceedings "in shorthand," and perform any other duties the judge may direct. Notes are to be filed in a "suitable case" provided by the court. Upon request, the reporter must produce and certify a transcript of his notes and may charge \$1.00 per page of original and \$.40 per page of copy for them. For expedited copy an extra 50 percent may be charged. Supplies are not provided.

Transcript

Transcript format and procedures are currently being standardized.

Idaho Code, 1948, as amended through 1970.

Rules 1-1101 Each district court judge appoints a "stenographic reporter who shall be well skilled in the art of stenography and capable of reporting the oral proceedings in court, verbatim." Unless the parties waive it, the reporter's duty is to take records of all oral proceedings in his court and file those records with the clerk of the court. He takes an oath of office, posts a \$5,000 bond, holds office at the judge's pleasure, and receives a salary of \$11,400 plus expenses. The court may appoint temporary reporters, and may authorize the official reporter to hire his own assistants, so long as he pays them. Upon request, the reporter must furnish transcripts of his notes, for a fee of \$1.00 per page, "in the style -- directed by rule of the Supreme Court." In the magistrates' division of the district court a verbatim record shall be maintained either by electrical device or stenographic means, as the magistrate may direct.

Rules of the Magistrates Division of the District Court.

Rule 34 A stenographic reporter shall be experienced in adversary courtroom proceedings and be certified by the presiding magistrate to report such proceedings. Said reporter's notes or electronic recording tapes shall be filed with the clerk and be thus available for appeal or other purposes. Said reporter by accepting the reporting assignment submits to the jurisdiction of the court in any subsequent order for a transcription of said notes at the rate agreed upon at the time of the hearing.

A log sheet shall be maintained by the operator of the electronic recording device, and shall accompany the record of the proceedings. Such log shall set forth all the essential events that take place in court. The log shall act as an index of such events by referring to the recording medium to identify speakers, direct and cross-examinations, objections, motions and other significant actions that transpire.

IDAHO (continued)

Transcript

Appellate Rules of the Supreme Court of Idaho, 1970.

Transcripts should be typed clearly and legibly on white, unglazed, legal size paper of approximately 2 1/2 pounds to the ream. Small pica standard, solid, ten letters to the inch or proportional spacing, is the smallest letter and most compact mode of composition allowed. Black record ribbon and carbon paper shall be used. There shall be a margin of 1 1/2 inches at the top and 1 inch at the left of the page. The pages shall be numbered at the bottom and fastened at the top. The lines shall be double spaced. Transcripts shall have the folios numbered at every tenth line beginning on the first page left margin or each line shall be numbered in the left margin and shall be bound with substantial cardboard binding or other equivalent covers, fastened at the top.

ILLINOIS

Smith-Hurd Illinois Annotated Statutes, 1952, as amended through 1971.

Rules 37-651
to 37-659

Reporters are appointed by the chief judge of each circuit, with the advice and consent of all circuit judges. They serve at the pleasure of the circuit judges, take an oath, and have their appointments filed in writing in the Administrative Office of the Courts. Their duty is to make a "full reporting" of the proceedings, using "stenographic hand or machine notes, or a combination thereof." They may use "an electronic instrument as a supplementary device." Upon request they must provide a transcript of their notes, at a fee of \$.20 per 100 words unless otherwise set by the Supreme Court. Work related travel out of the county of residence is paid. Salaries are set on a scale based on proficiency level, experience, etc. Reporters must take a state proficiency test in order to be rated.

Rules 37-751
to 37-764

A Certified Shorthand Reporters (CSR) Board is established, and no one may take courtroom testimony without a certificate from the board, except on a restricted certificate. Any shorthand reporting done outside of the CSR rules can be enjoined.

Transcript Apparently no rules governing format.

Note: Legislation is pending to raise transcript fees and to reimburse reporters for travel expenses inside their county of residence.

INDIANA

Annotated Indiana Statutes, as amended through 1970.

Rules 4-7301 Reporters in all courts are judge appointed, to take down
to 4-7319 proceedings "in shorthand." Reporters take an oath and
serve at the judge's pleasure. Women are not excluded.
The reporter has notary powers. Transcripts are to be
furnished for a fee of \$.30 per 100 words. Salary is
appropriated by the county councils according to a schedule
based on population, valuation, etc.

Rules of Trial Procedure 1970.

All courts may provide for taking the record by "mechanical devices." These devices will be selected by the court, operated by the court reporter or another. A transcript of testimony recorded this way is just as acceptable as one done by a shorthand reporter. The shorthand method of reporting may be eliminated by the court.

Transcript

Rules of Appellate Procedure 1970.

Rule 7.2(A) Transcripts are to be on 8 1/2" x 13" white paper, lines
(3)(a) numbered, pages numbered at the bottom, with margin notations as to motions, rulings, witnesses, etc.

KANSAS

Kansas Statutes Annotated, as amended through 1970.

Rules 20-901 District court judges appoint the official court re-
to 20-916 porters, who take oaths and serve at the judges' pleasure. Office space and supplies are provided. Reporters must attend all sessions required by the judge and take a record in all cases indicated by him. Notes are to be filed in the clerk's office, and a certified transcript of the notes must be furnished upon request and payment of fees. Fees are set by the Certified Shorthand Reporters Board at \$1.00 per page of original and \$.40 per page of copy. Reporters may not appear as attorneys in a case in their assigned court. Salaries vary with county size. Travel and living expenses are paid for judge-certified work beyond the county of residence. Only a certified shorthand reporter may hold the position of official district court reporter. A board to certify shorthand reporters is set up in the state. The reporter has to take a new qualifying test if he wants to change reporting systems. A reporter may be required to be at court every day, and at every session of court, and can lose his certification for failure to produce a transcript within a time period required by the court.

Transcript

Rules of State Board of Examiners, Revised November 1, 1969.

Rule 12 Transcripts are to be typed 25 lines per page, double-spaced, on paper not less than 8 1/2" wide with a margin of not more than 1 1/2" on the left and 5/8" on the right. Type shall be standard pica with 10 letters to the inch. Questions and answers shall each begin a new line.

KENTUCKY

Baldwin's Kentucky Revised Statutes with Rules of Practice, as amended through 1969.

Rules 28-410
to 28-510

Circuit court judges appoint a stenographic reporter "skilled in the profession," who takes an oath, files his appointment in writing, and serves at the judges' pleasure. It is the reporter's duty to take full stenographic notes of any proceeding if requested by the parties or directed to by the judge. Upon request, two transcripts in criminal cases, one for use on appeal and one for the clerk of court, are to be furnished. Salary and fees vary with county size; salary is set by the presiding judge of the circuit. The court may appoint substitutes. The reporter may use a "device for the recording of testimony" only as a backup to a functioning court reporter, unless the parties waive the reporter. The county pays for the machine, which can be "any device, materials and appurtenances, by which the voices of speakers are recorded so that they may be reproduced later in audible form."

Transcript

Apparently no rules governing format.

LOUISIANA

West's Louisiana Statutes Annotated, as through 1970.

Rule 13-961 District court reporters are appointed by the judge, take an oath and post a bond. Reporters are to report in "shorthand, stenotype, or any other recognized manner" any evidence in criminal cases. They may appoint and pay their own deputies, who are bonded, and are responsible for them. Reporters' salaries are set by the judge, and office space and reporting equipment are provided, but they must buy their own supplies. There is no transcript fee in criminal cases. Civil transcript fees are 75¢ per 31-line page.

Rule 31-1267 Court reporters must preserve their notes for 1 year.

Rule 37-2551 to 27-2559 A board for certifying shorthand reporters is established in the state for parishes over 450,000. No one can be appointed as reporter to a court without a certificate, though 15-month temporaries may be appointed in cases of need. Shorthand is defined as taking a "verbatim" record of any oral proceeding; certifying tests shall include the use of electronic equipment, including stenomask. "The board shall in no way restrict the use of electronic equipment to certificate holders hereunder in the performance of their duties."

Transcript

Rules of the Supreme Court of Louisiana, Rule I.

The transcript shall be printed, multilithed or typewritten. If typewritten or multilithed, the paper shall be white, legal cap (8 1/2" x 14"), and not so thin as to be transparent. The impression must be on one side of the paper only and must be double-spaced, with a margin at the top of each page of not less than two inches and a lefthand margin of not less than one inch. The typewriting shall be done with a black record ribbon. The transcript shall be bound at the top, in stiff covers so as to open flat. If the record contains more than 250 pages, it shall be bound in two or more volumes, containing not more than 250 pages each. If the transcript is typewritten, the ribbon copy shall be marked "Original" and each carbon copy marked "Carbon Copy" on the outside of the front cover.

MAINE

Maine Revised Statutes Annotated, 1964, as amended through 1971.

Rules 4-651 The chief judge of the supreme court appoints reporters
to 4-656 to serve both the supreme and superior courts for a
term of 7 years at a salary of \$12,500. The reporter's
duty is to take full notes of all civil proceedings,
and to furnish as much transcript as the presiding
judge indicates during the trial. On requested tran-
scripts, the fee is \$.30 per 100 words. These transcripts
are to be certified.

Transcript

Apparently no rules governing format.

MARYLAND

The Annotated Code of the Public General Laws of Maryland, 1957, as amended through 1970.

There appears to be no statewide legislation governing court reporting. Only the second circuit is empowered to appoint a "competent" stenographer, whose salary and duties are set by the appointing judge, and who serves a 1-year term subject to removal for cause.

Transcript

Apparently no rules governing format.

MASSACHUSETTS

Annotated Laws of Massachusetts, as amended through 1970.

Rules 221-82 Reporters are appointed by the superior court judges
to 221-91 as sworn officers of the court, removable at the pleasure
 of the appointing judge. Reporters' duties are set by
 the appointing judge, and salaries are set by the judge
 according to a schedule (35-51(b)), or otherwise at the
 judge's discretion. Upon request reporters shall pro-
 duce a transcript of their notes at a fee of \$.35 per 100
 words of original copy and \$.13 per 100 words of copies.
 Reasonable travel and lodging expenses are paid for work
 beyond the county of residence.

Transcript

Apparently no rules governing format.

IOWA

Iowa Code Annotated

- Rules 605-6 to 605-11 District court reporters are appointed by the judges. Reporters take an oath and serve at the judges' pleasure. It is the reporter's duty to take a record on request of either party and to appear where directed by the judge. Salary ranges from \$10,750 to \$12,750. Temporaries can be hired at a per diem rate. Flat per diem can be paid for travel and expenses on work beyond county of residence. Transcript fees are \$1.00 per page of original, \$.35 per page of first copy, and \$.25 per page for all other copies.
- Rules 115-1 to 115-9 There is a certified shorthand reporter board established in the state. No one can serve in the district, superior, or municipal courts without a certificate from this board. Temporary reporters may be appointed until a certified reporter is found to fill the position.
- Rules 602-46, 603-44, 603,51 Reporters in both municipal and superior courts are governed by same rules as in district Court, except that they receive lower salaries.

Transcript

Supreme Court Rules

Transcripts are to contain a minimum of 25 lines of print on paper at least 8 1/2" x 11", bound on the left. Margins are to be a maximum of 1 3/4" on left, 3/8" on right; type is standard pica, 10 letters to the inch. Questions and answers each start a new line; maximum indentation is 10 spaces, and pagination is in upper right corner. Testimony of new witness is to start a new page if prior witness ended below center of preceding page. Transcript is to be indexed as to witnesses and exhibits.

MICHIGAN

Michigan Statutes Annotated, as amended through 1971.

- Rule 5-1191 Court reporters hold an unclassified position in the
 (10) Michigan Civil Service.
- Rule 27A-1101 The governor appoints one reporter to each circuit
to 27A-1179 judge. The reporter takes an oath, holds office at
 the governor's pleasure, and can be suspended by the
 court for incompetency or misconduct. Reporters are
 eligible for the county retirement plan, and expenses
 are paid from county funds. Salaries range from \$9,000
 to \$11,000. The reporter may appoint his own temporary
 substitute, and may hire and pay an assistant.
- Rule 27A-2543 Transcript fees are \$.25 per folio of original and \$.10
 per folio of copies.
- Rules 27A-8601 Each district court judge appoints his own reporter, at
to 27A-8635 a salary of \$6,500, with necessary and actual expenses
 paid for work out of the county. The reporter shall
 transcribe and file all preliminary hearings, and other
 proceedings as directed; his fees for transcripts are \$.25
 per folio of original copy, and \$.05 per folio of additional
 copies. The court can use "recording devices approved by
 the Supreme Court" or by the court reporter. The first such
 machine can be bought at the state's expense, and the
 district is responsible for maintenance.

Supreme Court Administrative Rules

- Rule 915 Reporters are to attend court at their judge's direction,
 and take a verbatim record of the entire proceedings
 (including opinions). If the reporter starts a case, he
 must finish it. The record is kept in his office, and he
 is to furnish a legible transcript on request or order.

Transcript

General Court Rules of 1963

- Rule 812(.2) Transcripts are to typewritten and filed with the record
 on appeal.

MINNESOTA

Minnesota Statutes Annotated, as amended through 1971.

Rule 486-01 Each district court judge appoints a competent
to 486-09 stenographer as reporter and secretary. The
 reporter takes an oath, posts a bond of \$2,000,
 and serves at the judge's pleasure. The maximum
 salary is \$14,500 and travel and lodging expenses
 are paid for work beyond the county of residence.
 Reporters may hire substitutes, who receive the
 same pay and expenses and in some districts they
 may have an assistant. The reporter is to make
 a "complete stenographic record" of all proceedings,
 taking all questions in "exact language," all
 answers "precisely as given" and all objections
 "verbatim." The reporter is to furnish a transcript
 of his notes upon request, at fees of \$.20 per folio
 of the original copy and \$.05 per folio of all
 other copies. It is required that reporters reside
 in the district where they are appointed.

Transcript

Rules of Civil Appellate Procedure

Rule 110.02(4) The transcript is to be typed, on 8 1/2" x 10 1/2"
 unglazed, opaque paper. It is to be double-spaced,
 legible, certified, and bound on the left.

MISSISSIPPI

Mississippi Code of 1942 Annotated, as amended through 1970.

- Rules 1642-
to 1645 Each circuit court judge appoints a "competent person" to be the court reporter. The reporter takes an oath as a public officer, posts a bond of \$2,000, and serves a 4-year term subject to removal by the judge for incompetency or neglect of duty. A reporter may resign only when his work is done. Extra reporters may be appointed, but must be terminated when the need for them is gone. Salaries range from \$6,200 to \$7,800, and stationery is furnished by the court. The reporter may not practice law in his own court. It is the reporter's duty to take full and complete stenographic notes of all oral proceedings each day of court, and as the judge directs. The reporter may use "recording machines" as a help, and shall keep a detailed log of the case, and preserve his own notes; upon request, he must type and certify a transcript of his notes and file a copy in the clerk's office. The fee for transcript is \$.25 per 100 words. At the conclusion of trial, the reporter is to deliver all exhibits to the clerk of court. When a recording machine is being used, the court will buy it, and it "shall be of such quality as to accurately take and preserve all notes and records herein required to be made and preserved."
- Rule 1611 The same rules as for circuit courts apply to the county court reporters, except for salary variation.

Transcripts

Rules of the Supreme Court of Mississippi, Rule I.

Transcripts shall be plainly printed, or typewritten; paper not less than eight, nor more than eight and one-half inches wide and fourteen inches long shall be used, and only on one side of every leaf; each page shall be numbered consecutively at the bottom, at or near the center, and there shall be a blank margin at both top and bottom of not less than one inch, a blank margin at the right side of not less than one-half inch, and a blank margin at the left side of not less than one and one-half inches. Transcripts may be typewritten on linen paper, to weigh not less than eight pounds to one thousand sheets, and must be double-spaced. Only black record typewriter ribbons shall be used in making up transcripts. Pica type or larger should be used. The typewritten transcript shall be secured bound in non-flexible pasteboard covers with marbled sides in volumes of

about an equal number of pages, not to exceed in any case two hundred (200) pages in a volume, for the payment of which binding appellant will be allowed one dollar (\$1.00) per volume to be taxed with the costs.

MISSOURI

Vernon's Annotated Missouri Statutes, 1952, as amended through 1971.

Rules 485-040 The official court reporter is appointed by the
to 485-150 circuit court judge. The reporter must be "well
skilled in the art of shorthand reporting,"
21 years old or more, and possess 2 years of
reporting experience, not necessarily in courts.
The reporter takes an oath and serves at the
pleasure of the appointing judge. Salary is
\$12,000, and travel and lodging expenses are paid
for work out of the county. A reporter may appoint
deputies if he pays them himself, and the judge may
appoint substitutes for up to 30 days, and may fire
the reporter's deputy. The reporter shall attend
sessions of court at the judge's direction, and
take full stenographic notes of all oral proceedings
in every case. Notes are to be preserved and,
upon request, transcript of the notes is to be
furnished to anyone. Fee for transcript is \$.45
per page of original copy and \$.15 per page of
additional copies. Any transcript so provided
shall be on paper approximately 8 1/2" x 11", with
25 lines of type, with a left margin of 1 1/2"
and a right margin of 1/2".

MONTANA

Revised Codes of Montana 1947 annotated, as amended through 1969.

Rules 93-1901 District court judges may appoint a reporter as
to 93-1908 a sworn officer of the court, to serve at their
pleasure. The salary is \$9,200 plus travel and
and expenses for work out of the county of residence.
A reporter may be excused from his duties for
reasons other than for reporting work elsewhere.
In the absence of the official reporter, a temporary
reporter may be appointed. It is the reporter's
duty to attend all sittings of the court at the
judge's direction, to take "full stenographic
notes" of all proceedings, unless dispensed by the
judge, and to file a written or typed transcript
of those notes with the clerk of the court. Upon
request a copy of the transcript must be furnished
free to the judge, and at a fee of \$.075 per 100
words to all others. The transcript may be "written
out at length or in narrative form."

Transcript

Apparently no rules governing format.

NEBRASKA

Revised Statutes of Nebraska 1964, as amended through 1971.

Rules 24-338
to 24-344

Each district court judge appoints a stenographic reporter "well skilled in the art of stenography" and capable of reporting verbatim. He takes an oath, serves at the judges' pleasure, and receives \$11,000 per year, along with travel and expenses for work beyond his county of residence. He can appoint a deputy, pay him, and the deputy will be governed by the same rules as the official reporter. Neither deputy nor reporter may practice law in the court of their appointment. It is the reporter's duty to attend all terms of court, and report all proceedings verbatim, as well as anything else ordered by the judge or requested by the parties. He is not to report jury arguments or objection arguments unless requested. He preserves the court exhibits, and also keeps his records for at least 10 years. On request he must furnish a transcript of his notes, at a fee of \$.50 per 100 words.

Transcript

Apparently no rules governing format.

NEVADA

Nevada Revised Statutes, as amended through 1969.

Rules 3-320 The judge or judges of any district court may appoint
to 3-380 one "phonographic" reporter, who must be of good
moral character and be certified by a local examination
board. The reporter takes an oath and serves at the
judge's pleasure. It is the court reporter's duty
to do his own work unless excused, and, if absent, the
court may hire a substitute. The reporter is to take
in shorthand all proceedings in the court, and to
furnish a certified transcript of his notes upon
request, for a fee of \$.40 per folio of original, \$.10
per folio of first additional copy, and \$.15 per
folio of any other copies after the original set.
A copy of the transcript must be filed with the clerk
where commanded by law or ordered by the judge.
Reporter's compensation is \$40 per day, plus travel
and expenses for work beyond the county of residence.
In criminal cases, reporters are salaried. With
approval of the board of county commissioners, the
judge may install "sound recording equipment" to
replace the reporter, and may appoint a special
operator, or the reporter, to operate it. Whoever
monitors the recording equipment shall transcribe
its output.

Transcript

Apparently no rules governing format.

New Hampshire Revised Statutes annotated 1955, as amended
through 1969.

Rules 519-26
to 519-31

The superior court as a body appoints official court reporters as necessary. The reporter takes an oath and receives a salary set by the court; supplies are paid for, as well as expenses for work beyond the county of residence. The court may also hire a part-time reporter, and pay him a per diem salary and away-from-home expenses. The reporter's duty is to take full notes of all proceedings to which he is assigned, and to perform any other duties assigned by the presiding judge. The transcript is to be made available during the trial at the judge's direction, and furnished after the trial upon request and payment of a fee set by the court. On request or court order, the reporter places his original notes and a certified transcript of them on file in the clerk's office.

Transcript

Apparently no rules governing format.

NEW JERSEY

New Jersey Statutes Annotated 1952, as amended through 1971.

- Rules 2A: 11-11 to 2A: 11-17 The Supreme Court can appoint reporters for the county courts, and remove them for cause. However, the county court judges may, in conjunction with the county board of freeholders, appoint and pay their own official stenographic reporter. They may only appoint a Certified Shorthand Reporter (CSR), qualified through the state board. Reporters take an oath and are assigned by the Administrative Director of the Courts, who assigns them on a 3-month temporary duty. If no CSR stenographers are available, a non-certified reporter may be hired. The salary ranges from \$7,500 to \$15,000 over the counties, plus a cost of living adjustment. Expenses for work beyond the county of residence are paid for, but the reporter provides his own supplies and equipment. Transcript fees are \$.40 per folio of original, \$.10 per folio of copies, which the reporter keeps; however, he must bear the cost of producing the transcript, including all equipment and supplies. Full-time reporters are eligible for the state retirement fund.
- Rules 2A: 12-4 Reporters shall comply with requests from the State Office of Information and Statistical Data.
- Rules 45: 15A-1 to 45: 15A-12 This section establishes a Certified Shorthand Reporters Board in the state.

Transcript

Apparently no rules governing format.

NEW MEXICO

New Mexico Statutes 1953 Annotated, as amended through 1969.

Rule 16-3-7 Each district judge selects an official court reporter to record the proceedings of his court as required. All notes taken by the reporter are deposited with the Clerk of the Court. Each court reporter receives a salary fixed by the court, exclusive of transcript fees. All expenses are paid for work beyond the county of residence. Reporters may charge a maximum transcript fee of \$1.65 per page of original with 3 copies. Supreme Court may decrease fees when transcript is not furnished within a time specified by the court.

Transcript

Rule 16-3-7 Transcripts consist of not less than 25 type-written lines per page on good grade paper, 8 1/2 x 13 inch in size, bound at the top, with margins of not more than 1 3/4 inches at the left and 1/2 inch at the right. Type is to be pica with 10 letters to the inch.

NEW YORK

McKinney's Consolidated Laws of New York, annotated, as amended through 1971.

- Judiciary Law In all courts covered by the Civil Practice Laws and Rules, which include both supreme and county courts, the stenographer is an appointed officer of the court and may not be appointed unless "skilled in the stenographic art." Reporters must take an oath of office and file it, and may hold no interest in any contract relating to the printing of court materials. It is the reporter's duty to take full stenographic notes of the testimony and all other proceedings in each case. Original notes are kept for 2 years or filed with the clerk of court at the judge's direction. Upon request, and after payment of his transcript fee, the reporter furnishes a certified transcript. Any assistant stenographer is governed by the same rules. Salaries vary by county and division.
- Rule 160 The supreme court may appoint a temporary court reporter in the absence of the regular reporter. Such temporary reporter receives a per diem compensation, and his expenses. In some criminal cases, the court may appoint extra reporters.
- Civil Practice Laws and Rules 8002 The reporter's transcript fee is \$.20 per folio.
- Education Law 7501-7506 A board to certify shorthand reporters is established in the state. Those certified may use any system of shorthand writing or shorthand writing machine, and no one without a certification may claim to be a Certified Shorthand Reporter.

Transcript

Apparently no rules governing format.

NORTH CAROLINA

The General Statutes of North Carolina, as amended through 1970

- Rule 7A.95 The senior superior court judge appoints a reporter to use the stenotype, shorthand or stenomask method of reporting; the judge sets his salary, within limits set by the Administrative Office of the Courts. In the event that a court reporter is not available in superior court, "electronic or other mechanical devices" may be provided by the Administrative Office at the judge's request. The Administrative Office is responsible for periodic checks to make sure the equipment in the courtrooms is the "most efficient." Someone, either clerk or reporter, is to monitor the recording device continuously while it is in use, and the clerk of the court is to preserve the record and have it transcribed.
- Rule 7A.308 Transcript fees are \$.80 per page of original and \$.40 per page of copy.

Transcript

Transcripts shall contain 25 lines per page and combined margins for the left and right sides shall not exceed 2 inches.

NORTH DAKOTA

North Dakota Century Code, as amended through 1969.

- Rules 27:06-01 to
to 27:06-07
- Each district court judge appoints a "competent" person to be the court reporter; he must take an oath of office, which is filed along with the judge's order of appointment. The reporter holds office until the judge's order is revoked. The salary can be a maximum of \$10,500, as set by the judge, and travel and expenses for work beyond the county of residence are paid. The judge may appoint a substitute who is subject to the same rules. The reporter's duty is to attend all sessions of court as directed by the judge, to take records of all proceedings, and to perform other duties as directed. Original notes are to be certified and filed with the Clerk of the Court. Upon request, the reporter is to furnish a transcript, "typewritten or prepared in longhand," and he must certify both the completeness of his notes of the proceedings, and the accuracy of his transcription of the notes. The transcript fees are \$.60 per page of original, \$.20 per page of the first copy, and \$.10 per page of each additional copy.
- Rule 27:08-18
- Reporters in the county courts of increased jurisdiction are governed by the same rules and fees, and their salaries are set by the judge together with the county commissioners.
- Rule 29:21-32
- Court reporters must take down any oral instructions given by judge to jury, and if they transcribe them they can collect the same fee as for transcripts of testimony.

Transcript

Transcripts seem to be governed by two separate rules: one to control transcript fees and one to control the format of transcripts on appeal. They are not contradictory, and so are both included in this report.

- Rule 27:06-08
- When the reporter charges his fees for delivering transcript, the pages shall contain a minimum of 25 lines on a minimum page size of 8 1/2" x 11". The pages should be prepared for left side binding, with a maximum margin of 1 3/4" on the left and 3/8" on the right. The typeface shall be standard pica; maximum indentation allowed is 10 spaces, and questions and answers are each to begin new lines. Pages are to be consecutively numbered,

NORTH DAKOTA

Transcript (Continued)

Rule 28:18-04

Appeal transcripts prepared by the reporter shall be carefully and legibly typewritten on plain white or yellow paper of good enough texture so that it can be annotated in pen and ink. The paper shall be 8 1/2" x 11". It is to be double-spaced, typed on one side only, with a minimum left hand margin of 1 1/2" and 25 to 30 lines of type on the page. Black or purple carbons or ribbons may be used. The lines are to be numbered in the left margin, and the pages are to be consecutively numbered.

OHIO

Page's Ohio Revised Code Annotated, as amended through 1970.

Rules 2301-18
to 2301-25

The common pleas court appoints a stenographic reporter as the official shorthand reporter of the court, who is to serve a 3 year term, under oath, and may be removed for neglect of duty, misconduct in office, or incompetency. A reporter may also appoint such assistant shorthand reporters as the pressure of business requires, and these assistants are under oath and receive the same pay as the official reporter. The reporter's salary is set by the court; it is restricted to a \$30.00 per diem rate for reporters on less than 1-year appointments. Actual and necessary expenses are also paid. The reporter is to take accurate shorthand notes of the oral proceedings, either on request or at the judge's order. The trial notes are to be filed and preserved in the office of the official reporter. Upon request or order, the reporter is to furnish a transcript of his notes; his fee can be a maximum of \$.30 per folio of original, or as set by the judges, and only 1/2 price for copies.

Supreme Court of Ohio, Rules of Superintendence

Rule 10

Verbatim transcripts of any court, grand jury or discovery proceedings may be recorded in shorthand, stenotype, or by any other adequate mechanical or audio electronic recording device. Records made by mechanical or electronic devices shall be transcribed and certified in the same manner provided for shorthand records and shall have the same effect. Original records of transcripts shall be maintained in the trial court in the manner directed by the trial court until the case is finally terminated.

Transcript

Apparently no rules governing format.

OKLAHOMA

Oklahoma Statutes Annotated, as amended through 1971.

Rules 106-1 to 106-8 The Supreme Court and Administrative Office of the Courts decide on the number of reporters per district court. These reporters are then appointed by the judges of the district court, to take and file an oath and serve at the judges' pleasure. Additional reporters may be appointed, and temporaries may be hired. The appointed reporter must be a Certified Shorthand Reporter (CSR) or licensed if no CSRs are available. Temporaries appointed in the absence of a CSR can serve terms up to 2 years, and have the same authority as an official reporter. If there is no interference with the reporter's official duties, he may also do secretarial work. Salaries range from \$6,600 to \$9,000, and temporary reporters are limited to a \$35.00 per diem rate. Travel expenses for work beyond the county of residence are also paid. The reporters are eligible for a retirement program. It is the reporter's duty to take full notes of all proceedings in all cases assigned by the judge, by means of hand, mask, machine or any combination of these; electronic instruments may be used as supplementary devices, and the judge may order electronic recording if there are no objections. A reporter who is proficient only in stenomask will not be awarded a CSR certificate. Upon request, the reporter shall furnish a certified transcript of his notes for a fee of \$1.00 per page, such pages to contain 25 lines; two free carbon copies are also provided along with the original. The reporter's original notes shall be filed with the clerk of the court.

Rules 1501 to 1511 A board to certify shorthand reporters is established in the state. Those qualifying receive the seal of a CSR, and may so represent themselves. The standard is verbatim transcription.

Transcript

Apparently transcripts are governed by the above provision that the reporter may only charge his transcript fee for pages that contain at least 25 lines.

OREGON

Oregon Revised Statutes, as amended through 1969.

- Rules 8-310 Each circuit court judge appoints a stenographer "skilled in the practice of this art," who takes an oath and serves at the judge's pleasure. The court can also hire temporary reporters. The minimum salary is \$7,200, but it can be higher; if no salary is set, \$27.50 is the per diem rate. Expenses for work beyond the county of residence are paid. The reporter is the judge's secretary. It is the reporter's duty to attend court at the judge's direction, and, upon request or order, make a record of all proceedings requested. He is to take accurate notes by hand or stenotype, and may supplement the notes by audio records taken on any mechanical, electrical or electronic device. Notes and tapes are to be filed in the office of the clerk of the court. On request the reporter is to furnish a "full and accurate," certified, typewritten transcript of the testimony, and file a copy in the clerk's office. If the reporter who took the notes is unavailable, the transcript may be done and certified by another.
- Rule 156-630 Criminal cases in the justice courts are not to be reported unless the judge so orders or a party requests it.

Transcript

Rules of Proceedings, Supreme Court and Court of Appeals, Rules of Procedure, Rule 1.20.

The transcript shall be typewritten. The typewriting shall be the first impression, clearly and legibly typed, with double space between the lines, on good quality white, opaque, unglazed paper 8 1/2 by 11 inches in size. Each sheet shall be consecutively numbered at the right-hand top corner. Pages shall consist of not more than 25 lines with margins of 1 1/2 inches on left side and 1/2 inch on right side of each page. Typing shall be standard pica. Sheets shall be bound along the left margin. All bindings shall be within 3/8 inch of the left edge. There shall not be more than 200 pages per volume of testimony, with volumes to be of approximately equal size and each volume given a consecutive number on the cover thereof.

PENNSYLVANIA

Purdon's Pennsylvania Statutes Annotated, as amended through 1971.

Rules 17-1801 At the defendant's request, the criminal court is to use the civil court reporter, in common pleas cases. The defendant is given a transcript of the notes. The judges of the court of common pleas select a stenographer "competent in the art of stenography" to serve as official court reporter. He takes and files an oath, holds office at the judges' pleasure, and may appoint a temporary assistant or substitute. He is to take "full stenographic notes" of all proceedings, jury and non-jury, and others as the judge directs. If requested by the parties or ordered by the court, he must provide daily copy. In any appeal, or first degree murder conviction, he has an automatic duty to transcribe, certify and file a transcript of his notes in the clerk's office. In all other cases, only his notes are filed with the clerk; only on request must he furnish a typed transcript of his notes, and certify it both as to the notes and the transcription. Fees for such transcripts are \$.30 per folio of original and \$.10 per folio of copy.

Transcript

Apparently no rules governing format.

RHODE ISLAND

General Laws of Rhode Island 1956, as amended through 1970.

Rules 8:5-3 The superior court judges appoint "competent
to 8:5-7 shorthand writers or stenotypists" to serve
at the pleasure of the court. They may also
appoint part-time reporters. All supplies are
furnished, and expenses for work beyond the
county of residence are paid. The reporter is
to report stenographically all proceedings, and
to file his notes with the clerk of court in
Providence county: these notes are the property
of the state. Upon order or request, the reporter
must furnish a transcript of his notes, or file
it with the court. Fees for this are \$.50 per page,
or a minimum of \$5.

Transcript Apparently no rules governing format.

Note: Legislation to increase transcript fees from \$.50 to
\$.75 per page is pending. The Supreme Court is con-
sidering the adoption of a rule to allow the use of
electronic recording.

SOUTH CAROLINA

Code of Laws of South Carolina 1962, as amended through 1970.

Rules 15-1901 . The circuit court judges appoint one official court
to 15-1907 stenographer for each circuit, and may also appoint
an assistant stenographer subject to the same rules
and exercising the same authority as the official
reporter. The official reporter is appointed to
a term coequal with that of the appointing judges,
and is subject to removal by them. If the official
reporter is ill, etc., the judges may appoint a
special stenographer, whose maximum pay is to be
\$7.50 per diem. The reporter's duty is to take
full stenographic notes of all proceedings as the
judge directs. On request, he is to furnish a
transcript of his notes, for fees ranging from \$.05
to \$.15 per folio. If the reporter fails to furnish
the transcript within 30 days of the request, he
forfeits his fees.

Rules 15-1951 The court reporting system in the circuit and county
to 15-1954 criminal courts shall be standardized. Records of
criminal proceedings are to be kept permanently, and
the official court reporter has full responsibility
for "compiling, indexing, filing and keeping" them.
"The reporter may record the proceedings onto discs
or belts of a type which will preserve the record
permanently, with discs or belts being filed as the
permanent record of proceedings, or by direct electronic
recordings supplemented by either shorthand or
stenotype." Equipment will be purchased through the
state with approval of the Supreme Court clerk. The
reporter is to file a certificate of compliance with
this section of the law.

Transcript

Apparently no rules governing format.

SOUTH DAKOTA

South Dakota Compiled Laws 1967, as amended through 1970.

- Rules 16:7-3 to 16:7-13 Each circuit court judge appoints one or more "competent" reporters who are "well skilled in the art of stenography" as official court reporters. The reporter takes and files an oath, and serves at the judge's pleasure at a salary of \$10,500, plus expenses. A per diem allowance is paid for work beyond the county of residence. The reporter's duties are assigned by the judge. Upon request, he is to furnish a certified transcript of his notes, for a fee of \$.30 per folio of original, and \$.15 per folio of additional copies.
- Rule 15:15-1 The reporter is to take notes of all proceedings.
- Rule 3:12-19.1 Circuit court reporters are eligible for the state retirement system.
- Rule 16:11-30 Municipal court judges can appoint reporters when the need arises, and dismiss them at pleasure. Such reporters are governed by the same rules as circuit court reporters, and their salaries are set by the appointing judge.

Transcript

- Rule 15:29-5 The reporter's transcript shall be carefully and legibly typewritten on plain, white, unglazed opaque paper of good texture, on one side only, paper size 8 1/2" x 11", double spaced with a minimum left margin of 1 1/2". There shall be 25 to 30 lines of type per page. Only originals and clean carbons are acceptable, and all pages shall be consecutively numbered.

TENNESSEE

Tennessee Code Annotated 1956, as amended through 1970.

Rules 40-2029
to 40-2043

The judges of each court in the state are to appoint at least one court reporter each to serve at their pleasure and may also appoint auxiliary reporters when necessary. The reporter's job may be combined with another, such as secretary or court attache. The private reporter retained by a party at the party's expense will have the same authority as a court-appointed reporter. The reporter shall attend every stage of each criminal case, and take a verbatim record of all proceedings in open court plus anything else assigned by the judge. The reporter's official certificate is to be attached to the notes and filed with the clerk of the court. Upon request, the reporter is to furnish a certified transcript of his notes.

The Executive Secretary of the State Supreme Court establishes hiring qualifications, salaries for full-time and substitute reporters, and transcript fees to be supervised by the judges. Methods for taking "verbatim" records are established by the Executive Secretary and "any such method shall be of such a nature that an accurate written transcript can be prepared therefrom." The Executive Secretary can also buy recording equipment if the need exists, i.e., if no reporter is available, and make rules to regulate it. The equipment belongs to the state, and courts may only use it only if there is no court reporter available. The Executive Secretary also has authority to enter into contracts to provide transcripts without going through the court reporter, if an "accurate, verbatim transcript could be more economically, expeditiously and efficiently provided" in the given area by such contracts.

Rules 20-1304
to 20-1306

In any court of record in the state, upon request in any case, the judge is to appoint a "competent stenographer" who takes an oath to make a "true, impartial and complete stenographic report" of the proceedings. The transcript of the reporter's notes becomes part of the appeal record subject to changes by the judge, and the requesting party pays the stenographer.

TENNESSEE (Continued)

Transcript

Rules of the Supreme Court of Tennessee

Rule 3

Transcripts are to be typewritten on white, unglazed paper 8 1/2 inches by 14 inches in size, with type no smaller than pica. They are to be double-spaced with a left margin of at least 1 1/2 inches. Pages are fastened 1/2 inch from the left side of the transcript and numbered at the bottom. A volume of transcript should not exceed 150 pages.

TEXAS

Vernon's Annotated Revised Civil Statutes of the State of Texas,
as amended through 1971.

Rule 2321-2326

Each criminal district court judge appoints an official court reporter, who takes an oath to "well and truly in an impartial manner keep a correct record of all evidence," and serves at the judge's pleasure. The reporter must have 2 years' experience, or be certified through a testing procedure. The judge may appoint a deputy shorthand reporter if there is need for one, and he shall receive the same pay and duties as the official reporter. Salaries for the official reporter vary from county to county; the maximum is \$16,500. The reporters of multicounty districts also receive travel expense. The reporter's duty is to attend all sessions of court and take full shorthand notes of all proceedings (including final argument if so requested). He is to preserve the notes for a year. Upon request, the reporter is to furnish a transcript for a fee of \$.30 per 100 words of original. He may set "reasonable" charges for other services, and, if there is objection to them, the trial court is to settle it.

Rule 1970-31.10(12) The judges of the County Criminal Court of Dallas County appoint an official shorthand reporter "well skilled in his profession," who takes an oath, holds office at the judges' pleasure, and is governed by the same rules as district court reporters generally. He is not required to take testimony unless requested or ordered to do so.

Transcript

Apparently no rules governing format.

UTAH

Utah Code Annotated, as amended through 1969.

Rules 78-56:1
to 78-56:19

District court judges appoint an official reporter to serve at the judges' pleasure. The reporter takes an oath and posts \$2,500 bond. Salary is determined on a schedule for court employees and the reporter is paid for expenses arising from work beyond his county of residence. The court may appoint an assistant of the same qualifications, with the same duties and pay. The reporter is to attend all sessions and take full stenographic notes of all proceedings unless the judge excuses him. Notes are to be filed with the clerk of court, and a longhand or typed transcript of the notes furnished on request. Fees for transcript are either \$.35 per folio of original and \$.10 per folio for two additional copies, or \$.15 per folio of the 1st copy and \$.10 per folio for each additional copy. A city court judge may appoint competent shorthand reporters on request, pay them \$8.00 per diem and allow a charge of \$.12 per folio of transcript copy.

A Certified Shorthand Reporters (CSR) Board is established in the state to certify shorthand reporters. The standard is verbatim reporting. No one can be appointed in district or city court without a CSR, though temporary reporters may be hired contingent upon their passing the next examination.

Transcript

Apparently no rules governing format.

VERMONT

Vermont Statutes Annotated, as amended through 1970.

Rules 4-731
to 4-742

The presiding judge of each county court appoints a stenographic reporter who takes an oath and serves at the pleasure of the judge. His duty is to make a verbatim report of all proceedings in court or elsewhere as directed by the judge. He is responsible for the correctness of his reports. The judge in capital cases or 10-year sentence cases can order a transcript and have it filed in the clerk's office. Whenever the judge orders it, the reporter shall file certified copies of his transcript in the clerk's office, and the certification shall be done by him or at his direction. Upon request, he shall furnish verbatim, certified transcripts within 20 days, for a fee of \$.30 per folio of original and \$.15 per folio of copies.

These same rules apply to district court reporters.

Rule 4-743

A superior judge, a district judge or a probate judge may enter an order for the installation of electronic sound recording equipment for the recording of any civil or criminal proceedings.

For the purpose of operating the sound recording equipment, the judge may appoint or designate the official reporter of that court, a special reporter, the clerk of the court, any assistant clerks of the court, the court officer or any other designated court personnel. The person operating the sound recording equipment shall subscribe to an oath that he will well and truly operate it to record all matters and proceedings.

The court may then designate the person operating the equipment or any other competent person to read the recording and to transcribe it into typewriting. The person transcribing the recording shall subscribe to an oath that he has truly and correctly transcribed it.

The transcript may be used for all purposes for which transcripts are now received and accepted under existing statutes.

Transcript

Apparently no rules governing format.

VIRGINIA

Code of Virginia 1950, as amended through 1970.

Rule 17-30.1 In all felony cases, the judge shall order a verbatim recording of all proceedings by a court reporter, or by manual or electronic devices approved by the court. In any felony case with a sentence of 5 years or more, there shall be made three free copies of the transcript of the evidence.

Rule 17-30.1-1 Each court of record can in all felony cases appoint a court reporter to report the proceedings, or to operate a mechanical or electronic device, and to do any stenographic work necessary in this connection. He shall be paid on a per diem or work basis "as appropriate."

Rules of the Supreme Court of Appeals of Virginia 1953.

Rule 1:10 In courts of record, the reporter is under oath to take down and transcribe faithfully and accurately to the best of his ability the proceedings in court. He may take down the proceedings by means of a recording device approved by the judge. The reporter is subject to control of the court. Any interested party can get a copy of the transcript on terms arranged by the judge.

Transcript

Apparently no rules governing format.

WASHINGTON

Revised Code of Washington Annotated, as amended through 1970.

Rules 2-32.180 to 2.32.320 Every superior court judge in counties over 35,000 must, and those in counties of 25,000 - 35,000 may, appoint an official stenographic court reporter, who shall take an oath and post a \$2,000 bond, and hold office during the term of the appointing judge, subject to removal for misconduct, incompetency, or neglect of duty. It is required that a reporter have 3 years of experience as a skilled practical reporter, or possess a certificate of proficiency from the state qualifying board. Salary is based on county population. Office space and expenses for work beyond the county of residence are paid by the state. A reporter is to attend every term of court as directed by the judge, and on request or order take "accurate" shorthand notes of all proceedings unless waived. Notes are to be filed with the clerk of Superior Court. On request, the reporter is to furnish with reasonable diligence a certified, full and accurate transcript of his notes, and file a copy with the court clerk, for fees as set by the Supreme Court schedule for civil cases. If the reporter is necessarily absent, someone else may transcribe his notes under court direction and certify their truth and accuracy. The court may appoint a reporter pro tem, who is governed by the same provisions as the official reporter. The reporter is allowed into court files at will to prepare statements and transcripts, and he is to act as an amanuensis to the court in some counties. Reporters are allowed to do outside reporting provided that it does not interfere with official duties. In counties or districts under 25,000 the judge may appoint official reporters on a need basis.

Civil Rules for Superior Court

Rule 80(b) In any civil or criminal proceedings, electronic or mechanical recording devices may be used to record oral testimony and other oral proceedings in lieu of or supplementary to causing shorthand notes thereof to be taken. In ex parte matters, the use of such a device shall rest within the sole discretion of the court. In controverted matters, the use of recording devices shall be at the discretion of the court, unless a party of record or his counsel makes timely objection prior to the commencement of the proceedings.

Transcript

Transcripts may be printed or typewritten, or may be prepared by photostatic copies of the original records

2 WASHINGTON (continued)

in the office of the clerk of the superior court. If typewritten, the paper shall be of good quality of the size of legal cap, and only a black record ribbon shall be used. Type shall be pica and typing shall be double spaced. The transcript shall be free from interlineations and erasures, and shall be paged and prefixed with an alphabetical index of its contents, specifying the page of each separate paper, order, or proceeding. Transcripts must be certified by the clerk of the superior court.

WEST VIRGINIA

West Virginia Code Annotated, as amended through 1970.

Rules 51-7-1 The circuit court and any criminal court can appoint
to 51-7-7 competent shorthand reporters to be the "official
reporter." The reporter takes an oath, and receives
a salary set by the judge (who is allotted \$400
per month for this purpose in Sec. 6-7-6). The
reporter's duty is to take "full shorthand notes"
of all proceedings in a manner directed by the judge.
On request, he is to furnish a typewritten transcript
of his notes, certified as "correct." The reporter
is to file a carbon copy with the clerk's office for
appeal purposes, and the judge is entitled to a free
copy. Fees for the transcript are \$.90 per page of
original and \$.30 per page of copy, but if the reporter
is on salary, he cannot keep the fees, but must
turn them over to the court. When a transcript is
furnished, it shall be on paper 8 1/2" x 11" in
size, 24 lines of type to the page, with minimum
margins of 1/2" on the right and bottom, 1" on the
top and 1 1/2" on the left.

Transcript

Rules for format provided above.

WISCONSIN

West's Wisconsin Statutes annotated, as amended through 1971

- Rule 252.18 Every circuit judge may, at his discretion, appoint a competent phonographic reporter, and when he shall deem it necessary he may appoint one or more competent assistant reporters provided that he has the approval of the administrative director of courts. The appointing judge or his successor may remove any such reporter or assistant reporter at pleasure and appoint a successor. Every person so appointed as reporter or assistant reporter is an officer of the court and shall take and file the official oath. When so qualified every reporter and every assistant reporter shall be authorized to act in any circuit court in the state. Every reporter shall attend upon the terms of the court for which he is appointed and, when requested by the judge appointing him, shall discharge such other duties as the court of judge thereof requires; and every assistant reporter shall attend upon the court for which he is appointed, whenever requested so to do by the circuit judge.
- Rule 252.19 A reporter or assistant reporter attending a term of court outside the county in which he resides, or attending the sessions of court presided over in other circuits by the judge appointing him, at the request of such judge, shall be reimbursed his necessary traveling expenses. Each reporter appointed pursuant to s. 252.18 in the 2nd circuit shall be further compensated for his services at the rate of not less than \$75.00 nor more than \$200.00 per month, payable out of the treasury of the county comprising such circuit, and in any other circuit divided into 2 or more branches shall be further compensated for his services at the rate of \$50.00 per month, payable out of the treasury of the counties embracing such circuit. Such payments shall be made upon affidavit of the reporter and the certificate of the judge with whom the service was performed, showing performance, and filed with the county clerk.
- Rule 256.57 In any criminal action or proceeding the court may, and in case of sentence of any person to the state prisons or to a county house of correction for more than 6 months, the court shall order a transcript of the testimony and proceedings to be made and certified by the reporter and filed with the clerk of the court, and a certified duplicate of such transcript to be filed with the warden or superintendent of the institution to which the person is committed. The cost of such transcript, at the rate of \$.50 per

25-line page for the original and \$.15 per 25-line page for the duplicate, shall be paid for by the county. Every reporter, upon the request of any party to an action or proceedings, shall make a typewritten transcript, and as many copies thereof as such party requests, of the testimony and proceedings reported by him in such action or proceeding, or any part thereof specified by such party, the transcript and each copy thereof to be duly certified by him to be a correct transcript thereof. For such transcripts the reporter shall be entitled to receive fees from the party requesting the same, at the rate of \$.60 per 25-line page for the original and \$.20 per 25-line page for each copy; but when such request is by the state or any political subdivision thereof, the fees of the reporter shall be at the rates provided in sub. (2). A reporter may make a special charge for furnishing typewritten transcripts of testimony and proceedings from day to day during the progress of any trial or proceeding. A page of transcript shall consist of any 25 or more consecutive typewritten lines, double-spaced, on paper not less than 8 1/2 inches in width, with a margin of not more than 1 1/2 inches on the left and five-eighths of an inch on the right; type shall be standard pica with 10 letters to the inch. Questions and answers shall each begin a new line. Indentations for speakers or paragraphs shall be not more than 15 spaces from left margin.

Transcript

Format rules are set out above in connection with transcript fees.

WYOMING

Wyoming Statutes 1957 Annotated, as amended through 1969.

Rules 5-77

Each district court judge must appoint one reporter to serve at the judge's pleasure until the end of the judge's term. The reporter is subject to the control of the judge, and can be removed for omission, neglect of duty, misconduct, etc. No one ~~may~~ be appointed without a certificate of proficiency from the state. The reporter takes an oath and posts a \$1,000 bond, and receives a salary of \$9,000 per year, according to a state employees' schedule in Section 9-3-2. The judge may hire a suitable and competent substitute, at the same pay, with the same duty and authority. The reporter is to stand in constant attendance on the judge, and to take full stenographic notes of all proceedings, and others as directed by the judge. He also serves as a stenographer to the judge. Notes are to be preserved for 10 years, and transcripts are to be furnished on request, for a fee of \$.75 per 25-line page of original, and \$.40 per page of copy.

Transcript

Apparently no rules governing format.

