

# Court Reporters and Transcripts

## Resources:

- [CJA 4-201](#)
- [CJA 5-202](#), [CJA 5-203](#)
- Utah Code Sections [78A-2-408](#) and [78A-2-409](#)
- [Utah Rules of Appellate Procedure Rule 11 and Rule 12](#)
- [Website for public access to requests and form](#)
- [Section 12-01.00](#) Per Diem Rates

## Purpose:

To outline the accounting policies and procedures regarding payment of court reporter services when approved by the court and describe the transcript ordering process.

## Policy:

### ***Certified Court Reporter in a Capital Case***

1. The trial court executive or an attorney for either party in a capital case can request that a court reporter be present to make a verbatim record of court hearings and other proceedings ordered by the court.
  - a. "Request to Schedule a Court Reporter (capital case)" must be submitted to and signed by the judge.
  - b. The court reporter must be an individual contracted and approved by the Administrative Office of the Courts.
  - c. The trial court executive will schedule an approved court reporter to perform the work described in the contract. The TCE will also submit "Attachment B-Scheduling Terms and Conditions."
  - d. Upon request for an official transcript, court reporter will transcribe her or his notes in the format prescribed by CJA 5-203.
  - e. The court reporter shall file in the court in which the hearings were held a printed transcript, certified in accordance with Rule of Appellate procedure 12 and Utah Code Section 78A-2-409, and an electronic file of the transcript in Adobe Portable Document Format (PDF) with the transcript coordinator.

- f. The AOC will pay \$100 for every half-day or any part thereof to make a verbatim record of hearings and court-ordered proceedings in the case.
- g. The transcript fee established by Utah Code Section 78A-2-408 will be paid by the person or party requesting that the transcript be prepared.
- h. Overnight lodging is permitted upon the approval of the district court administrator. Lodging for the night before the hearing is permitted, unless round-trip travel on the day of the hearing is practical.
- i. The court will reimburse the expense of a private vehicle at the current state rate for every mile over 50 miles based on the distance calculated by "Google Maps" between the courthouse and the court reporter's home base.
- j. Reimbursement for meals is permitted if overnight lodging is permitted. The court will reimburse for breakfast if travel begins before 5:59 a.m. The court will reimburse for lunch if travel includes the noon hour. The court will reimburse for dinner if travel ends after 6:00 p.m. Refer to Section [12-01.00 Per Diem Rates](#) for reimbursement rates.
- k. The court will pay the invoice in accordance with the contract within 30 days after the court reporter submits an invoice with receipts. No receipts are required for meals. No receipts are required for private vehicle mileage reimbursement.

### ***Certified Court Reporter in a Non-Capital Case***

- 1. Upon request in any civil case or non-capital criminal case, the court may permit a party to schedule a certified court reporter.
  - a. A "Request to Schedule a Court Reporter (non-capital case)" that includes the "Acceptance of Terms and Conditions to Appoint Court Reporter" signed by the proposed certified court reporter must be submitted to and approved by the judge.
  - b. The court reporter must be licensed in Utah and is selected by the requesting party.
  - c. The requesting party is responsible for all costs associated with the court reporter's services.

### ***Audio/Video Record of Court Proceedings***

Hearings and other proceedings in the Utah State Courts rely exclusively on digital audio recordings, and in a few locations, video recordings. Rule located under CJA 4-201.

## ***Court Hearing Transcripts***

1. Written transcripts of Juvenile, District or Appellate Court hearings are completed by Licensed Utah Court Reporters via the digital audio/video recordings in the courtrooms.
  - a. Upon request from court website, attorneys, participating parties, and members of the general public can obtain a written transcript of any court hearing.
  - b. Exceptions to available transcripts include “Private” and “Sealed” hearings.
    - i. Only attorneys and parties to the specific court case can obtain a copy of a hearing transcript related to a “Private” case.
    - ii. Transcripts of “Sealed” hearings can only be obtained after the Juvenile, District or Appellate court Judge in the specific case has issued an order to “unseal” that particular hearing, or portion of the hearing.

## ***Online Transcript Requests***

1. Requests for hearing transcripts are submitted through the Utah Court website, by selecting “Create Transcript Request” within the “Written Transcript” box.
  - a. Before beginning the submission of a transcript request, the requester will need the following information:
    - i. Requesters relation to the case, requester’s phone number, address and email address.
    - ii. Case name, number, name of judge presiding, and district location.
    - iii. Hearing date(s), time it was heard, and courtroom location.
  - b. After submitting a transcript request, requester will receive an email with an assigned request number for reference purposes.
  - c. Once the Transcript Coordinator has received and verified the accuracy of the requester’s information, it will be assigned to a Utah Licensed Court Reporter who is on the Official Court Transcriber list found on the court website. Rule located under CJA 5-202.
  - d. The requester will receive an email notifying them of the transcriber assigned to the request and how to contact them.
  - e. Shortly after receiving the assigned request the transcriber will contact the requester to make payment arrangements directly. Payments are not funded through the court.
  - f. The transcriber will not begin work on the transcript until satisfactory arrangements for payment have been made.
  - g. The requester has an option to choose their needed turnaround time, which includes 24-hour, 1-3 days or 30-day completion times. Requests for expedited transcripts are the responsibility of the requester to specify by selecting the expedited transcript box on the request page.

- h. The transcriber will compile the transcript according to the format established under CJA 5-203.
- i. When the transcript is completed and paid for, the transcriber will e-file a certified transcript with the trial court as part of the courts official record. They will also provide a PDF copy to the requester.
- 2. A transcript prepared by any other means is not an official transcript and cannot be used for court purposes.

### ***Responsibility for Payment of Transcript***

- 1. Costs are established under Utah Code Section 78A-2-408 and can be found on the court's website.
- 2. When a private citizen or attorney request transcripts, they have the sole responsibility to make payment arrangements with the Court Reporter before transcription begins. 78A-2-408(4)(b)
- 3. If a person requesting transcripts is appointed counsel then payment of transcripts is the responsibility of the Utah Indigent Defense Commission.
  - a. Funds are released to the Court Reporter who produced the transcript after they have submitted an invoice to the Commission. Utah Code Section 78B-22-203
- 4. An indigent party without appointed counsel can motion the court for payment of transcripts under URCP Rule 7(m) or choose to transcribe it themselves using URAP Rule 11(f)
  - b. If the motion for payment of transcripts is granted by the courts then the responsibility of payment falls on the Utah Indigent Defense Commission to satisfy the invoice provided to them by the Court Reporter. 78B-22-203(3)(a)
- 5. When court personnel request a transcript on behalf of a Judge, the responsibility for payment falls on the District Court associated with the requesting judge, unless otherwise ordered by the court. 78A-2-408(3)(a)
  - c. Funds are released to the Court Reporter who produced the transcript after an invoice is submitted to the respective District Court. Utah Code Section 78A-2-408(4)(b)