

**39<sup>th</sup> Jud. Dis. R. Jud. Adm. 4001. Scope of Rules and Policy.** These Local Rules of Judicial Administration governing court reporting and transcripts shall be read and construed with the Pennsylvania Rules of Judicial Administration 4001-4016, pertaining to the same subject matter.

**39<sup>th</sup> Jud. Dis. R. Jud. Adm. 4007. Requests for Transcripts.**

(a) All requests for transcripts shall be set forth on a standardized Request for Transcript form provided by the Court Administrator of Pennsylvania. The Request for Transcript form can be downloaded from the Franklin County website at [www.franklincountypa.gov](http://www.franklincountypa.gov) or the Fulton County website at [www.co.fulton.pa.us](http://www.co.fulton.pa.us) or a copy can be obtained at the district court administrator's office.

(b) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the district court administrator. The requesting party shall also serve copies of their request to:

- (1) the presiding judge,
- (2) the court reporter or courtroom technician assigned to the proceeding,
- and
- (3) opposing counsel, but if not represented, the opposing party.

(c) Non-ordinary transcripts in the form of expedited, daily, and/or same day transcripts are generally not available. If a party wishes to request a non-ordinary transcript, the party shall file a motion with the appropriate records filing office and serve a copy of the motion upon the presiding judge and the district court administrator at least 10 days prior to the proceeding or a scheduled pre-trial/scheduling conference, whichever occurs first. The time limit for filing may be waived by the presiding judge. The presiding judge shall rule upon the motion, in the absence of the presiding judge, the President Judge shall rule upon the motion.

(d) When a party requests a transcript,

- (1) the party ordering the transcript shall make a non-refundable, partial payment of 90% of the estimated total cost of the transcript. The payment deposit shall be paid by cash, money order, certified check, or law firm check made payable to Franklin County, and shall be delivered to the district court administrator.

(2) Upon receipt of the 90% deposit, the court reporter(s) or courtroom technician assigned to the proceeding shall be directed by the district court administrator to prepare the transcript.

(3) The court reporter or courtroom technician shall notify the ordering party and the district court administrator upon completion of the transcript and shall indicate the balance due.

(4) Final payment shall be paid by cash, money order, certified check, or law firm check made payable to Franklin County, and shall be delivered to the district court administrator. Upon payment of any balance owed, the court reporter(s) or courtroom technician shall deliver the original transcript to the appropriate records filing office and copies to the parties.

**39<sup>th</sup> Jud. Dis. R. Jud. Adm. 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof.**

**(a) Costs**

(1) The costs payable by a requesting party, other than the parties referenced in subdivision (a)(3), for an original transcript in electronic format shall not exceed:

(i) for a transcript for which an accelerated delivery is not requested, \$2.50 per page,

(ii) for an expedited transcript, \$3.50 per page,

(iii) for a daily transcript, \$4.50 per page, and

(iv) for same day delivery, \$6.50 per page.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) plus a surcharge of \$0.25 per page.

(3) The Commonwealth or a subdivision thereof shall include Franklin and Fulton Counties, the district attorneys for Franklin and Fulton Counties, the public defenders for Franklin and Fulton Counties, and conflict counsel or court appointed criminal counsel who are paid by Franklin and Fulton Counties. The costs payable by a requesting party under this paragraph for an original transcript in electronic format shall not exceed:

(i) \$1.00 per page.

(ii) Where a party under this paragraph requests an expedited transcript, daily transcript, or same day delivery, such a request shall be approved by the President Judge, and the fee per page shall not exceed \$2.50.

(4) Court Orders and Court requests for transcripts. There shall be no fee paid for transcribing or preparing dictated court orders, or transcripts requested solely by the Court.

*Comment:* The first requestor of a transcript is obligated to pay for the original transcript, which is filed with the court, plus the copy rate of the records filing office if the requestor desires a personal copy (subject to any cost sharing with additional parties.) Many attorneys/parties prefer to read paper transcripts, including condensed transcripts, and these rules do not inhibit the practice. However, when a condensed paper transcript is ordered by a party, the surcharge of \$0.25 per page in Pa. R.J.A. 4008(A)(2) shall refer to \$0.25 per sheet of paper, regardless of the number of pages of transcript on the sheet. However, the parties shall pay the per page copy rate as established by the applicable records filing office. There is no entitlement to expedited, daily, or same day delivery of transcripts. Those services are only available where provided by the judicial district and when the court reporter or courtroom technician has that capability.

**(b) Economic hardship, fee waiver.** A party requesting a fee waiver for the costs of transcripts shall follow the guidelines and utilize the procedure set forth in Pa. R.J.A. 4008(B).

**(c) Assignment and allocation of transcript costs.** Allocation of costs for transcripts shall be in accordance with Pa. R.J.A. 4008(C).

*Comment:* It is the intent of this provision that all parties who receive a transcript should share equitably in the costs. If two parties receive the transcript, they would each pay their share of the cost of the original transcript that is filed with the court, with each party paying for their copy. In cases where a party qualifies for a free or reduced price transcript, any other party paying full price pays only their proportionate share of the full price, with the judicial district absorbing the cost of the free or reduced price transcript. In the event parties cannot informally agree to equitably share in the costs of the preparation of a transcript and copies, the court shall determine the equitable share of costs each party shall pay.

**(d) Copies of transcript.**

(1) A party requesting a copy of any transcript previously ordered, transcribed and filed of record shall file a request with the applicable records filing office. The copy fees shall be paid to the applicable records filing office. Costs for a copy shall not exceed:

- (i) \$0.75 per page bound, paper format, and,
  - (ii) \$0.50 per page electronic copy.
- (2) Although not generally available, if a request for a copy of an expedited transcript is made which copy cannot be provided by the applicable records filing office, the costs for preparation by a court reporter or courtroom technician with the approval of the presiding judge shall not exceed:
  - (i) \$1.00 per page bound, paper format, and,
  - (ii) \$0.75 per page electronic copy.
- (3) Although not generally available, if a request for a copy of a daily transcript is made which copy cannot be provided by the applicable records filing office, the costs for preparation by a court reporter or courtroom technician with the approval of the presiding judge shall not exceed:
  - (i) \$1.25 per page bound, paper format, and,
  - (ii) \$1.00 per page electronic copy.
- (4) Although not generally available, if a request for a copy of a same day transcript is made which copy cannot be provided by the applicable records filing office, the costs for preparation by a court reporter or courtroom technician with the approval of the presiding judge shall not exceed:
  - (i) \$1.50 per page bound, paper format, and,
  - (ii) \$1.25 per page electronic copy.
- (5) All copy fees imposed under subdivisions (d)(2)-(4) shall be paid to the District Court Administrator or their designee.

*Comment:* With respect to a non-party (i.e., general public) request for a copy of a transcript, Pa. R.J.A. 4007(D)(4) anticipates that the records filing offices of the judicial district are the proper custodians of court case records and transcripts. Pa. R.J.A. 4008(D)(1) provides that the cost charged to the public for a transcript copy that has been filed of record shall not exceed \$0.75 per page, regardless of the form or location in which the transcript is filed or stored. The copy rates in Pa. R.J.A. 4008(D)(2), (3), and (4) reflect the additional work necessary to deliver a transcript on an expedited schedule, but once the original transcript is filed with the appropriate records filing office, the copy rate in (D)(1) is to apply.

**(e) Additional Costs.**

- (1) No transcript or related costs may be charged to the parties or the public other than those listed in subdivisions (a), (c) and (d).
- (2) Pursuant to Pa. R.J.A. 4008(E), the presiding judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other

unusually complex litigation, where there is a need for a court reporter or courtroom technician to significantly expand his/her dictionary.

(3) To the extent it is available, a reasonable fee may be charged for a secure electronic feed which instantaneously delivers the translated notes from the court reporter or courtroom technician to a laptop, tablet, phone, or other portable electronic device via cable, wifi, router, or Bluetooth to parties, the media, or other interested individuals. There shall be no fee charged to the Court for such a connection.

(4) All fees imposed under subdivisions (e)(2)-(3) shall be paid to the District Court Administrator or their designee.