



## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

### POLICY FOR COURT-APPROVED LIST OF OFFICIAL REPORTERS PRO TEMPORE

#### I. Purpose

Parties have the right to arrange, at their own expense, for the presence of a court reporter if the services of an official court reporter are not available for a proceeding (Gov. Code § 68086 & Cal. Rules of Court [CRC], rule 2.956). The Superior Court maintains a *Court-Approved List of Official Reporters Pro Tempore* (SDSC Form #ADM-321) (List) to provide court users with contact information for court-approved official reporters pro tempore.

#### II. Policy

- A. The court will establish and maintain a list of court-approved official reporters pro tempore who have met the requirements and qualifications established by the court.
- B. The List will initially only include those San Diego Superior Court official court reporters who request to be on the List who are in good standing but whose services have been discontinued for budgetary reasons.
- C. Reporters identified on the List may report hearings without a stipulation by the parties, but the court must order the reporter appointed as an official reporter pro tempore for each proceeding reported.
- D. Reporters on the List—while approved providers—are not court employees. Approved official reporters pro tempore are not under contract to, or provided by the court. The court periodically ensures reporters on the List continue to meet the criteria for eligibility to remain on the list. However, the court does not evaluate, supervise, or otherwise monitor the reporters, nor does the court endorse any reporter on the List over another reporter on the List.
- E. Parties contracting with official reporters pro tempore are fully responsible for making arrangements and are solely responsible for the payment, scheduling, and performance of the reporter.
- F. Parties are not obligated to select a reporter from the List when privately retaining a reporter; it is provided as a courtesy to assist parties.
- G. The List will be made available electronically to all judicial officers, courtrooms, and business offices for use in the event that a reporter's approved status is disputed. The List will be publicly available on the court's Internet site, randomized daily, to allow parties to contact approved reporters.
- H. Inclusion on the List.
  1. To request inclusion on the List, a reporter must submit the following:
    - a. A completed, signed *Court-Approved Official Reporters Pro Tempore Agreement* (SDSC Form #ADM-314).
    - b. Copy of California Certified Shorthand Reporter (CSR) license.
  2. Minimum Requirements to be placed on the List:
    - a. Pass a skills test. The court has full discretion to develop and administer the test, and to determine the pass/fail criteria. Testing may be waived for court reporters previously employed by the court or at the discretion of the court.
    - b. Agree to comply with the court's requirements regarding uploading electronic notes as stated in *Official Reporter Pro Tempore Electronic Notes Upload/Archiving Policy* (SDSC Form #ADM-319), including uploading each day's stenotype notes to the court's vendor (ACORN) by 1:30 p.m. the next business day, or in the case of illness or emergency, as soon as practicable thereafter.

- c. Maintain a current CSR license; provide his/her CSR number; and be in good standing with the Court Reporters Board of California.
  - d. Comply with the statutes and rules applicable to official reporters pro tempore.
  - e. Not be a regular employee of the court. Note: "Per Diem" reporters, who have an Independent Contractor Agreement with the court, are not considered regular employees and are eligible to be on the List.
  - f. Provide and maintain current contact information with the court.
  - g. Be available for immediate (within 30 minutes) read-back of notes.
  - h. Indicate to the court if she or he provides real-time.
  - i. Transcribe and prepare in proper form all transcript requests, including appeals, in a timely manner.
  - j. Demonstrate compliant appeal transcript production (by including date of most recent appeal transcript file and the case #).
  - k. Absence of delinquent transcript in the last six months of full-time employment with the San Diego Superior Court, if applicable.
3. Requests to be included on the List may be but are not required to be considered on a monthly basis. Incomplete requests will not be processed.
  4. The decision to include a reporter on the List is subject to the court's sole discretion. The decision regarding a reporter's inclusion is final. No explanation or formal evaluation is required.
  5. Reporters must notify the court immediately if they no longer provide the service, if they are no longer eligible for inclusion on the List, or if any of their contact information changes.
- I. Active Status and Removal
1. To remain on the List, reporters must:
    - a. Maintain current contact information with the court.
    - b. Confirm their eligibility every 12 months and provide a copy of their CSR license.
    - c. Remain in good standing with the Court Reporters Board of California.
  2. Conditions for removal from the List include, but are not limited to, the following:
    - a. Failure to maintain a valid CSR license.
    - b. Failure to timely file appeal transcripts.
    - c. Failure to follow transcript format.
    - d. Failure to timely archive notes with the court.
    - e. Failure to provide updated contact information.
    - f. Other failure of good conduct.
  3. Reporters must follow the initial request process to be included on the List again after being removed.
  4. The court will assess a reporter's eligibility to remain on the List on a periodic basis throughout the year and may, in its sole discretion, remove any reporter who is no longer eligible for inclusion. Such monitoring may include, but is not limited to a review of the timely uploading of notes, review of sanctions or order to show cause hearings, the timeliness of transcripts provided to the Court of Appeals, and the maintenance of a CSR license.
  5. The court may, in its sole discretion, remove any reporter from the List at any time, and without cause, notice or explanation. This decision is final and is not subject to appeal.
- J. Maintaining and Coordinating the List
- All inquiries and requests for inclusion on the List should be directed to [CR.List.Coordinator@SDCourt.CA.Gov](mailto:CR.List.Coordinator@SDCourt.CA.Gov)