



SAN DIEGO SUPERIOR COURT

Official Reporters Pro Tempore - Frequently Asked Questions

Q: Who pays for privately-retained court reporters?

A: Payment for court reporting services for proceedings at which the court no longer provides such services (see *Policy Regarding Normal Availability and Unavailability of Official Court Reporters* [SDSC Form #ADM-317]) is the responsibility of the party(ies) arranging for the court reporter.

Q: How much do court reporters charge for their services?

A: The court does not monitor or oversee the private contractual arrangements that parties make with court reporters who report proceedings. This applies regardless of whether the party contracts with a reporter from the *Court-Approved List of Official Reporters Pro Tempore* (SDSC Form #ADM-321) or from any independent source.

Q: Are court reporter fees waived for indigent litigants?

A: In cases where the court no longer provides court reporters, indigent litigants are not entitled to have the court provide or pay for a court reporter based on a fee waiver. Fee waivers apply only to fees charged by the court. They do not apply to court reporter fees and costs in cases where the court is not providing the court reporter. Privately retained court reporters are independent from the court, and are allowed to charge indigent litigants for their services.

Q: What is the benefit of contracting with a reporter from the *Court-Approved List of Official Reporters Pro Tempore* (SDSC Form #ADM-321)?

A: Reporters appearing on the court-approved list have met certain requirements and minimum qualifications established by the court. In addition, reporters selected from this list can report hearings without the need for the parties to stipulate to the reporter.

Q: If I contract with a reporter who is on the *Court-Approved List of Official Reporters Pro Tempore*, does an *Appointment of Official Reporter Pro Tempore* (SDSC Form #ADM-316) need to be filed?

A: An *Appointment of Official Reporter Pro Tempore* (SDSC Form #ADM-316) needs to be completed and signed for every matter for which a court reporter is privately retained, whether that reporter is on the court-approved list or not. Party(ies) or the reporter must provide the completed form to the clerk before the proceeding begins.

Q: Do I need to file the *Appointment of Official Reporter Pro Tempore* (SDSC Form #ADM-316) before the proceeding?

A: The *Appointment of Official Reporter Pro Tempore* (SDSC Form #ADM-316) must be completed and signed by the reporter and turned in to the clerk before the proceeding begins so that time is not spent completing the form during valuable court time. If the reporter is not on the court-approved list, the parties must complete the stipulation. Before the reporter can report, the judge must order them appointed as an official reporter pro tempore for the proceeding.

Q: Is an *Appointment of Official Reporter Pro Tempore* (SDSC Form #ADM-316) good for the duration of the case?

A: An *Appointment of Official Reporter Pro Tempore* (SDSC Form #ADM-316) is good for the duration of the case, as long as the same reporter is used.

Q: If the parties stipulate to a court reporter is the stipulation good for the duration of the case?

A: Yes, so long as the parties continue to use the same court reporter.



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Q: What if I or my attorney participates in the hearing via phone? May I orally stipulate to the court reporter?

A: Yes. Parties appearing through Court Call or otherwise by telephone may stipulate orally, which stipulation should be noted in a minute order.

Q: How many reporters can report a hearing? What if the other parties in my case do not agree about who should be the court reporter at the hearing?

A: There can only be one official record of the proceedings (Code of Civ. Proc. §273; *Redwing v. Moncravie*, (1934) 138 Cal. App. 432, 434). Only one reporter will be allowed to report a court proceeding at any given time. The court expects parties to come to an agreement prior to the proceeding as to reporting services. If the parties cannot agree on a reporter, the judge will make the selection. Proceedings will not be delayed due to disagreement among the parties as to the selection of the court reporter.

Q: How do I order transcripts of the hearing?

A: Contact the court reporter who reported the hearing.

Q: What if I can't arrange for a court reporter to report my hearing?

A: Parties are expected to make arrangements for court reporters *in advance* of their hearings. Whether the parties will be allowed to continue a hearing in order to secure the appearance of a court reporter will be at the discretion of the judicial officer presiding over the matter.

Q: What if the court reporter I arranged for doesn't show up or is late?

A: Arranging for a court reporter is solely the responsibility of the parties, and back-up plans should be arranged. Whether the parties will be allowed to continue a hearing in order to secure the appearance of a court reporter will be at the discretion of the judicial officer presiding over the matter.

Q: Will the court provide a reporter if I don't have time to arrange for one?

A: No. If the case is one for which the court does not provide a reporter (see *Policy Regarding Normal Availability and Unavailability of Official Court Reporters* [SDSC Form #ADM-317]), it is the responsibility of the party(ies) to arrange for a reporter.

Q: I am a licensed certified shorthand reporter. How can I get on the court-approved list?

A: Initially, the list will only include those San Diego Superior Court official court reporters who are in good standing but whose services have been discontinued for budgetary reasons. A notice will be posted on the court's website when the court begins accepting applications from other reporters.

Q: Does the court require that the reporter report in real-time?

A: The court does not have a requirement that reporters report in real-time, however, in most courtrooms, it is preferred.

Q: Will the court provide technical support to the reporter to set up their equipment?

A: No. The court is not in a position to provide any technical support to reporters.

Q: Will the reporter have access to power in the courtroom?

A: The reporter may or may not have access to power in the courtroom, so reporters must be prepared to operate solely on battery power.



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Q: What are the configuration requirements for real-time?

A: The court provides judicial officers with a stand-alone laptop with West Case Notebook (Formerly LiveNote) and Bridge2 software loaded. Reporters may connect using one of the three following connectivity options:

- 9-Pin Serial Cable with USB adapter.
- 9-Pin Serial Cable with the following configuration:
 - Bits per second: 2400
 - Data bits: 8
 - Parity: None
 - Stop bits: 1
 - Flow control: None
- Bluetooth Receiver and Bluetooth USB device and Device driver software. Wireless connections are not available.

It is solely the responsibility of the reporter to configure the cable or Bluetooth receiver with the correct COM Port to connect to the court laptop. The court does not provide technical support and the court is not responsible for viruses, malware, or adware that could be potentially transmitted between devices.

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