

## **FAQ – REQUEST FOR TRANSCRIPT FORM**

### **Completion of Form – CASE INFORMATION**

- Complete the Case Caption, Docket Number, Presiding Judge, Courtroom, Date of Proceeding and Court Reporter name if known. Check the type of proceeding and answer yes or no if the request is associated with an appeal. Check yes or no if it involves a Children’s Fast Track matter.

**Does a Notice of Appeal have to be filed before I can check the Yes box? YES** – Court Administration will check the docket to make sure that an appeal has been filed. This is important because if the request is for a case on appeal, the court reporter has 14 days in which to complete the transcript instead of the 30 days for all other transcripts.

**What is a Children’s Fast Track matter?** Children’s Fast Track appeal is defined in Rule of Appellate Procedure 102 as any appeal from an order involving dependency, termination of parental rights, adoptions, custody or paternity.

### **Completion of Form – REQUESTOR INFORMATION**

- Complete your information. Identify your client or check the box if Self-Represented or if you are not a party to the case. Please include your email address and telephone number.
- If you are court-appointed, check the Yes box.
- If you think you qualify for a reduced rate, check the Yes box.

**Who qualifies as a court-appointed counsel?** If the court has appointed you to represent a party and the court is paying for the attorney fees, then you should check the Yes box to identify you as a court-appointed attorney.

**How do I know if I qualify for a reduced rate?** If you think you qualify for a reduced rate, you must file a Petition to Waive Costs for all or a Portion of Transcript Costs in the appropriate filing office at the same time you file the Request for Transcript. The judge will rule on this Petition and the transcript will not be started by the Court Reporter until a decision is made about the reduced rate request. You can obtain a Petition and Instructions in the Self-Help Center located on the 4<sup>th</sup> floor of the courthouse or online at <http://www.dauphincounty.org/government/Court-Departments/Self-Help-Center/Pages/default.aspx>.

**Is there a different process if I am represented by Legal Aid or an attorney pro bono?** Your attorney should attach a copy of the ‘Praecipe to Proceed *In Forma Pauperis*’ in accordance with Rule of Civil Procedure 240(i) to the Request for Transcript Form.

## Completion of Form – Transcript Items Requested

- Please check the appropriate box(es) to identify what portion of the proceedings you request to be transcribed.

**What box do I check if I am only requesting a rough draft?** Check the ‘OTHER’ box and write rough draft.

## Completion of Form – Private Party Transcript Delivery and Cost

- If you are representing a private party, please identify whether you are requesting an ordinary, expedited, daily or same-day transcript.

**What is an ordinary transcript?** Ordinary transcript is defined in the Rules of Judicial Administration as a transcript necessary for an appeal or to otherwise advance litigation. If the case is on appeal, the court reporter must provide the transcript within 14 days. If the case is not on appeal, the court reporter must provide the transcript within 30 days.

**What is an expedited transcript?** Expedited transcript means a transcript delivered within 72 hours of an official request, not including weekends or official court holidays. If a private party requests an expedited transcript, the cost must be paid in full before the court reporter will begin the transcript.

**What is a daily transcript?** Daily transcript means a transcript delivered within 18 hours of an official request, not including weekends or official court holidays. If a private party requests a daily transcript, the cost must be paid in full before the court reporter will begin the transcript.

**What is a same-day transcript?** Same-day transcript means transcripts delivered within 6 hours of the close of the court session divided by morning and afternoon with the line of demarcation being lunch or mid-day recess.

**Who can request an expedited, daily, or same-day transcript?** Private parties or their attorneys can request these transcripts. These requests are usually seen in complex civil litigation and the request is made at least ten (10) days before the proceeding commences. An oral request can be made at the proceeding and it is in the judge’s discretion whether to grant this request, and the judge will normally consult the chief court reporter to see if it is feasible.

**Can a government attorney or court-appointed attorney request an expedited, daily or same-day transcript?** Generally, no. However, if a government attorney or court-appointed attorney makes the request, they should attach a supplement explaining why the transcript is needed outside of the normal time frames (14 days for an appeal or 30 days for ordinary transcripts).

If you are representing a private party, please identify if you want to receive the transcript electronically or if you want a paper copy.

**Can a government attorney or court-appointed attorney choose between receiving the transcript electronically or by paper?** No, the government attorney or court-appointed attorney will always receive their copy electronically.

- If you just want a copy of a transcript that has already been filed in the appropriate filing office, check the 'YES' box.

### **Completion of Form -- Supplement Page**

- Enter the date you need the transcript by. This is not guaranteed depending on the workload of the Court Reporters' Office and the length of transcript and type of proceeding. If the transcript is needed for an appeal, the Rules of Judicial Administration require that the transcript be completed within 14 days. If the transcript is not associated with an appeal but is needed to advance the litigation, the transcript must be completed within 30 days. Our court reporters will do their best to accommodate requests for delivery of transcripts outside of these timeframes.
- Enter the contact information completely for each opposing counsel and/or self-represented litigant.

### **GENERAL QUESTIONS**

**Where do I file the Request for Transcript form?** You file the Request for Transcript Form in the appropriate filing office. If you are requesting a transcript from a civil, divorce, or custody proceeding, you file the form in the Prothonotary's Office. If you are requesting a transcript from a criminal, juvenile delinquency or dependency proceeding, you file the form in the Clerk of Court's Office. If you are requesting a transcript from an Orphans' Court matter, you file the form in the Clerk of the Orphans' Court Office. If you are requesting a transcript from a child or spousal support matter, you file the form in the Domestic Relations Office.

**Who should receive a copy of the Request for Transcript form?** After you have filed the original Request for Transcript form with the appropriate filing office, deliver a stamped copy to the presiding judge, the Court Reporters' Office, and to the 3<sup>rd</sup> floor Deputy Court Administration Office. You should also serve a copy on all counsel and/or self-represented parties.

**Do I need to file a Certificate of Service regarding the Request for Transcript form?** No.

**Do I still have to file a Motion for Transcript?** No.

**Does the assigned judge have to approve the Request for Transcript?** No.

**What happens after a private party files the Request for Transcript form and delivers the copies?** Court Administration will check to see if the Request for Transcript form was filed in the appropriate filing office and also if a notice of appeal has been filed. Court Administration will then notify the court reporter. The court reporter will contact the Requestor and all other counsel or self-represented parties to ascertain who would like a copy of the transcript. The court reporter will ask for a contact person's information so that billing and preparation of the transcript is not delayed. You should list the person who will be processing the payment and not necessarily the attorney as this can delay delivery of the transcript if payment is delayed or not received. The court reporter will give the estimated page count and a list of who would like a copy of the

transcript to Court Administration. Court Administration will calculate the deposit amount (95%) and prepare an invoice to send to all parties requesting a copy of the transcript.

**How is the deposit calculated?** This depends on the number of parties who would like a copy of the transcript. The estimated number of pages is multiplied by the per page cost. Added to this is the per page copy amount per additional requestor. This total is divided by the number of parties requesting a copy of the transcript.

**Who is made payee of the check and where should the deposit check be delivered?** All checks should be made payable to the County of Dauphin. All checks should be delivered to the 3<sup>rd</sup> floor Deputy Court Administrator's Office.

**Are personal checks accepted for payment?** No. Law firm checks, certified checks, money orders and cash (exact change required) are the only acceptable forms of payment. If payment is made in cash, you must have the exact amount. No change is available.

**How long do I have to pay the deposit?** Seven (7) days from date of notification by Court Administration.

**What happens if I do not pay the deposit timely?** An order will be entered dismissing the Request for Transcript for non-payment of the deposit.

**When will the court reporter be notified to begin working on the transcript?** When the deposit is received.

**What happens if not all of the parties who order a copy of the transcript pay the deposit?** If the deposit is not paid by all requesting parties, the final amount due will be recalculated and the original estimate will be amended to reflect the balance split between the remaining parties.

**When will the original transcript be filed and copies distributed to all ordering parties?** The original transcript will be filed with the appropriate filing office and the copies will be distributed to all ordering parties when payment is received in full by all parties.

**What do I do if I need transcripts of multiple court events?** Each court event will need to be on a separate Request for Transcript Form.

**What happens if the requesting party no longer needs the transcript after deposit has been made, will the deposit be refunded?** No.

**Is there a different procedure in place when the requester wants an expedited, daily or same-day transcript?** For an expedited transcript request when the proceeding has already taken place, the entire cost of the transcript must be paid in full before the court reporter is directed to complete the transcript. This is necessary to expedite the work-flow process.

For a daily or same-day transcript request in advance of a proceeding, the court reporter will estimate the number of pages for the entire court proceeding. The court reporter will contact all other parties to see if they want a daily or same day transcript. This information will be relayed to Court Administration who will calculate the deposit which is

95% of the total estimated amount. The deposit is due on the first day of the court proceeding. At the end of the proceeding, the court reporter will give the final page count to Court Administration who will bill the requesting parties for the difference or if initial page number estimate was too high, a refund will be processed.

**How do I request a copy of a transcript that has been already prepared and filed in the appropriate filing office?** A Request for Transcript form should be filed in the appropriate filing office. A copy should be delivered to the 3<sup>rd</sup> floor Deputy Court Administrator's Office. After payment is received, the Court Administrator's Office will deliver a copy of the transcript to the requestor unless the file or transcript is sealed and not available for public inspection. Certain types of cases are automatically sealed such as Protection from Abuse cases, cases filed in Orphans' Court, juvenile delinquency and dependency cases, or cases/transcripts sealed by Order of Court.

**If I represent a municipality or government entity, what is the per page rate?** The rate is \$2.25 a page.

**How is the page-rate calculated when the requesting party is represented by a Pro Bono attorney, a government attorney, or the party has been granted permission to pay a reduced fee or no fee and the other party is represented by private counsel?** The page rate is \$2.25 a page plus the per page copy rate. Private counsel would be charged half of the total cost.

**How long are Raw Notes of Testimony kept?** The Record Retention and Disposition schedule states as follows:

#### 4.3.1 Raw Notes of Testimony

(a) Raw notes of testimony are those on paper tapes and/or other media in the original state in which they existed when taken at the time of testimony. Consistent with Pa.R.J.A. 5000.13(b) once transcribed, raw stenographic notes may be destroyed 60 days after filing. Raw notes that have not been transcribed may be destroyed seven years from the date of testimony.