

DRAFT

**STANDARDS OF OPERATION
AND BEST PRACTICES**

FOR

MAKING THE COURT RECORD



Prepared by the Official Court Records Subcommittee, a
subcommittee of the Nevada Supreme Court's Commission on
Preservation, Access, and Sealing of Court Records

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INTRODUCTION

An accurate record of all court proceedings is an essential requirement of the due process of law. The judicial officer shall determine which method(s) of recording court proceedings are to be used based upon current economic issues, availability of reporters and recorders, and other relevant factors.

STANDARDS OF OPERATION AND BEST PRACTICES¹ FOR COURT REPORTING SERVICES IN NEVADA'S COURTS²

A “standard of operation” is a *mandatory* practice and a “best practice” is a *suggested* practice for adoption in all courts in order to improve the quality, timeliness, usability, and efficiency of making the court record.

I. OFFICIAL RECORD

Standards of Operation

Official Record means the certified verbatim transcript, which is the written record of court proceedings except:

- A. In the absence of a certified verbatim transcript, the certified court reporter/recorder notes or the sound recording shall be the official record.
- B. When a proceeding in a court is simultaneously recorded by multiple means, the judicial officer shall determine which recording is the official record, and the judicial officer’s decision shall be noted on the record.
- C. When the record is prepared by sound recording per [NRS 3.380](#), the sound recording is the official record of the proceeding, unless it fails or is incomplete because of equipment or operational failure, in which case the record prepared by the certified court reporter shall be deemed, for all purposes, the official record of the proceedings. [NRS 3.380 \(6\)](#)

II. OWNERSHIP OF THE RECORD

Standard of Operation

The court shall be the owner of all certified court reporters’ notes or sound recordings made by an official reporter of the court or court recorder or other person designated by the judicial officer.

III. QUALIFICATIONS FOR CREATING THE OFFICIAL RECORD

Standards of Operation

Certified Court Reporter

- A. Court employees or contractors providing stenographic services for the courts must have achieved and must maintain the designation of Certified Court Reporter (CCR) as defined by

¹ Information was obtained from Florida’s *Standards of Operation and Best Practices for Court Reporting Services*; Michigan’s *Official Court Reporter/Recorder Manual*; Iowa’s *Digital Audio/Visual Recording Technology (DART) Committee Report*; Colorado’s Chief Justice Directive 05-03, Amended June, 2009, Supreme Court of Colorado’s *Management Plan for Court Reporting and Recording Services*; South Dakota’s I.P. Rule 2004-03; and the National Association for Court Management *Making the Verbatim Court Record Manual*.

² A list of definitions may be found in Appendix A.

Nevada Revised Statute (NRS) [CHAPTER 656](#), court rule, regulations of the [Nevada Certified Court Reporters Board](#), and the Nevada Administrative Code (NAC) [CHAPTER 656](#).

- B. Court reporting employees and contract service providers shall meet all professional standards and training requirements established by NRS [CHAPTER 656](#), court rule, regulations of the [Nevada Certified Court Reporters Board](#), and the Nevada Administrative Code (NAC) [CHAPTER 656](#).

Voice Writer*

- A. Court employees or contractors providing voice writing services for the courts must have achieved and must maintain the designation of Voice Writer as defined by Nevada Revised Statute (NRS) [CHAPTER 656](#), court rule, and regulations of the [Nevada Certified Court Reporters Board](#).
- B. Voice writer employees and contract service providers shall meet all professional standards and training requirements established by NRS [CHAPTER 656](#), court rule, and regulations of the [Nevada Certified Court Reporters Board](#).

**Please note, if voice writing services are used in a proceeding, the judicial officer shall ensure that the use of the voice writer is not a distraction to the proceeding.*

Court Recorders and Transcriptionists

- A. Court employees or contractors currently working for the court as of the effective date of the order approving the standards of operation and best practices manual, and who are providing digital court reporting or transcript services for the courts, shall achieve and maintain certification with the [American Association of Electronic Reporters and Transcribers, Inc. - Electronic Court Reporting and Transcribing \(AAERT\)](#)³ within two years from the effective date of the order approving the standards of operation and best practices manual.⁴
- B. Court employees or contractors who are providing digital court reporting or transcript services for the court, and who are hired after the effective of the order approving the standards of operation and best practices manual, shall obtain certification within two years from their hire date.

³ AAERT will maintain a list of Nevada-certified members and can share this information with the courts.

⁴ Current (2011) costs associated with AAERT certification: \$125 a year membership fee, \$45 for the certification test study guide, \$150 per certification test. Certificates granted by AAERT: CER**D (certified electronic and digital court reporter), CET**D (certified electronic and digital court transcriber), and CERT**D (certified electronic and digital court reporter and transcriber). The total cost for membership, study guide, and one test is \$320. AAERT charges \$75 to re-test. The costs to achieve CER**D and CET**D is \$470. Once a person is certified by AAERT, the certification will remain in effect unless the person is no longer a member in good standing with AAERT. AAERT does not require continuing education credits; however, they do offer them and maintain a record of the CE credits. AAERT's Certification Committee is presently reviewing and working towards online certification and a recertification program. Please go to <http://www.aaert.org/?page=CertificationInfo> for current costs associated with certification.

IV. APPOINTMENT AND DUTIES OF COURT REPORTERS AND COURT RECORDERS⁵

Standards of Operation⁶

District Courts

NRS 3.320 Official reporter: Appointment; duties.⁷

1. The judge or judges of any district court may appoint, subject to the provisions of this chapter ([NRS Chapter 3](#)) and other laws as to the qualifications and examinations of the appointee, one certified court reporter, to be known as official reporter of the court or department and to hold office during the pleasure of the judge appointing the official reporter. The appointee may be any business organization license by the Board if the person representing the business organization, who actually performs the reporting service, is a certified court reporter.
2. The official reporter, or any one of them if there are two or more, shall:
 - (a) At the request of either party or of the court in a civil action or proceeding, and on the order of the court, the district attorney or the attorney for the defendant in a criminal action or proceeding, make a record of all the testimony, the objections made, the rulings of the court, the exceptions taken, all arraignments, pleas and sentences of defendants in criminal cases, and all statements and remarks made by the district attorney or judge, and all oral instructions given by the judge; and
 - (b) When directed by the court or requested by either party, within such reasonable time after the trial of the case as may be designated by law or, in the absence of any law relating thereto, by the court, transcribe the record into a written transcript. The reporter shall certify that the action or proceeding was correctly reported and transcribed and, when directed by the law or court, shall file the written transcript with the clerk of the court.
3. As used in this section, “Board” means the Certified Court Reporters’ Board of Nevada, created by NRS 656.040.

NRS 3.340 Official Reporter: Attention to duties; reporter pro tempore.

The official reporter of any district court shall attend to the duties of office in person except when excused for good and sufficient reason by order of the court, which order shall be entered upon the minutes of the court. Employment in his or her professional capacity elsewhere shall not be deemed a good and sufficient reason for such excuse. When the official reporter of any court has been excused in the manner provided in this section, the court may designate an official reporter pro tempore who shall perform the same duties and receive the same compensation during the term of his or her appointment as the official reporter.

⁵ Please see the Tier Implementation Table at the end of this manual for a guideline of methods district, justice, and municipal courts may use to make the record for various proceedings.

⁶ AB 249 was approved by the Governor and became effective May 29, 2011. AB 249 amended NRS 3.320, NRS 3.340, NRS 3.360, NRS 3.370, NRS 3.380, NRS 4.410, and NRS 4.420. The language in the Standards of Operation and Best Practices Manual reflects the amended language in AB 249; therefore, the language in the manual may not match the Nevada Revised Statute until the statute language is updated by the Legislative Council Bureau.

⁷ The Commission recommends that ALL civil proceedings be digitally recorded, whether or not the party or attorney has requested a record of the proceeding be made by a court reporter or court recorder. Current statute does not require courts to make a record in a civil proceeding unless the party or attorney requests and pays for a court reporter or court recorder. If a party or attorney decides after the civil proceeding that he or she would like an official record of the civil proceeding, the party or attorney may make the request through the court and pay the appropriate fees. The court reporter or court recorder in the department where the civil proceeding was heard would be given the option to produce the official transcript for the party or attorney.

NRS 3.350 Official Reporter: Oath of Office.

The official reporter of any court, or official reporter pro tempore, shall, before entering upon the duties of office, take and subscribe the constitutional oath of office.

NRS 172.215 Proceedings After Commitment and Before Indictment.⁸

1. Whenever criminal causes are being investigated by the grand jury, it shall appoint a certified court reporter. If the certified court reporter is not an official reporter of the district court, the certified court reporter, shall, before entering upon his or her duties, take and subscribe the constitutional oath of office. The certified court reporter is entitled to receive the same compensation for services as an official reporter of the district court.
2. Except as otherwise provided in subsection 3, the certified court reporter shall include in the notes taken of a grand jury proceeding all criminal matters which come before the grand jury including:
 - (a) The charge by the impaneling judge;
 - (b) Any subsequent instructions or statements made by the judge;
 - (c) Each statement made by the district attorney;
 - (d) Each question asked of and response given by the witnesses who appear before the grand jury; and
 - (e) Any statements made by the grand jurors during the proceeding.
3. The certified court reporter shall not include in his or her notes:
 - (a) Any confidential communication between a witness and the witness's legal counsel, if the legal counsel is allowed to accompany the witness before the grand jury; or
 - (b) The deliberations and voting of the grand jury.

Limited Jurisdiction Courts

NRS 4.390 Required for Certain Proceedings.

Proceedings in each justice court must be recorded by using sound recording equipment except where the board of county commissioners of the county in which the court is located authorizes, and the justice of the peace appoints, a certified court reporter to take down the proceedings in the same manner and with the same effect as in a district court.

NRS 4.400 Operation of Equipment; Transcription of Recordings; Use of Transcript.

1. Each justice of the peace shall appoint and, with the approval of the board of county commissioners, fix the compensation of a suitable person, who need not be a certified court reporter and may have other responsibilities in the court to operate the sound recording equipment. The person so appointed shall subscribe to an oath that the person will so operate it as to record all of the proceedings.
2. The justice of the peace may designate the same or another person to transcribe the recording into a written transcript. The person so designated shall subscribe to an oath that the person has correctly transcribed it. The transcript may be used for all purposes for which transcripts are used and is subject to correction in the same manner as other transcripts.

⁸The Commission recommends adding “or court recorder” to the language in NRS 172.215. This would allow district courts the option of using either a court reporter or a court recorder to make the record in grand jury proceedings. Currently, the statute states that only certified court reporters may be appointed. The court recorder would be required to monitor the proceeding. This would provide the judicial officers the flexibility of using court recorders as well as certified court reporters for grand jury proceedings.

Justice Court Rules of Civil Procedure Rule 80

- (a) Proceedings on the Record – Method. Proceedings which are required by law or rule to be on the record in each justice court must be recorded by using sound recording equipment or be reported by a certified shorthand reporter who shall take down the proceedings in the same manner and with the same effect as in a district court.
- (b) Sound Recording Operator. Whenever sound recording equipment is used to record proceedings, the justice shall appoint a suitable person to operate the sound recording equipment and such person shall subscribe to an oath that the person will so operate it as to record all of the proceedings to which the person is assigned and to preserve the tapes.⁹
- (c) Sound Recording Transcription. Whenever sound recording equipment is used to record proceedings the justice shall designate a suitable person to transcribe the recording into a typewritten transcript and such person shall subscribe to an oath that the person has correctly transcribed the recording. Such oath shall be affixed at the end of each transcript.
- (d) Proceedings on the Record—Designation.¹⁰ The following proceedings in each justice court shall be conducted on the record:
 - (1) Preliminary hearings on gross misdemeanor and felony cases;
 - (2) Traffic trials;
 - (3) Misdemeanor trials;
 - (4) Coroner’s inquests;
 - (5) Extradition waiver hearing; and
 - (6) Any other proceedings as required by statute or court order or may be properly requested by any of the parties to the action.
- (e) Proceedings on the Record— Transcript as Evidence. Proceedings recorded or reported shall be transcribed into typewritten transcripts, certified as correct and filed with the clerk or justice, as required by these rules or by statute. Whenever the testimony of a witness at a trial or hearing which was recorded or reported is admissible in evidence at a later trial, such testimony may be proved by the transcript thereof duly certified by the person who reported the testimony or the person who transcribed the sound recordings tapes.

NRS 171.198 Reporting Testimony of Witnesses (Preliminary Hearings)¹¹

- 1. Except as otherwise provided in subsection 2, a magistrate shall employ a certified court reporter to take down all the testimony and the proceedings on the hearing or examination and, within such time as the court may designate, have such testimony and proceedings transcribed into typewritten transcript.
- 2. A magistrate who presides over a preliminary hearing in a justice court, in any case other than in a case in which the death penalty is sought, may employ a certified court reporter to take down all the testimony and the proceedings on the hearing or appoint a person to use sound recording equipment to record all the testimony and the proceedings on the hearing. If the magistrate appoints a person to use sound recording equipment to record the testimony and proceedings on the hearing, the testimony and proceedings must be recorded and transcribed in the same manner as set forth in [NRS 4.390 to 4.420](#), inclusive. Any transcript of the testimony and proceedings produced from a recording conducted pursuant to this subsection is subject to the provisions of this section in the same manner as a transcript produced by a certified court reporter.

⁹ The Commission recommends updating the language in JCRCP Rule 80 (b) to read “recordings” instead of “tapes.”

¹⁰ The Commission recommends adding subsection (6) [Protection order hearings](#) to the list of proceedings on the record under JCRCP Rule 80 (d). The current subsection (6) will become subsection (7).

¹¹ The Commission recommends adding “court recorder” to NRS 171.198. Currently, court recorders are allowed to make the record in district court if the death penalty is being sought, but court recorders cannot make the record during preliminary hearings in limited jurisdictions if the death penalty is sought. The court recorder would be required to monitor the proceeding.

3. When the testimony of each witness is all taken and transcribed by the reporter, the reporter shall certify to the transcript in the same manner as for a transcript of testimony in the district court, which certificate authenticates the transcript for all purposes of this title (NRS Title 14- Procedure in Criminal Cases).
4. Before the date set for trial, either party may move the court before which the case is pending to add to, delete from or otherwise correct the transcript to conform with the testimony as given and to settle the transcript so altered.
5. The compensation for the services of a reporter employed as provided in this section are the same as provided in [NRS 3.370](#), to be paid out of the county treasury as other claims against the county are allowed and paid.
6. Testimony reduced to writing and authenticated according to the provisions of this section must be filed by the examining magistrate with the clerk of the district court of the magistrate's county, and if the prisoner is subsequently examined upon a writ of habeas corpus, such testimony must be considered as given before such judge or court. A copy of the transcript must be furnished to the defendant and to the district attorney.
7. The testimony so taken may be used:
 - (a) By the defendant; or
 - (b) By the State if the defendant was represented by counsel or affirmatively waived his or her right to counsel,
↳ upon the trial of the cause, and in all proceedings therein, when the witness is sick, out of the State, dead, or persistent in refusing to testify despite an order of the judge to do so, or when the witness's personal attendance cannot be had in court.

**Please note, if a municipal court¹² is considered a court of record per [NRS 5.010](#), please refer to [NRS 5.073](#).*

V. OVERSIGHT

Standards of Operation

- A. All judicial officers or designees shall be responsible for the administration of any court reporting service in their court or department, as well as the timeliness of the production of transcripts, whether on appeal or for other purposes. The judicial officer or designee shall have in place a process to monitor transcript production. This responsibility may extend to effective management of the court's court reporters or court recorders.
- B. Court reporting employees and contract service providers are officers of the court and must comply with all applicable Nevada statutes, court rules, and other requirements established by the judicial officer.

¹² Currently, Boulder City, Fallon, Mesquite, Yerington, and North Las Vegas Municipal Courts are not considered courts of record. North Las Vegas Municipal Court is working with the city to have the city ordinance changed so the court may become a court of record.

VI. ELIMINATING ANALOG RECORDING¹³

Best Practice

Courts should refrain from utilizing analog audio recording and should attempt, where practical, to replace analog with digital recording capability.

VII. RECORDING OF PROCEEDINGS¹⁴

Best Practices*

A. Oral Language Court Interpreters

A recording should be made and maintained of those portions of court proceedings where an oral language court interpreter is used for testimony, regardless of whether a court reporter is also reporting the proceedings by stenographic means. The audio recording should be maintained in the same manner as court reporters' notes.

B. Interpreters and Realtime Captioning Providers¹⁵

Where a Realtime Captioning Provider is used for testimony as outlined in [NRS Chapter 656A](#), regardless of whether a court reporter is also reporting the proceedings by stenographic means, the unedited notes from the testimony of the Realtime Captioning Provider should be preserved by the court. The realtime captioning notes should be maintained in the same manner as court reporters' notes, but the realtime captioning notes should be clearly labeled and filed separately to avoid confusion regarding which is the official record.

C. Sign-Language Interpretation

In those proceedings where a sign-language interpreter is used and the court is equipped with video recording equipment, those portions of the proceedings should be video-recorded, regardless of whether a court reporter is also reporting the proceedings by stenographic means. The video recording should be maintained in the same manner as the court reporters' notes.

**Please note, any attorney/client conversations/discussions considered confidential would not be a part of the official court record and should be sealed or redacted as appropriate.*

¹³ A survey was sent to all Nevada trial courts in August of 2010 asking what type of recording system each court was using to make the record. Incline, Lund, Wells, and Wadsworth Justice Courts, as well as Carlin Justice/Municipal Court reported they are using tape/analog systems to record the record and are not equipped with a digital recording system. The Ninth Judicial District is not equipped with a digital recording system as of 3/28/11, but they are working with the AOC. The Third Judicial District in Churchill County currently does not have a digital recording system but should have one installed by June/July 2011. The Family Court and Department 1 at the Second Judicial District Court are equipped with a digital audio/video recording system (JAVS) but the Departments 3/4/6/7/8/9/10/15 are not equipped with any digital audio and/or video system. The Eighth Judicial District Court's Department 19, the Complex Litigation Center, is not equipped with a digital audio and/or video system and is still using a Lanier tape cassette.

¹⁴ The Commission recommends Section VII as a best practice versus a standard of operation since current technology may not allow the courts to isolate the oral language or sign-language interpretation. Oral language interpreters may speak directly into a machine or may interpret simultaneously, which would make it difficult or impossible to isolate the interpretation. In regards to sign-language interpreters, not all courts are equipped with video recording equipment; therefore, it may not be possible for the courts to video-record the sign-language interpreter. Also, many of the digital audio and/or video systems' cameras are voice-activated and would not focus on the sign-language interpreter, unless they were near the person speaking.

¹⁵ Realtime Captioning Providers offer Communication Access Realtime Translation (CART), which is a word-for-word speech-to-text interpreting service for people who need communication access. CART addresses the communication access needs of people who are Deaf, deaf, late-deafened or hard-of-hearing as required by the Americans with Disabilities Act.

VIII. AUDIOTAPES/VIDEOTAPES AS EVIDENCE

Standards of Operation

- A. Reporting of Audio/Video Recordings: Generally, audio/video recordings played in court are entered as an exhibit in a proceeding. Since such recordings are under the direct control of the court, audio/video recordings need not be transcribed unless otherwise instructed to do so by the judicial officer. When an audio/video recording is played in court the court reporter or court recorder shall indicate the beginning log number where the tape starts, the summary phrase “audio tape or videotape played” and the ending log number where the playing of the tape stops.
- B. If an audio recording is played as evidence and excerpts of the audio are played in court, log numbers shall reflect the beginning and conclusion points of the entire audio recording.
- C. If a witness narrates a video as it is being played, log numbers shall be reflected at the beginning and conclusion of the video only.

IX. OPERATING DIGITAL AUDIO AND/OR VIDEO RECORDING EQUIPMENT

Standards of Operation

- A. Digital and/or audio recording systems shall comply with standards established by each court for digital audio and/or video court recording.
- B. Courts shall implement procedures for regular testing of digital and/or audio court recording systems to ensure proper operation.
- C. Courts using electronic recording methods shall establish standardized training for judges, hearing officers, and staff.¹⁶

NRS 3.380 Sound recording equipment: Installation; operation; transcription of recording; use of transcript; provision by party of certified court reporter; effect. EXCERPT

1. The judge or judges of any district court may, with the approval of the board of county commissioners of any one or more of the counties comprising such district, in addition to the appointment of a court reporter as in this chapter provided, enter an order for the installation of sound recording equipment for use in any of the instances recited in [NRS 3.320](#), for the recording of any civil and criminal proceedings, testimony, objections, rulings, exceptions, arraignments, pleas, sentences, statements and remarks made by the district attorney or judge, oral instructions given by the judge and any other proceedings occurring in civil or criminal actions or proceedings, or special proceedings whenever and wherever and to the same extent as any of such proceedings have heretofore under existing statutes been recorded by the official reporter or any special reporter or any reporter pro tempore appointed by the court.
2. For the purpose of operating such sound recording equipment, the court or judge may appoint or designate the official reporter or a special reporter or reporter pro tempore or the county clerk or clerk of the court or deputy clerk. The person so operating such sound recording equipment shall subscribe to an oath that he or she will well and truly operate the equipment so as to record all of the matters and proceedings.

¹⁶ National Association for Court Management, *Making the Verbatim Court Record*, at 13 (June 2007), available to order on <http://www.nacmnet.org/miniguide.html>.

3. The court may then designate the person operating such equipment or any other competent person to listen to the recording and to transcribe the recording into written text. The person who:
 - (a) Transcribes the recording shall subscribe to an oath that he or she has truly and correctly transcribed the proceedings as recorded.
 - (b) Operates the sound recording equipment as described in subsection 2 shall:
 - (1) Subscribe to an oath that the sound recording is a true and accurate recording of the proceedings; and
 - (2) In the event of an error, malfunction or other problem relating to the sound recording equipment or the sound recording, report that error. Malfunction or problem to the court.

NRS 4.400 Operation of equipment; transcription of recordings; use of transcript. EXCERPT

Each justice of the peace shall appoint and, with the approval of the board of county commissioners, fix the compensation of a suitable person, who need not be a certified court reporter and may have other responsibilities in the court to operate the sound recording equipment. The person so appointed shall subscribe to an oath that the person will so operate it as to record all of the proceedings.

X. DUTIES AND RESPONSIBILITIES OF COURT RECORDER

Standards of Operation

- A. The court recorder is responsible for producing a record of all proceedings in the court to which he or she has been assigned. The court recorder must produce the clearest possible recording of proceedings and must keep a written (handwritten, typed, or computer-generated) log of events in the proceeding. Satisfactory performance of the system depends almost entirely on the court recorder's understanding of the procedures outlined and his or her conscientious application of these procedures to his or her work in the court.
- B. Planning and preparing for each day is a mandatory function. The court recorders shall have readily available all necessary supplies for producing an accurate and clear recording and for creating log notes. To ensure a quality recording will be made, the court recorder must allow enough time before the proceeding begins to pretest the recording equipment and all microphones.
- C. Each department shall have an instruction sheet and troubleshooting information readily available.
- D. The tapes or compact disk (CDs) shall be properly labeled along with log notes and other accompanying information that the transcriber needs to produce a complete and accurate typed transcript of the proceedings. The court recorder must maintain a log of the proceedings. To assure the quality of the audio recording and the completeness of the log material, the court recorder may need to ask people to speak into a microphone, to speak louder, or to spell their names or the names of people or places they are talking about. It is highly recommended that the court recorders have the headphones on at all times and that the court recorder listens to the recording, not the source. This ensures the digital audio and/or video equipment is properly recording the proceeding.

Best Practices

At a minimum, the court recorder should know how to:

1. Effectively conduct confidence monitoring of the recording system;
2. Know courtroom procedures, legal terminology, and other technical vocabulary;
3. Produce accurate and detailed log notes;
4. Protect the record under the direction of the judicial officer, which may include instructing lawyers and litigants to speak into microphones and identify themselves; stopping conversations or other extraneous noise that might interfere with an accurate recording, and asking the judge to recess the proceedings when necessary to adjust or repair the recording system; and
5. Have legal-secretarial, writing, computer, grammatical, and verbal skills necessary to assist judicial officers to produce a certified verbatim transcript when requested.

XI. DUTIES OF THE JUDICIAL OFFICER

Standards of Operation

- A. The judicial officer shall ensure that an adequate record of the proceedings has been made by:
 1. Maintaining court decorum to permit an accurate record to be recorded;
 2. Notifying participants of the method of the recording being utilized;
 3. Reminding participants to speak into the microphones at a sufficient volume, and to answer clearly and audibly;
 4. Calling the case by name and number and type of proceeding initially, and when switching from one case to another;
 5. Reminding all participants to properly identify themselves and to spell their names for the record;
 6. Reminding participants to remain close to microphones and to be aware of “dead” areas for both audio and video;
 7. Announcing on the recording if a sidebar conference is to be recorded;
 8. Reminding counsel, when necessary, to remain within an appropriate distance of microphones;
 9. Signifying when it is appropriate for attorneys to utilize mute buttons;
 10. Reminding participants not to make excessive noises that interfere with the recording such as rustling papers, tapping fingers on microphones, etc.;
 11. Reminding participants that only one person should speak at any time;
 12. Recessing periodically during lengthy proceedings so that court reporters and court recorders may remain alert and effective; and
 13. Notifying court administration, the clerk, or contract service provider if equipment has been tampered with or is not functioning.
- B. Once a recording of the proceeding is being made, the recording equipment shall remain in operation until the proceeding has concluded.

XII. PARTICIPANTS' RESPONSIBILITIES

Best Practices

- A. Courts should memorialize in writing the responsibilities of all participants during a proceeding to ensure the quality of the official record.

- B. Attorneys should inform their clients of the method of recording being utilized and take necessary precautions to protect disclosure of confidential communications during the proceeding.
- C. Court reporters and court recorders should monitor equipment during a proceeding to ensure adequate operation and immediately notify the presiding judicial officer of problems with the equipment.
- D. Bailiffs and marshals should ensure that all participants refrain from tampering with equipment including the inappropriate use of microphone mute buttons or the unauthorized removal of microphones from their original location.

XIII. PREVENTING THE RECORDING OF CONFIDENTIAL COMMUNICATIONS

Best Practices

- A. Courts should post signs inside and outside all rooms in which proceedings are recorded using audio and/or video technology. The sign should provide notice to all who enter that any conversations occurring in the room may be recorded.
- B. Courts should post signs at attorney tables within rooms in which audio and/or video technology is used to record proceedings. The signs should caution attorneys and their clients that their conversations may be recorded.
- C. Courts should install microphones with “hold-to-mute” capability for those microphones used by attorneys or presiding judicial officers.
- D. Courts should conduct periodic training for stakeholders commonly coming into contact with the use of audio and/or video recording technology. The training should include a description of how the technology is operated and tips for effective courtroom behavior specific to the stakeholders.
- E. Courts should distribute and/or make readily available audio and/or video recording resource material (i.e., pamphlets, guide books, operator manuals, etc.) for stakeholders to assist with ensuring the quality of the official record.

XIV. TRANSCRIPT PRODUCTION FOR THE COURTS

Standards of Operation

- A. It is primarily the responsibility of every judicial officer or person so designated to make certain that the court reporter, court recorder, or transcriber timely prepares and files transcripts pursuant to Nevada statutes [NRS 189.010 to 189.030](#), [NRS 172.225](#), [NRS 171.198 \(6\)](#), [JCRCR Rule 80](#), and [Nevada Rules of Appellate Procedure](#) (NRAP).
- B. Court reporters, court recorders, and transcribers shall notify the court when they encounter poor-quality recordings. The court shall establish procedures to ensure these reports are investigated and any problems are remedied.¹⁷
- C. If a concordance indexing key words in the transcript is requested by the court or counsel, the court reporter, court recorder, or transcriptionists shall not charge more than the current statutory per-page rate as outlined in [NRS 3.370](#).
- D. Compensation for the production of transcripts is set forth in [NRS 3.370](#),¹⁸ [NRS 4.410](#), and [Nevada Rules of Appellate Procedure](#) (NRAP).

¹⁷ See Appendix B for an example of the Electronic Recording Evaluation Sheet.

NRS 3.380 Sound recording equipment: Installation; operation; transcription of recording; use of transcript; provision by party of certified court reporter; effect. EXCERPT

3. The court may ... designate the person operating such equipment or any other competent person to listen to the recording and to transcribe the recording into written text. The person who:
 - (a) Transcribes the recording shall subscribe to an oath that he or she has truly and correctly transcribed the proceedings as recorded.
 - (b) Operates the sound recording equipment as described in subsection 2 shall:
 - (1) Subscribe to an oath that the sound recording is a true and accurate recording of the proceedings; and
 - (2) In the event of an error, malfunction or other problem relating to the sound recording equipment or the sound recording, report that error, malfunction or problem to the court.
4. The transcript may be used for all purposes for which transcripts have heretofore been received and accepted under then existing statutes, including transcripts of testimony and transcripts of proceedings as constituting bills of exceptions or part of the bill of exceptions on appeals in all criminal cases and transcripts of the evidence or proceedings as constituting the record on appeal in civil cases and including transcripts of preliminary hearings before justices of the peace and other committing magistrates, and are subject to correction in the same manner as transcripts under existing statutes.
5. If a proceeding is recorded and a transcript is requested, a copy of the sound recording must, if requested, be provided with the transcript. The cost for providing the sound recording must not exceed the actual cost of production and must be paid by the party who requests the sound recording.
6. In civil and criminal cases when the court has ordered the use of such sound recording equipment, any party to the action, at the party's own expense, may provide a certified court reporter to make a record of and transcribe all the matters of the proceeding. In such a case, the record prepared by sound recording is the official record of the proceedings, unless it fails or is incomplete because of equipment or operational failure, in which case the record prepared by the certified court reporter shall be deemed, for all purposes, the official record of the proceedings.

NRS 12.015 Actions involving indigent persons. EXCERPT

3. If the person is required to have proceedings reported or recorded, or if the court determines that the reporting, recording or transcription of proceedings would be helpful to the adjudication or appellate review of the case, the court shall order that the reporting, recording or transcription be performed at the expense of the county in which the action is pending but at a reduced rate as set by the county.

¹⁸ The Commission recommends adding paragraph 8 to NRS 3.370. The new language would read, “The court is entitled to compensation from the parties as outlined in subsection 1(d) and for reimbursement for any transcripts prepared pursuant to 1(c), 1(e)(2) and 1(f)(2) if the court provides the reporting, recording and/or transcribing services rather than utilizing an outside person who is entitled to be compensated under this statute.”

NRS 3.360 Official reporter: Report prima facie evidence.

The transcript of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of such testimony and proceedings¹⁹.

Justice Court Rules of Civil Procedure Rule 80 (c)²⁰ EXCERPT

(c) Sound Recording Transcription. Whenever sound recording equipment is used to record proceedings the justice shall designate a suitable person to transcribe the recording into a typewritten transcript and such person shall subscribe to an oath that the person has correctly transcribed the recording. Such oath shall be affixed at the end of each transcript²¹.

Best Practices

When proceedings have been digitally recorded and a certified verbatim transcript of the proceedings has been requested:

1. Courts should assign a staff member to act as a transcript coordinator to ensure timely production of transcripts for appellate proceedings. This staff member should be familiar with the rules and practices involved in transmitting the verbatim record to the appellate court.
2. The certified verbatim transcript should be prepared by a court reporter, court recorder, or a court-approved transcriptionist.
3. Courts should establish an application process to approve transcriptionists that are not court employees.
4. Courts should maintain a list of court-approved transcriptionists²².

XV. PROCEDURE WHERE TRANSCRIPT DEFECTIVE

Standards of Operation

NRS 189.035 Procedure Where Transcript Defective.²³

1. Except as provided in subsection 2, if the district court finds that the transcript of a case which was recorded by sound recording equipment is materially or extensively defective, the case must be returned for retrial in the justice court from which it came.
2. If all parties to the appeal stipulate to being bound by a particular transcript of the proceedings in the justice court, or stipulate to a particular change in the transcript, an appeal based on that transcript as accepted or changed may be heard by the district court without regard to any defects in the transcript.

¹⁹ See Appendix C for example of certification of transcript.

²⁰ The Commission recommends adding language to the first sentence of Justice Court Rules of Civil Procedure, Rule 80 (c). “Whenever sound recording equipment is used to record proceedings and a transcript is ordered or required, the judicial officer shall designate a suitable person...”

²¹ See Appendix C for example of attestation.

²² See Appendix D for an example of court-approved transcriptionists.

²³ The Commission recommends adding municipal court to both Subsections 1 and 2. Subsection 1 would read, “The case must be returned for retrial in the municipal or justice court from which it came.” Subsection 2 would read, “If all parties to the appeal stipulate to being bound by a particular transcript of the proceedings in the municipal or justice court...”

XVI. ORDERING ORIGINAL TRANSCRIPTS AND COPIES OF TAPES OR DIGITAL RECORDINGS²⁴ OF THE PROCEEDING

Standards of Operation

- A. All official, original transcripts shall be ordered through the court.
- B. Only audio/video recordings transcribed by a court reporter, court recorder, or court-approved transcriptionist and certified as the verbatim transcript shall be considered the official record of the proceeding.
- C. Each court shall establish proposed local court rules outlining the procedures for that particular court for ordering transcripts, tapes, or digital recording disks²⁵ and then submit a copy of those local rules for review and approval by the Nevada Supreme Court.
- D. Original transcripts may be ordered from the courts following the procedures below:
 - 1. Courts shall provide the requesting party request forms for transcripts. Blank forms can be procured from the court as set forth by each court. The completed form must be sent to the address listed on the form for the appropriate court.
 - 2. The person ordering transcripts will be contacted directly by the court reporter or court recorder concerning payment of the appropriate fees. Transcripts will not be started, and the time limits stated for delivery of the transcripts will not commence, until satisfactory arrangements are made with the court reporter or court recorder for the payment of required fees.
 - 3. It is the requestor's responsibility to properly pay or obtain a court order approving waiver of fees in ordering of the transcripts. The requestor also must obtain, and the court reporter, court recorder, or transcriber must produce, a dated receipt for the payment. This is to avoid any dispute as to the date, manner, or fact that payment has been made.
- E. Copies of all or part of tapes or digital records (CD-ROM) may be ordered in those courts that are able to provide this service. The court may, based upon each court's local court rules, reproduce tapes or create CDs on its own duplicating equipment and may sell copies of electronic sound recordings. The court may sell a whole or partial copy of the proceeding to the public, if available on CD, disks, or tape. The cost for providing a whole or partial copy of the proceeding must not exceed the actual cost of production.
- F. Courts shall establish protocols for producing copies of audio/video recordings in accordance with standards established by Nevada statute and local court rules. These protocols shall include, but are not limited to, procedures preventing the release of:
 - 1. Off-the-record discussions;
 - 2. Sidebar conferences and attorney-client conversations; and
 - 3. Any other information that is considered confidential.
- G. The court shall ensure the accuracy of the recording and provide certification of the recording's correctness.
- H. The copy of the electronic recording shall not constitute an official record of the proceedings.

²⁴ The subcommittee was concerned that individuals may obtain a copy of the recorded proceeding and have the recording transcribed by anyone (whether they are qualified or not) and the transcript could be filed, in the court, as the official transcript. In researching this issue, the subcommittee found that Family Courts in the Eighth Judicial District and the First Judicial District already had a process and forms in place to prevent this from happening. The recommended procedure requires a person to fill out a form requesting a public copy of the CD. If a person wants a transcript of the recording, the person will be required to complete a Transcript Request Order and the court will forward the request to an approved court reporter, court recorder, or transcriber. It is also recommended that each court develop a list of approved court reporters, court recorders, and transcribers.

²⁵ See Appendix E for examples of forms courts may use to implement this process.

XVII. ORDERING COPIES OF ORIGINAL TRANSCRIPTS

Standards of Operation

- A. If a person requests a copy of a transcript that was produced by a court recorder or court transcriptionist, the Court may provide a copy of the transcript and charge the current fee for the copy that is set forth in NRS 19.013 for district courts, NRS 4.060 for justice courts, and NRS 5.073 for municipal courts.
- B. If a person requests a copy of a transcript that was produced by a certified court reporter, the Court may:
 - 1. Direct the person to contact the certified court reporter to obtain the copy, and the certified court reporter may collect the compensation that is set forth in NRS 3.370; or
 - 2. Charge in addition to the current fee for the copy that is set forth in NRS 19.013, NRS 4.060, and NRS 5.073, a fee for each page provided, which is equal in amount to the fee per page charged by the certified court reporter for the copy of the transcript as set forth in NRS 3.370. For each page provided, the court shall remit to the certified court reporter who transcribed the proceeding an amount equal to the fee per page as set forth in NRS 3.370. The court shall establish procedures to pay the certified court reporter on a monthly or quarterly basis.
- C. If a person requests a copy of a transcript that was produced by a certified court reporter and the court reporter cannot be located²⁶ within a reasonable time period, the court may create the copy and retain the fee.

XVIII. BACKLOGS OR PRODUCTION DELAYS

Best Practices

The judicial officer or designee is authorized to take necessary steps to reduce backlog transcripts, tape, or disk copy production delays. Such steps may include, but are not necessarily limited to:

- 1. Adjusting the workload of the court reporter, court recorder, or transcriber to reduce backlogs.
- 2. Terminating a contract with an outside vendor of transcription services and/or adding vendors of transcription services.

XIX. DISCIPLINARY ACTIONS/SANCTIONS²⁷

Standards of Operation

Certified Court Reporters

[NRS 656.250 Grounds for denial, suspension or revocation of certificate or license: Miscellaneous grounds.](#)

The Board may refuse to issue or renew or may suspend or revoke any certificate or license if the court reporter in performing or attempting to perform or pretending to perform any act as a court reporter has:

²⁶ A list of certified court reporters can be obtained by going to the Nevada Certified Court Reporters Board's website at: <http://crptr.state.nv.us/Ory-LicenseesFullList.asp>

²⁷ The Commission recommends creating a Supreme Court Rule that would allow all courts to sanction court reporters, court recorders, and transcriptionists when there has been an issue with the production of a transcript in either civil or criminal cases.

1. Willfully failed to take full and accurate stenographic notes of any proceedings;
2. Willfully altered any stenographic notes taken at any proceedings;
3. Willfully failed accurately to transcribe verbatim any stenographic notes taken at any proceedings;
4. Willfully altered a transcript of stenographic notes taken at any proceedings;
5. Affixed his or her signature to any transcript of his or her stenographic notes or certified to the correctness of such a transcript unless the transcript was prepared by the court reporter or was prepared under the court reporter's immediate supervision;
6. Demonstrated unworthiness or incompetency to act as a court reporter in such a manner as to safeguard the interests of the public;
7. Professionally associated with or loaned his or her name to another for the illegal practice by another of court reporting, or professionally associated with any natural person, firm, co-partnership or corporation holding itself out in any manner contrary to the provisions of this chapter ([NRS CHAPTER 656](#));
8. Habitually been intemperate in the use of intoxicating liquor or controlled substances;
9. Except as otherwise provided in subsection 10, willfully violated any of the provisions of this chapter ([NRS CHAPTER 656](#)) or the regulations adopted by the Board to enforce this chapter ([NRS CHAPTER 656](#));
10. Violated any regulation adopted by the Board relating to:
 - (a) Unprofessional conduct;
 - (b) Agreements for the provision of ongoing services as a court reporter or ongoing services which relate to the practice of court reporting;
 - (c) The avoidance of a conflict of interest; or
 - (d) The performance of the practice of court reporting in a uniform, fair and impartial manner and avoiding the appearance of impropriety.
11. Failed within a reasonable time to provide information requested by the Board as the result of a formal or informal complaint to the Board, which would indicate a violation of this chapter ([NRS CHAPTER 656](#)); or
12. Failed without excuse to transcribe stenographic notes of a proceeding and file or deliver to an ordering party a transcript of the stenographic notes:
 - (a) Within the time required by law or agreed to by verbal or written contract;
 - (b) Within a reasonable time required for filing the transcript; or
 - (c) Within a reasonable time required for delivery of the transcript.

Court Reporters' and Recorder's Duties and Obligations; Sanctions

Nevada Rules of Appellate Procedure (NRAP) Rule 13²⁸

- (a) Persons serving as court reporters or reporters pro tempore or court recorders in trials, proceedings, or hearings subject to Supreme Court review are, for such purposes, officers of the Supreme Court, and as such are accountable to the Supreme Court for the faithful performance of their duties and obligations. Subject to the provisions of [NRAP Rule 9](#), any person acting as a court reporter or reporter pro tempore or court recorder in a trial, proceeding, or other matter subject to Supreme Court review has a

²⁸ The Commission recommends adding language to the current Nevada Rules of Appellate Procedure, Rule 13, to include transcribers. The Commission recommends adding a new subsection (c), which would read, "[In the absence of a court reporter or reporter pro tempore or court recorder, subsection b shall apply to the transcriptionist.](#)" The current rule only addresses sanctions and disciplinary actions for court reporters, reporter pro tempore, or court recorders. Transcripts may be sent to outside transcribers; therefore, the rule should also apply to transcribers.

duty expeditiously to prepare, and punctually to deliver, all transcripts needed for such review; such person accordingly has a duty to refrain from undertaking further professional assignments that may unduly interfere with timely preparation and delivery of transcripts necessary for review of matters already heard; and where appropriate such person shall promptly notify every affected judge of the reporter's or recorder's consequent unavailability to report matters currently being heard, so that substitute reporters pro tempore or court recorders may be obtained.

- (b) Sanctions. For default in the professional obligations of any court reporter or reporter pro tempore or court recorder, if such default threatens or adversely affects the efficiency or integrity of the Supreme Court, appropriate sanctions will be imposed. The Supreme Court may, for reasons stated, enter an order (1) referring an apparent offending court reporter or reporter pro tempore to the Certified Court Reporters Board of Nevada for disciplinary action in accordance with the provisions of [Chapter 656](#) of the Nevada Revised Statutes; or (2) requiring an apparent offender to appear before the Supreme Court, or its designated master, to show cause why he or she should not be precluded from undertaking to act as a reporter or recorder in regard to any trial, proceeding, administrative hearing, or deposition, that is subject to Supreme Court review; why he or she should not be punished for contempt of court; and why damages should not be awarded to either or both parties, and to the State of Nevada, if loss of court time results.

XX. PROBATION; ADMINISTRATIVE FINE

Standards of Operation

NRS 656.257 Probation; administrative fine.

In addition to or in lieu of suspending, revoking or refusing to issue or renew the certificate of a court reporter or the license of a court reporting firm pursuant to [NRS 656.240](#), [656.250](#) or [656.253](#), the Board may, by a majority vote:

1. Place the court reporter or court reporting firm on probation for a period not to exceed 1 year; or
2. Impose an administrative fine against the court reporter or court reporting firm in an amount not to exceed \$5,000 for each violation for which the administrative fine is imposed.

XXI. STORAGE, RETENTION, ARCHIVING, AND PRESERVATION

Standards of Operation

- A. The courts shall retain the trial court record and notes of testimony in compliance with the Nevada Supreme Court's [Minimum Records Retention Schedules](#)²⁹, [NRAP Rule 10 and Rule 11](#), [NRS 4.420](#)³⁰, [JCRCP 80](#)³¹, and [NRS 656.335](#).³²

²⁹ Please see footnote 30 (below) for a detailed explanation of changes to NRS 4.420. The Commission recommends the language in the Supreme Court Minimum Retention Schedule for municipal and justice courts be changed so the language is consistent with the new language in NRS 4.420.

³⁰ AB 249 was approved by the Governor and became effective May 29, 2011. NRS 4.420 is hereby amended to read as follows:

1. Except as otherwise provided in this section:
 - (a) The sound recording of each proceeding in justice court must be preserved until at least 1 year after the time for filing an appeal expires.

- B. Each court must submit a copy of proposed local court rules and standards for the archiving, storage, and preservation of transcribed and un-transcribed notes of testimony, rough draft transcripts, reporter and recorder log notes, tapes, or other electronic or digital audio files, and any hardware, software, tools or dictionaries necessary for proper transcription to the Nevada Supreme Court for review and approval.³³
- C. Courts, contract service providers, and vendors of digital technology shall comply with all storage and retrieval standards for digital court recording as established by Supreme Court Rule and otherwise established by the local court rules.
- D. During the period of retention, paper or electronic notes shall be made available to the reporter of record, or to any other reporter or person the court may designate if the reporter of record is unavailable.
- E. All original and backup copies of recordings must be kept in a safe and controlled manner. If original or copies are kept in the court building, security measures must be employed so that original media cannot be tampered with or damaged. This includes court stenographer notes, indexes, or any other record that is kept in regard to a courtroom proceeding.
- F. At a minimum, courts' local rules and standards for the archiving, storage, preservation, and retention of transcribed and un-transcribed notes of testimony, rough draft transcripts, reporter and recorder log notes, tapes, or other electronic or digital audio files, and any hardware, software, tools or dictionaries necessary for proper transcription shall consist, of but not be limited to:
 - 1. Establish timeframes (daily, weekly, monthly) in which the court reporters are required to download their transcribed and un-transcribed notes of testimony, and any dictionaries necessary for proper transcription;
 - 2. Establish formats in which the court reporters are required to download their transcribed and un-transcribed notes of testimony and any dictionaries necessary for proper transcription. Example, PDF, ASCII, etc.;
 - 3. Courts, contract service providers, and vendors of digital technology shall maintain forward migration processes to guarantee future access to the digital court record;
 - 4. Courts shall employ "record over" protection in their archive and redundancy functions;

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- (b) With respect to a proceeding in justice court that involves a misdemeanor for which enhanced penalties may be imposed, a gross misdemeanor or a felony, the sound recording of the proceeding must be preserved for at least 8 years after the time for filing an appeal expires.
 - 2. If no appeal is taken, the justice of the peace may order the destruction of the recording at any time after the date specified in subsection 1.
 - 3. If there is an appeal to the district court, the sound recording must be preserved until at least 30 days after final disposition of the case on appeal, but the justice of the peace may order the destruction of the recording at any time after that date.

Prior to the approval of [AB249, NRS 4.420](#) only required the sound recording of each proceeding in justice court to be preserved until at least 30 days after the time for filing an appeal expires. The new language requires the sound recording be preserved for at least 1 year after the time for filing an appeal expires and 8 years in proceedings in justice court which enhanced penalties may be imposed.

³¹ It is recommended the language in JCRC Rule 80 subsection (f) be changed so that it is consistent with the preservation period in NRS 4.420. Currently the rule reads, "The sound recording tapes of each proceeding shall be preserved until at least 30 days after the time for filing an appeal has expired. If an appeal is not taken and the prescribed period has elapsed, the justice may order the destruction of the recording. If an appeal is taken, the tape shall be retained until at least 30 days after final disposition of the case on appeal. The justice may order the destruction of the recording at any time after that date. Upon order of the district court the tape recording shall be forthwith transmitted to the district court."

³² [NRS 656.335 Court Reporter to Retain Certain Notes for 8 Years.](#)

A court reporter shall retain his or her notes, whether or not transcribed, for 8 years if they concern any matter subject to judicial review. These notes must be kept in a manner which is reasonably secure against theft, tampering or accidental destruction.

³³ See Appendix F for an example of a court reporter acknowledgment concerning stenographic and electronic notes.

5. The system shall have security to control access;
6. If a court reporter is maintaining stenographic notes in a digital format, both the original notes and, if available, a plain-language translation shall be backed up to a system controlled by the court;
7. A standard file-naming format shall be established for digital audio recordings to ensure the court ability to accurately identify, retrieve, and use those records for the duration of their retention period;
8. Courtroom recordings shall be transferred regularly to a central location for archiving;
9. Multiple backups of the record shall be maintained for the life of the record.

XXII. FORMAT

Standards of Operation

Court reporters, court recorders, and transcribers shall follow formatting guidelines for rough draft transcripts as outlined in [NRAP Rule 3C Fast Track Criminal Appeals](#), [NRAP 3E Fast Track Child Custody Appeals](#), and certified transcripts as outlined in [NRAP 9](#) and [NRS 3.370 \(2\)](#).

DRAFT

TIER IMPLEMENTATION TABLE

Tier Implementation Table

The Table provides a guideline of the methods district, justice, and municipal courts may use to record the record for various proceedings. In some proceedings the courts may use a certified court reporter or a court recorder and in others they may also use a digital recording device. The definitions for each are provided below.

Definitions

“Certified court reporter” or ***“court reporter”*** means a person who is technically qualified and registered under NRS Chapter 656 to practice court reporting. The certified court reporter will be certified by the Certified Court Reporters’ Board of Nevada.

“Certified court recorder” means an individual who is employed by the court to record testimony by electronic means using confidence monitoring while taking simultaneous notes to identify case events, speakers, unusual jargon, etc. The “court recorder” will be certified by the American Association of Electronic Reporters and Transcribers, Inc. (AAERT).

“Confidence monitoring” means listening to the electronic verbatim record as it is being made by use of headphones or other device to ensure the system is operating properly.

“Digital Recording Device” means a machine or device (e.g. Jefferson Audio and/or Video System (JAVS), CourtSmart, Olympus Digital Voice Recorder, etc.) that may be turned on and off for the purpose of digitally recording the court proceeding. The recording may be distributed to a certified court reporter, certified court recorder, or transcriber for transcription.

Standards of Operation and Best Practices for Making the Court Record
TIER IMPLEMENTATION TABLE

District Court	Proceedings	Method of Recording		
	Criminal Jury/Bench Trial	Court Reporter	Court Recorder	
	Arraignments	Court Reporter	Court Recorder	
	Sentencing	Court Reporter	Court Recorder	
	Review Hearing	Court Reporter	Court Recorder	
	Evidentiary Hearing	Court Reporter	Court Recorder	
	Pre-trial and Trial Setting Conference ¹	Court Reporter	Court Recorder	Digital Recording Device ²
	Settlement on the Record	Court Reporter	Court Recorder	
	Status Conference/Hearing	Court Reporter	Court Recorder	
	Order to Show Cause	Court Reporter	Court Recorder	
	Entry of Plea	Court Reporter	Court Recorder	
	Change of Plea	Court Reporter	Court Recorder	
	Formal/Informal Probation	Court Reporter	Court Recorder	
	Probation Modification/Revocation	Court Reporter	Court Recorder	
	Status Check/Review	Court Reporter	Court Recorder	
	Civil Matters	Court Reporter	Court Recorder	Digital Recording Device
	Grand Jury	Court Reporter	Court Recorder ³	
	Any Proceeding with a Foreign Language Interpreter	Court Reporter with an Audio Recording	Court Recorder	
	Any Proceeding with a Sign Language Interpreter	Court Reporter with Audio/Video Recording	Court Recorder with Audio/Video Recording	
Justice Court	Proceedings	Method of Recording		
	All Preliminary Hearings (if death penalty will be sought)	Court Reporter	Court Recorder ⁴	
	All Preliminary Hearings (death penalty will not be sought)	Court Reporter	Court Recorder	Digital Recording Device ⁵
	Arraignments/First Appearance	Court Reporter	Court Recorder	Digital Recording Device
	Bench/Jury Trials (except where an enhanceable offense is charged)	Court Reporter	Court Recorder	Digital Recording Device
	Bench/Jury Trials with Enhanceable Offense, e.g. DUI, Domestic Violence	Court Reporter	Court Recorder	

¹ Only needs to be recorded when judicial officer is present.

² This is not the preferred method for any proceeding at the district court level. Use if only option available.

³ The subcommittee is making a recommendation to change NRS 172.215 to allow the use of certified court recorders for grand jury proceedings.

⁴ This would require a statute change to NRS 171.198.

⁵ This is not the preferred method for any proceeding at this level. Use if only option available.

Justice Court Cont.	Proceedings	Method of Recording		
	Guilty Pleas and Sentencing if Enhanceable Offense (DUI or Domestic Violence)	Court Reporter	Court Recorder	Digital Recording Device
	Change of Plea	Court Reporter	Court Recorder	Digital Recording Device
	Other Pleas and Sentencing	Court Reporter	Court Recorder	Digital Recording Device
	Status Check/Review	Court Reporter	Court Recorder	Digital Recording Device
	Civil Matters	Court Reporter	Court Recorder	Digital Recording Device
	Protection Order Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Any Proceeding with a Foreign Language Interpreter	Court Reporter with an Audio Recording	Court Recorder	Digital Recording Device
	Any Proceeding with a Sign Language Interpreter	Court Reporter with Audio/Video Recording	Court Recorder with Audio/Video Recording	Digital Recording Device
Municipal Court	Proceedings	Method of Recording		
	Bench/Jury Trials (except where an enhanceable offense is charged)	Court Reporter	Court Recorder	Digital Recording Device
	Bench/Jury Trials with Enhanceable Offense, e.g. DUI, Domestic Violence	Court Reporter	Court Recorder	
	Arraignments	Court Reporter	Court Recorder	Digital Recording Device
	Guilty Pleas & Sentencing on Enhancing Offenses (DUI or Domestic Violence)	Court Reporter	Court Recorder	Digital Recording Device
	Change of Plea	Court Reporter	Court Recorder	Digital Recording Device
	Other pleas and sentencing	Court Reporter	Court Recorder	Digital Recording Device
	Status Check/Review	Court Reporter	Court Recorder	Digital Recording Device
	Civil Matters	Court Reporter	Court Recorder	Digital Recording Device
	Any Proceeding with a Foreign Language Interpreter	Court Reporter with an Audio Recording	Court Recorder	Digital Recording Device
	Any Proceeding with a Sign Language Interpreter	Court Reporter with Audio/Video Recording	Court Recorder with Audio/Video Recording	Digital Recording Device

Family Court	Proceedings	Method of Recording		
	Guilty Pleas and Sentencing if Enhanceable Offense (DUI or Domestic Violence)	Court Reporter	Court Recorder	Digital Recording Device
	Evidentiary Hearings	Court Reporter	Court Recorder	Digital Recording Device
	OSC Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Civil Commitment ⁶	Court Reporter	Court Recorder	Digital Recording Device
	Protection Order Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Probate Hearing	Court Reporter	Court Recorder	Digital Recording Device
	Settlements on the Record	Court Reporter	Court Recorder	Digital Recording Device
	Guardianship Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Child Support Hearing	Court Reporter	Court Recorder	Digital Recording Device
	Status Hearing	Court Reporter	Court Recorder	Digital Recording Device
	Review Hearing	Court Reporter	Court Recorder	Digital Recording Device
	Other Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Status Check/Review	Court Reporter	Court Recorder	Digital Recording Device
	Change of Plea	Court Reporter	Court Recorder	Digital Recording Device
	Any Proceeding with a Foreign Language Interpreter	Court Reporter with an Audio Recording	Court Recorder	Digital Recording Device
	Any Proceeding with a Sign Language Interpreter	Court Reporter with Audio/Video Recording	Court Recorder with Audio/Video Recording	Digital Recording Device
Juvenile Cases	Proceedings	Method of Recording		
	Trials	Court Reporter	Court Recorder	Digital Recording Device
	Plea Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Report & Disposition (Sentencing) Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Probation Reviews	Court Reporter	Court Recorder	Digital Recording Device
	Detention Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Contested Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Adjudicatory Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Formal Supervision Review Hearings	Court Reporter	Court Recorder	Digital Recording Device
	Status Check/Review	Court Reporter	Court Recorder	Digital Recording Device
	Change of Plea	Court Reporter	Court Recorder	Digital Recording Device
	Any Proceeding with a Foreign Language Interpreter	Court Reporter with an Audio Recording	Court Recorder	Digital Recording Device
	Any Proceeding with a Sign Language Interpreter	Court Reporter with Audio/Video Recording	Court Recorder with Audio/Video Recording	Digital Recording Device

⁶ The Eighth Judicial District Family Court noted civil commitments are currently done at the hospital with a court reporter since JAVS equipment is not available.

APPENDIX A

Definitions

Certified court reporter or ***court reporter*** means a person who is technically qualified and registered under NRS Chapter 656 to practice court reporting. The certified court reporter will be certified by the Certified Court Reporters' Board of Nevada.

Certified court recorder means an individual who is employed by the court to record testimony by electronic means using confidence monitoring while taking simultaneous notes to identify case events, speakers, unusual jargon, etc. The "court recorder" will be certified by the American Association of Electronic Reporters and Transcribers, Inc. (AAERT).

Confidence monitoring means listening to the electronic verbatim record as it is being made by use of headphones or other device to ensure the system is operating properly.

Court reporting means the act of making a verbatim record of the spoken word, whether by the use of written symbols, stenomask/voice writing equipment, or electronic devices, in any proceedings pending in any of the courts of this state, including all discovery proceedings conducted in connection therewith, and all proceedings required by statute to be reported by a certified or official court reporter or court recorder.

Court reporting personnel includes court reporters, court recorders, transcriptionists, and any other personnel whether employed or contracted who make the court record for use in any Nevada trial court.

Court reporting firm means a person who, for compensation, provides or arranges for the services of a court reporter or provides referral services for court reporters in this State.

Digital audio files are those files created by digital recording systems and saved in a format that allows storage and playback through computer applications.

Digital recording device means a machine or device (e.g. Jefferson Audio and/or Video System (JAVS), CourtSmart, Olympus Digital Voice Recorder) that may be turned on and off with the purpose of digitally recording the court proceeding. The recording may be distributed to a certified court reporter, certified court recorder, or transcriber for transcription.

Electronic record means the audio, analog, digital, or video record of a court proceeding.

Electronic copy means a transcript delivered via any electronic, non-paper media.

Electronic transcript means an official transcript delivered in any electronic, non-paper media.

Migration means the process of upgrading to new technologies while preserving accessibility to existing records. It also means the process of moving electronic data from one storage device or media to another.

Stenographic notes means the original manually or mechanically produced notes in shorthand or shorthand writing taken by a court reporter while in attendance at a proceeding to report the proceeding; or the record produced by the use of voice writing by a court reporter while in attendance at a proceeding.

Voice writing means the making of a verbatim record of a proceeding by repeating the words of the speaker into a device that is capable of digitally translating the words into text; or making a tape or digital recording of those words.

Rough draft transcript (computer diskette, hard paper copy, or electronically distributed) is a computer-generated transcript that can be expeditiously prepared in a condensed fashion, but is not proofread, corrected, or certified to be an accurate transcript.

Transcriptionist means any person employed or utilized by a court to prepare a transcript of a proceeding from an electronic or other recording. A court reporter or court recorder may also serve as a transcriptionist.

Realtime means a proficient stenographic court reporter using computer-aided transcription software is able to capture the verbatim record at the time it occurs and translate stenographic keystrokes into written text displayed on a computer screen. A realtime record is often accompanied by a software package to allow the user to annotate the record.

APPENDIX B

ELECTRONIC RECORDING EVALUATION

Date: _____

Instructions to Transcriber: Please fill out one evaluation form for each transcript. Return the form to the court of origin with the transcript.

1. Case Name _____ 2. Case No. _____

3. Judge _____ 4. In-Court Clerk _____

5. Courtroom: _____

6. Date of Proceedings _____

7. Transcriber: _____

8. Overall Recording quality a. [] good b. [] adequate c. [] poor

Transcribing difficulties:

9. [] Counsel away from microphone

a. [] opening statement

b. [] closing argument

c. [] other: _____

d. Counsel's name: _____

10. [] Inaudible bench conferences

Log Nos (if known)

11. [] Dead microphone _____

12. [] Microphone not attached to witness _____

13. [] Poor volume control

a. [] volume not balanced _____

b. [] volume too low _____

c. [] other: _____

14. [] Channel no. _____ not working _____

15. [] Other problems (identify time stamp or log numbers): _____

16. Log note quality generally: a. [] very good b. [] good c. [] adequate d. [] poor

17. Problems with log notes (e.g., illegible, inaccurate, no ending log numbers): _____

For court system use only:

On _____ a copy of this evaluation was sent to the judge and the in-court supervisor or clerk of court.

APPENDIX C

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF)
4

5 I, <insert name>, Certified Court Reporter, in and for the State of Nevada, do hereby
6 certify:

7 That as such reporter I was present in Department No. <insert dept. no> of the above
8 court on <insert day, date,> at the our of <insert time a.m. or p.m.> of said day, and I then
9 and there took verbatim stenotype notes of the proceedings had and testimony given therein
10 upon the <insert type of proceeding> of the case of THE STATE OF NEVADA, Plaintiff,
11 vs. <insert defendant's name>, Defendant, Case Number <insert case number.>

12 That the foregoing transcript, consisting of pages numbered 1 to <insert end page
13 number>, inclusive, is a full, true and correct transcript of my said stenotype notes, so taken
14 as aforesaid, and is a full, true and correct statement of the proceedings had and testimony
15 given upon the <insert type of proceeding> of the above-entitled action to the best of my
16 knowledge, skill, and ability.

17 I further certify that I am not a relative nor an employee of any attorney or any of the
18 parties, nor am I financially or otherwise interested in this action.

19 I declare under penalty and perjury under the laws of the State of Nevada that the
20 foregoing statements are true and correct.

21 DATED: At Reno, Nevada, this <insert day> day of <insert month>, <insert year>.
22
23
24
25

Certified Court Reporter CCR#

EXAMPLE

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ATTEST: I do hereby certify that I have truly and correctly transcribed the audio-video recording of this proceeding in the above-entitled case to the best of my ability.

LARA CORCORAN
Court Recorder/Transcriber

APPENDIX D

Example

Court Approved Transcriptionists

Court Approved Transcriptionists

Description and Application Process

Beginning November 15, 2004, the Twelfth Judicial Circuit implemented the digital recording of certain court proceedings that are required to be reported at public expense. The Circuit's current policy of which proceedings are reported electronically and stenographically is set forth in Administrative Order 2009-18.2.

In the Twelfth Judicial Circuit, written transcripts of digitally recorded proceedings are not typically provided. Exceptions to this policy can be found in Administrative Order 2010-1-2. If a written transcript is needed, upon request and receipt of applicable payment, the Digital Court Recording Office will provide an audio CD of the requested court proceeding. The requestor can then make arrangements with a transcriptionist to prepare a written record of the court proceeding.

On July 16, 2009, the Florida Supreme Court entered Order No. SC08-1658, titled "In RE: Amendments to the Florida Rules of Judicial Administration and the Florida Rules of Appellate Procedure – Implementation of Commission on Trial Court Performance and Accountability Recommendations". This order amended Rule 2.535(h)(3), Fla. R. Jud. Admin., which now requires that all transcripts to be used for the purpose of appeal or prepared at public expense be prepared by an "approved court reporter" or "approved transcriptionist".

At this time all independent contractors who perform transcription services in the Twelfth Judicial Circuit, either for the purpose of appeal or at public expense, including transcriptionists who provide transcript services for the court, public defender's office, state attorney's office, court-appointed counsel, the Office of Criminal Conflict and Civil Regional Counsel, or who provide transcription services for a party declared "indigent for costs" which may be reimbursable by the Justice Administrative Commission, must be "approved transcriptionists".

Transcriptionists that would like to be considered as an "approved transcriptionist" must fill out the Court Approved Transcriptionist Application and mail with the signed Transcriptionist Confidentiality Agreement and a copy of all professional certificates to the Digital Court Recording Office. Both the Application and the Confidentiality Agreement are available on the Twelfth Judicial Circuit's website.

Upon acceptance of the application, the applicant will be mailed a CD containing two audio records of digitally recorded court proceedings from which he/she will be asked to provide two sample transcripts. The sample transcripts will be reviewed by a court employee who is also an "approved court reporter". If the sample transcripts are approved, the applicant will be notified and the contact information provided on the application, including name, phone number and mailing address, will be posted on the Twelfth Judicial Circuit's website. If the sample transcripts do not meet the circuit's expectation of a high rate of accuracy and adherence to commonly accepted rules of punctuation, grammar and transcription, the application will be rejected and an explanation of the reason for the rejection will be provided. The applicant may resubmit a revised sample transcript with corrections at any time to be reconsidered for approval.

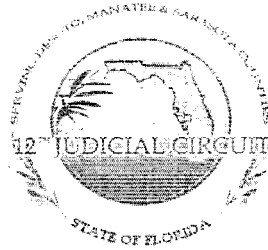
As an independent contractor, all "approved transcriptionists" not preparing transcripts for the court will be responsible for setting their own rates and terms of work. Court Administration will not take responsibility for the failure or inability of an "approved transcriptionist" to comply with the time requirements of transcripts needed for appeal purposes. If Court Administration becomes aware of an "approved transcriptionist" who does not routinely comply with the time requirements placed on appeal work or who no longer produces transcripts that meet the circuit's expectations described above, the situation will be reviewed. If necessary, the transcriptionist will be removed from the Court Approved Transcriptionist List and will no longer be permitted to perform transcription services at public expense within the circuit.

If you would like to be considered as an "approved transcriptionist", please mail the Court Approved Transcriptionist Application, Confidentiality Agreement and copies of professional certificates to the Digital Court Recording Office at the address below.

Digital Court Recording Office
12th Judicial Circuit Court Administration
PO Box 3000
Bradenton, FL 34205

Applications can also be scanned and emailed to dcrgrman@jud12.flcourts.org or faxed to (941)749-3692.

Example



Court Approved Transcriptionist Application

Contact Information

Name:			
Mailing Address:			
City:	State:	Zip:	County:
Place of Employment:			
Address of Employment:			
City:	State:	Zip:	County:
Which address for Mail? (Please circle one) Home Office			
Telephone (Please circle the number that you would like to have posted on the circuit's website):			
Office:	Residence:	Cell:	Fax:
E-mail Address:			

Transcription Qualifications and Experience

Describe transcription training you have taken:		
Current Certifications/Designations:		
Transcript Experience:	Years:	Months:
Type of Experience (<i>Court, Medical, Other – Specify</i>):		

For Court Experience, please complete the following:

NAME OF COURT	DATES OF EMPLOYMENT	TYPE OF PROCEEDINGS TRANSCRIBED

If you have previously performed transcription services at public expense, please list the names and phone numbers of the parties to whom you have provided these services. This includes transcript preparation for the court, public defender's office, state attorney's office, court-appointed counsel, the Office of Criminal Conflict and Civil Regional Counsel or any party declared "indigent for costs" and for whom the cost of the transcript was reimbursable by the Justice Administrative Commission?

Transcript Production Method

Describe your ability to produce expedited transcripts (five business days or less):

Please list the brand of software/equipment you use to produce transcripts (i.e. Case CATalyst, ProCat, SpeccAT, MS Word, Word Perfect):

What is your normal turn-around time for producing transcripts once a request for same is received for a one hour hearing?

I understand that if this application and my sample transcripts are approved, that my name, address and telephone number will be placed on the court's website at www.jud12.flcourts.org.

APPLICANT SIGNATURE

DATE

Mail
 (1) This application form
 (2) Copies of all professional certificates
 (3) Oath of Confidentiality

**Digital Court Recording Office
 Twelfth Judicial Circuit Court Administration
 1051 Manatee Avenue West
 Bradenton, FL 34205**

12th Judicial Circuit Use Only:

Date Approved _____

Kimberly Miller
 Chief Deputy Court Administrator

Example



Example

12th Judicial Circuit COURT APPROVED TRANSCRIPTIONIST LIST

Effective July 7, 2010

BRENNAN, Lauri
1611 Jewel Drive
Sarasota, FL 34240
Home: (941) 371-0081
Cell: (941) 780-6604

KEARNEY, Janene L.
314 Linden Drive
Ellenton, FL 34222
Home: (941) 722-3414
Cell: (941) 725-2057

WENGER, Lisa D.
7015 229th Street East
Bradenton, FL 34211
Cell: (941) 704-5608

COOK, Mary
675 Avenida DeMayo
Sarasota, FL 34242
Home: (941) 346-2772
Cell: (941) 266-6633

**MEISENBACH,
Katherine L.**
Harbor Square, Suite 207
4134 Gulf of Mexico Drive
Longboat Key, FL 34228
Phone: (941) 228-9036;
(941) 932-3970; (941) 365-5855
Fax: (941) 383-6806
13575 58th St. North, Suite
200, Clearwater, FL 33760

WOLFSON, Dale M.
610 Philadelphia Avenue
Chambersburg, PA
17201
Home: (717) 263-0531
Cell: (717) 404-2368
Fax: (717) 709-1143

DEWITZ, Nancy
Phone: (325) 455-6886
[www.nancydewitz.com/
resume.html](http://www.nancydewitz.com/resume.html)

AVTRANZ
845 North 3rd Avenue
Phoenix, AZ 85003
Phone: (800) 257-0885
Fax: (866) 954-9068
www.avtranz.com

GARDELLI, Nancy B.
3572 Acorn Street
North Port, FL 34286
Office: (941) 426-4465
Fax: (941) 426-7055
www.acornfla.com

MOIRANO, Kimberly K.
6480 36th Place
Vero Beach, FL 32966
Home: (772) 226-5188
Cell: (802) 343-0811

ESCRIBERS
PO Box 7535
New York, NY 10116
Phone: (973) 406-2250
Fax: (973) 954-5619
www.escribers.net

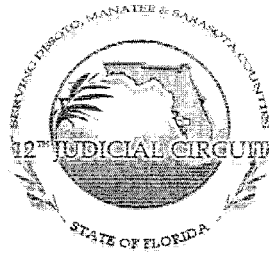
GIBBS, Janie
PO Box 2424
Oneco, FL 34264
Cell: (941) 518-7141

ROBERTS, Sandra
8110 Villa Grande Court
Sarasota, FL 34243
Cell: (941) 266-3286

GLIDDEN, Carole B.
8175 Stirling Falls Circle
Sarasota, FL 34243
Home: (941) 358-2285

SHAFFER, Josie G.
178 Tatum Road
Sarasota, FL 34240
Home: (941) 706-3080
Cell: (941) 416-4187

Transcriptionists: If you would like to be added to the above list of court approved transcriptionists, please complete the Application and Confidentiality Agreement available on the Twelfth Judicial Circuit's website or contact the Digital Court Recording Office in Manatee County at (941) 749-3600 extension 7109.



Example

Transcriptionist Confidentiality Agreement

I understand that all records concerning reports of child abuse, abandonment and neglect, including, but not limited to, reports made to the central abuse registry and tracking system, and all records generated as a result of such reports are confidential and shall not be disclosed except as specifically authorized by 39.202, F.S.

I hereby swear to uphold the confidentiality of any information learned by transcribing juvenile court hearings; I understand that I am subject to the same standards of confidentiality as the Department of Children and Families, the Court and private agencies pursuant to 39.0132, F.S.

I have read and understand this confidentiality agreement. My signature below affirms my agreement with this policy and my intention of adhering to it.

Signature

Printed Name

Date

APPENDIX E

Example

FIRST JUDICIAL DISTRICT COURT
CARSON CITY JUSTICE AND MUNICIPAL COURT

TRANSCRIPT REQUEST ORDER

DISTRICT CLERK'S OFFICE OR JUSTICE CLERK'S OFFICE SECTION:

District Court Case No. Defendant's Name:

Forwarded to Justice Court Marshals Requesting Person's Name:

Marshals please prepare JAVS CD for: Justice Court Case No. and forward to Sunshine Reporting Services at the address below to be transcribed.

Judge Robey B. Willis, Department One Judge John Tatro, Department Two

District Attorney's AG's Full Name:

Public Defender's Conflict Counsel's Attorney's Full Name:

Civil Case: vs.

Date(s) of Proceeding(s):

Type of Proceeding: Preliminary Hearing Other:

Requesting Clerk's Name: Extension Number:

MARSHAL'S OFFICE SECTION:

To: Sunshine Reporting Services, Linda Shaw (Owner) Today's Date:
209 N. Pratt Carson City, Nevada 89701
Office: (775) 883-7950 or Office: (775) 323-3411 or Cell: (775) 560-5430

Javs CD enclosed. Copy of Justice Court Case Docket or Pleading enclosed.

See case information above and prepare 1 Original Transcript and 1 Copy (per attorney) and submit no sooner than 5 days from today's date or later than 30 days from today's date to the Carson City Justice Court located at 885 E. Musser Street Suite 2007 Carson City, Nevada 89701. If you have any questions regarding case information, please call the Marshal's at the number and extension below.

Please transcribe immediately and submit to the Carson City Justice Court located at 885 E. Musser Street, Suite 2007 Carson City, Nevada 89701. If you are unable to prepare, please notify the Marshal's Office at the number below. Compensation is paid pursuant to NRS 3.370 if a Certified Court Reporter prepares. If a transcriber prepares, rates are \$25.00 per hour or \$3.50 per page (technical transcript rate).

Thank you,

Marshal Name: Phone No.: (775) 887-2121 Ext: 30267 or 30266

Example

Standards of Operation and Best Practices for Making the Court Record
FIRST JUDICIAL DISTRICT COURT
CARSON CITY JUSTICE AND MUNICIPAL COURT

PUBLIC CD ROM ORDER FORM (CD ONLY)

885 E. MUSSER STREET CARSON CITY, NV 89701
DISTRICT COURT (775) 887-2082 (Third Floor)
JUSTICE/MUNICIPAL COURT (775) 887-2121 (Second Floor)

PLEASE BE ADVISED THAT THIS IS NOT A REQUEST FOR A TRANSCRIPT

Request for a copy of court proceedings may be submitted to the Clerk's Office in each respective court. Please anticipate 2 to 4 weeks for completion of order. COPY OF A CD IS NOT A SUBSTITUTE FOR A CERTIFIED COURT REPORTER TRANSCRIPT. THE COURT DOES NOT TRANSCRIBE CD RECORDINGS. THE JUSTICE COURT MARSHALS WILL FORWARD JUSTICE COURT MATTERS FOR TRANSCRIPTION TO APPROVED TRANSCRIBERS. DISTRICT COURT TRANSCRIPTS MUST BE ARRANGED BY REQUESTING PARTY AND TRANSCRIBED BY A CERTIFIED COURT REPORTER OR SUNSHINE REPORTING SERVICES LOCATED AT 209 N. PRATT CARSON CITY, NEVADA 89701 OFFICE: (775) 883-7950 OR OFFICE: (775) 323-3411

\$10.00 One Court Proceeding on CD ROM
\$ 9.50 To add one additional day of Court Proceedings to a previously duplicated tape.
Each additional date added (___ dates)

State Agency (No Charge) Agency Name Indigent Request (No Charge) Name

Parties: vs.

Case No. Dept Judge

Date(s) of Proceeding:

Requesting Party or Firm Name:

Address:

City/State/Zip:

Phone No(s): Contact Name:

PLEASE NOTE: THE VIEWING OF DOMESTIC PROCEEDINGS BY MINOR CHILDREN IS NOT CONSIDERED TO BE IN THEIR BEST INTEREST. THE PURPOSE OF THE CD RECORDING IS FOR ATTORNEYS AND CLIENTS AND IS PROHIBITED FROM BEING PUBLISHED OR SOLD. YOU MAY BE FOUND IN CONTEMPT OF COURT FOR VIOLATING THIS POLICY.

-INTEROFFICE USE ONLY-

Order Received by: Date:

Order Filled by: Date:

Client Notified: Time: VM Date:

CD Received by: Date:

Example

INHOUSE

Example

Once transcript request is received
= REQUEST FOR TRANSCRIPT ESTIMATE

Figure estimate
= ESTIMATE FORM

Prepare and send formal estimate requesting deposit payment
= ESTIMATE OF TRANSCRIPT

Once deposit payment is received...

Prepare information sheet and assign
= TRANSCRIPT REQUISITION

Once transcript is completed
= FINAL BILLING OF TRANSCRIPTS

Customer pays balance...completed

Example

REQUEST FOR TRANSCRIPT ESTIMATE

Today's Date _____

Requests for all JUVENILE transcripts require an EX-PARTE MOTION form that has been signed by the departmental Judge and filed at the Clerk's Office. Serve a copy on the Transcript Video Service office.

Entire Transcript _____ or Partial Transcript _____
(Start time: _____ Stop Time: _____)

* Please list any additional partial times on the reverse of this sheet and note it here.

Personal Use _____ or *Appeal to the Supreme Court? _____
*Supreme Court Case Number _____
*Are child custody issues involved in this appeal? _____

NOTE: This form does NOT replace the *Formal Request For Transcript* per NRAP 9. To meet time constraints, Transcript Video Services must be served a copy of the *Formal Request For Transcript* that has been **FILED** by the Supreme Court promptly.
* Per NRAP 9(b)(1)- Appellant shall furnish counsel for each party appearing separately a copy of the transcript. Any costs associated with the preparation and delivery of the transcript shall be paid initially by the appellant, unless otherwise ordered.

Number of copies you are ordering: _____
(\$3.55 per page, per NRS. 3.370 - 1 copy and 1 original)
(\$4.10 per page, per NRS. 3.370 - 2 copies and 1 original)
(\$4.65 per page, per NRS. 3.370 - 3 copies and 1 original)

- All originals are placed in the case file; all copies go to the ordering party. Please be sure you order the correct number of copies, per NRAP 9, if you are filing an appeal to the Supreme Court of Nevada.

Date(s) of Hearing(s) _____

Case No: _____ Dept. _____ Judge _____

Case Name: _____ vs _____

Transcript Video Services makes every effort to produce transcripts in an expedient manner. However, due to the volume of requests received, there may be a delay in processing your request.

TRANSCRIPT(S) NEEDED BY DATE OF: _____

NAME (Please write legibly): _____

ADDRESS: _____

CITY/STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

SIGNATURE: _____

This is only an estimate. Upon completion of transcript(s), a balance may be due or you may receive a partial refund of your deposit.
Eighth Judicial District Court - Family Division - Transcript Video Services
Phone 702.455.4977 Facsimile 702.455.2352

Example

ESTIMATE FORM

Entire Transcript Personal Not Sealed
 Partial Transcript Appeal Sealed

Case No. _____ PDR DBR DVD Video CR # _____

Plaintiff _____ Defendant _____

Department _____ Judge/Master _____

Prior transcription on CMS _____ Date est. filed for Appeal _____

Day of Week _____ Date _____

Start time _____ End time _____ = _____ Mins

Total no. of Minutes _____ Number of copies _____

Total est. amount _____ Deposit Amount _____

Estimator _____ Date Est. Completed _____

Date Called _____ Spoke to/Message _____

Date Faxed _____ Date Mailed _____

FORMULA:

1 Minute = 1 Page

No. of minutes x per page rate x 80% = estimate amount...round off to nearest \$5 and that is deposit amount.

1 Example

2
3 **EIGHTH JUDICIAL DISTRICT COURT**
4 **FAMILY DIVISION**
5 **CLARK COUNTY, NEVADA**

6 [REDACTED]) CASE NO. [REDACTED]
7 [REDACTED]) DEPT. J
8 Plaintiff,)
9 v.)
10 [REDACTED])
11 Defendant.) **ESTIMATE OF TRANSCRIPT**

12 The office of Transcript Video Services received a request
13 for transcript estimate from Luis [REDACTED] on November 1, 2010,
14 for the following proceeding in the above-captioned case:

15 **OCTOBER 27, 2010**

16 for original transcript and one copy.

17 The estimated cost of the transcript is \$700.00.

18 Payment in the amount of \$700.00, payable to the Clark County
19 Treasurer, must be presented to the Clark County Family Court
20 Transcript Video Services Office prior to work commencing on the
21 transcript. If paying cash, please present exact amount.

22 DATED this 2nd day of November, 2010.

23 SHELLY A. AJOUB, _____
24 Supervisor
25 Transcript Video Services

26 Transcript ESTIMATE amount of \$ _____ paid on
27 date of _____ Cash _____ Check # _____

28 This is only an **estimate**. Upon completion of transcript(s), a balance may be due,
or you may receive a refund of your deposit if overpayment is greater than \$5.00.

NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION.

ITEMS LEFT BEYOND NINETY DAYS ARE SUBJECT TO DISPOSAL WITHOUT REFUND.

COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT.

TRANSCRIPT REQUISITION

PARTIES: **PLAINTIFF v DEFENDANT**

Example

SEALED

NON-APPEAL

\$3.55 Per Page

O + 1 Copy

CASE #

DEPT:

DATE(S) OF PROCEEDING(S):

1. TUESDAY, OCTOBER 26, 2010

10:16:42 - 11:34:47 = 78

Trailed & Recalled

11:35:58 - 11:37:57 = 02

RE: Motion to Enforce

TRANSCRIPT NEEDED BY: 11/30/10 or before

REQUESTING PARTY:

ADDRESS:

PHONE #

FAX #

DATE REQUEST REC'D:

Est done by:

This form by:

EST # OF PAGES:

EST AMOUNT:

EST FAXED:

EST PHONED:

DATE EST PAID:

Check/Cash/MO#/CC#

Transcript Assigned to: _____ Date: _____

TOTAL Transcript Pages: _____ x Rate \$ _____ Final Cost: \$ _____

Less Deposit: \$ _____

Balance Due: \$ _____

Date Refund Requested: _____ OR Refund Amount: \$ _____

DATE FILED: _____ Client Notified (date & name) _____

Date Transcript(s) Received and Final Payment Made: _____

Check # _____ Cash _____

Transcript Stats Reported on _____

(Month/Year)

Notes: _____

Example

COST

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**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

_____) CASE NO. _____
_____)
v _____) DEPT. R
_____)
_____)

FINAL BILLING OF TRANSCRIPTS

The office of Transcript Video Services filed transcripts for Reylna _____ on October 13, 2010, for the following proceeding in the above-captioned case:

FEBRUARY 9, 2010

Original transcript and one copy was requested. The transcript totals 125 pages, final cost being \$443.75. A deposit in the amount of \$260.00 was paid August 6, 2010. The balance of \$183.75 is due upon receipt of transcripts. Please make balance payable to Clark County Treasurer. If paying cash, please present exact amount.

DATED this 13th day of October, 2010.

SHELLY A. AJOUB, SUPERVISOR
TRANSCRIPT VIDEO SERVICES _____

Amount of \$ _____ paid on date of _____
Check # _____ Cash \$ _____

*ITEMS LEFT BEYOND NINETY DAYS ARE SUBJECT TO DISPOSAL WITHOUT REFUND.
COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT.*

Example

OUTSOURCE

Example

Once transcript request is received
= REQUEST FOR TRANSCRIPT ESTIMATE

Figure estimate
= ESTIMATE FORM

Prepare and send formal estimate requesting deposit payment
= ESTIMATE OF TRANSCRIPT

Once deposit payment is received...

Prepare information sheet
= TRANSCRIPT REQUISITION
Prep for OUTSOURCING FIRM
Checklist

Note deposit payment on VENDOR DEPOSIT & FINAL PAYMENT form

Once completed transcript is received
= FINAL BILLING OF TRANSCRIPTS

Customer pays balance
Note final payment on VENDOR DEPOSIT & FINAL PAYMENT FORM

IF FEES-WAIVED ORDER, note on OUTSOURCING COSTS PAID BY COUNTY

...completed

Example

REQUEST FOR TRANSCRIPT ESTIMATE

Today's Date _____

Requests for all JUVENILE transcripts require an EX-PARTE MOTION form that has been signed by the departmental Judge and filed at the Clerk's Office. Serve a copy on the Transcript Video Service office.

Entire Transcript _____ or Partial Transcript _____
(Start time: _____ Stop Time: _____)

* Please list any additional partial times on the reverse of this sheet and note it here.

Personal Use _____ or *Appeal to the Supreme Court? _____
*Supreme Court Case Number _____
*Are child custody issues involved in this appeal? _____

NOTE: This form does **NOT** replace the *Formal Request For Transcript* per NRAP 9. To meet time constraints, Transcript Video Services must be served a copy of the *Formal Request For Transcript* that has been **FILED** by the Supreme Court promptly.

* Per NRAP 9(b)(1)- Appellant shall furnish counsel for each party appearing separately a copy of the transcript. Any costs associated with the preparation and delivery of the transcript shall be paid initially by the appellant, unless otherwise ordered.

Number of copies you are ordering: _____
(\$3.55 per page, per NRS. 3.370 - 1 copy and 1 original)
(\$4.10 per page, per NRS. 3.370 - 2 copies and 1 original)
(\$4.65 per page, per NRS. 3.370 - 3 copies and 1 original)

- All originals are placed in the case file; all copies go to the ordering party. Please be sure you order the correct number of copies, per NRAP 9, if you are filing an appeal to the Supreme Court of Nevada.

Date(s) of Hearing(s) _____

Case No: _____ Dept. _____ Judge _____

Case Name: _____ vs _____

Transcript Video Services makes every effort to produce transcripts in an expedient manner. However, due to the volume of requests received, there may be a delay in processing your request.

TRANSCRIPT(S) NEEDED BY DATE OF: _____

NAME (Please write legibly): _____

ADDRESS: _____

CITY/STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

SIGNATURE: _____

This is only an estimate. Upon completion of transcript(s), a balance may be due or you may receive a partial refund of your deposit.
Eighth Judicial District Court - Family Division - Transcript Video Services
Phone 702.455.4977 Facsimile 702.455.2352

Example

ESTIMATE FORM

____ Entire Transcript ____ Personal ____ Not Sealed
____ Partial Transcript ____ Appeal ____ Sealed

Case No. _____ PDR DBR DVD Video CR # _____

Plaintiff _____ Defendant _____

Department _____ Judge/Master _____

Prior transcription on CMS _____ Date est. filed for Appeal _____

Day of Week _____ Date _____

Start time _____ End time _____ = _____ Mins

Total no. of Minutes _____ Number of copies _____

Total est. amount _____ Deposit Amount _____

Estimator _____ Date Est. Completed _____

Date Called _____ Spoke to/Message _____

Date Faxed _____ Date Mailed _____

FORMULA:

1 Minute = 1 Page

No. of minutes x per page rate x 80% = estimate amount...round off to nearest \$5 and that is deposit amount.

1 Example

2
3 EIGHTH JUDICIAL DISTRICT COURT
4 FAMILY DIVISION
5 CLARK COUNTY, NEVADA

6 [REDACTED]) CASE NO. [REDACTED]
7) DEPT. J
8 Plaintiff,)
9 v.)
10 [REDACTED])
11 Defendant.) ESTIMATE OF TRANSCRIPT

12 The office of Transcript Video Services received a request
13 for transcript estimate from Luis [REDACTED] on November 1, 2010,
14 for the following proceeding in the above-captioned case:

15 OCTOBER 27, 2010

16 for original transcript and one copy.

17 The estimated cost of the transcript is \$700.00.

18 Payment in the amount of \$700.00, payable to **OUTSOURCING**
19 **FIRM NAME** must be presented to the Clark County Family Court
20 Transcript Video Services Office prior to work commencing on the
21 transcript. We are unable to accept cash.

22 DATED this 2nd day of November, 2010.

23 SHELLY A. AJOUB, _____
24 Supervisor
25 Transcript Video Services

26 Transcript ESTIMATE amount of \$ _____ paid on
27 date of _____ Cash _____ Check # _____

28 This is only an **estimate**. Upon completion of transcript(s), a balance may be due,
or you may receive a refund of your deposit if overpayment is greater than \$5.00.

NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION.

ITEMS LEFT BEYOND NINETY DAYS ARE SUBJECT TO DISPOSAL WITHOUT REFUND.

COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT.

Example

1 COST

2
3
4 **EIGHTH JUDICIAL DISTRICT COURT**
5 **FAMILY DIVISION**
6 **CLARK COUNTY, NEVADA**
7

8 [REDACTED]) CASE NO. [REDACTED]
9 [REDACTED])
10 v) DEPT. O
11 [REDACTED])
12) **SEALED CASE**

13 **FINAL BILLING OF TRANSCRIPTS**

14 The office of Transcript Video Services filed transcripts
15 for Radford J. Smith, Chtd. on October 12, 2010, for the
16 following proceedings in the above-captioned case:

17 MAY 6, 2010 and JUNE 22, 2010

18 Original transcripts and one copy of each was requested.
19 The transcripts total 85 pages. Prep and delivery is \$20.00.
20 The final cost is \$321.75. A deposit in the amount of \$260.00
21 was paid September 14, 2010. The balance of \$61.75 is due upon
22 receipt of transcripts. Please make balance payable to
23 **OUTSOURCING FIRM NAME.** We are unable to accept cash.

24 DATED this 12th day of October, 2010.

25 SHELLY A. AJOUB, SUPERVISOR
26 TRANSCRIPT VIDEO SERVICES _____

27 Amount of \$ _____ paid on date of _____
28 Check # _____ Cash \$ _____

ITEMS LEFT BEYOND NINETY DAYS ARE SUBJECT TO DISPOSAL WITHOUT REFUND.
COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**



Downtown Courthouse
191 North First Street
San José, CA 95113
(408) 882-2100

ITEM REQUESTED

- Copy of Electronic Recording (A \$10.00 fee per recording is required. Not available for small claims cases)**
- Court Reporter's Transcript**
- Copy of Reporter's Transcript Already on File**
- This case is on appeal**

REQUESTOR INFORMATION

Requestor's Name: _____ Today's Date: _____
Requestor's Agency/Law Firm: _____
Requestor's Address: _____
Phone: _____ Alt. Phone: _____ Fax: _____
E-mail Address: _____

RECORDING/TRANSCRIPT INFORMATION

Court Reporter's Name*: _____
Case Name: _____ vs. _____
Case Number: _____
Hearing Date of Proceeding: _____ Time: _____ A.M. _____ P.M.
Type of Proceeding: _____
Judge's Name: _____ Department Number: _____

*NOTE: The use of electronic recording equipment in Small Claims cases is for the internal personnel purpose of monitoring judicial officer performance. An electronic recording of small claims hearings shall not be made publicly available. (Government Code 69957(b))

**Please complete this form and fax or mail to:
SANDRA ALCALA, Deputy Court Manager
Court Reporter Coordinator
191 North First Street
San José, CA 95113
Phone: (408) 882-2515
Fax: (408) 882-2595**

Example

Example

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

TRANSCRIPT REQUEST FORM

Please enter as much information as possible, below, regarding the hearing or court event for which you wish a transcript. Please type contact information carefully, especially your email address. (Fields in red are required) Refer to the Court Reporter Transcripts and Electronic Recordings page for more information, especially the section on locating the Court Reporter's name.

Your information:

Your name:

Your phone number: (999)
999-9999

Your FAX #:

Alternate phone:

Your street address:

Your city, state, zip:

Your email address:

Law firm (if any):

Information about the court proceeding:

Dept.# :

Court Reporter name

Don't know the Court Reporter's name? Read how to look up the court reporter. (If electronic recording, please enter 'Recording' in reporter name field.)

Case name:

Case number:

Date of proceeding: Month 01 Day 01 Year 2011

Time of proceeding: A.M.

Judge's name:

Type of proceeding*: Civil

* Transcripts are not available for Small Claims cases per Government Code Section 69957

Additional Comments:

APPENDIX F

Example

**APPENDIX E COURT REPORTER ACKNOWLEDGMENT
(Concerning Stenographic and Electronic Notes)**

____ Judicial District

I acknowledge that all stenographic and electronic notes produced by me during the time I am employed by the Judicial Department are the property of the ____ Judicial District.

I will regularly back up all electronic notes as directed by the Chief Judge or designee. If I produce paper notes, I will maintain them in a secure location and in an organized fashion according to local policy.

Should I leave the employment of the Judicial Department, I will ensure that all the electronic notes for the cases I have reported while a state employee are properly lodged on the server or that I have provided a backup copy on CD. I also will ensure that a current copy of my dictionary is on the server, with a backup copy on CD, and that all docket sheets are current as required by local policy. I will provide verification of same to the Chief Judge, District Administrator or Managing Court Reporter.

I understand that I will be given first right of refusal regarding preparation of any transcripts on those cases I have reported so long as I provide the District with my address, phone number and other contact information and keep that information current with the Managing Court Reporter, District Administrator or Chief Judge, and provided I do not have more than one outstanding appeal transcript beyond the 180 day allotted timeframe.

Dated this ____ day of _____, 200 .

Official Court Reporter