

1 Rule 3-304. Official court reporters.

2 Intent:

3 To establish uniform administrative policies governing the appointment, assignment,  
4 supervision, evaluation, tenure, duties, responsibilities and benefits of official court  
5 reporters serving in the trial courts of record of the state.

6 Applicability:

7 This rule shall apply to all official court reporters employed by the State of Utah  
8 serving in the trial courts of record.

9 Statement of the Rule:

10 (1) Career status. All official court reporters of the trial courts of record are career  
11 service professional employees of the judicial branch of state government subject to the  
12 human resource policies and procedures adopted by the Judicial Council.

13 (2) Qualifications. Official court reporters shall:

14 (2)(A) be licensed in the State of Utah as certified shorthand reporters by the  
15 Division of Occupational and Professional Licensing of the Department of Commerce;

16 (2)(B) comply with the continuing education program established by the  
17 Administrative Office of the Courts under subsection (9); and

18 (2)(C) obtain ~~prior to January 1, 1998 or~~ prior to their hire, ~~whichever comes later,~~  
19 proficiency in the skills of computer aided transcription and computer integrated  
20 courtroom technology; and

21 (2)(D) successfully complete testing for certified real-time reporter (CRR) as a  
22 requirement for career ladder advancement.

23 (3) Duties. All official court reporters shall comply with applicable statutes, court  
24 rules, human resource policies and procedures, and this Code.

25 (3)(A) Maintain the record.

26 ~~(3)(A)(i)~~ The official court reporter assigned to a session of the court shall take  
27 verbatim stenographic notes of the session, unless the judge dispenses with the  
28 verbatim record.

29 ~~(3)(A)(ii)~~ ~~The reporter shall file with the clerk forthwith the original stenographic~~  
30 ~~notes of the court session and the computer disk on which the notes are stored. If not~~  
31 ~~already on file with the clerk of the court, the reporter shall file a computer disk~~

32 ~~containing the reporter's most current dictionary showing the meaning of the reporter's~~  
33 ~~stenographic notes.~~

34 (3)(B) Transcribe proceedings.

35 (3)(B)(i) Pursuant to Utah R. App. P. 11 and 12, upon receipt of a signed notice of  
36 transcript order, official court reporters shall furnish the requesting party a transcript of  
37 the court sessions as requested.

38 (3)(B)(ii) Official court reporters shall transcribe into typewritten form the audio and  
39 video tape recordings of court proceedings when assigned to do so by the court  
40 executive.

41 (3)(B)(iii) Official court reporters shall complete and file transcripts with the clerk of  
42 the court in conformance with the time standards established by the rules of the  
43 appellate courts unless an extension of time is granted in accordance with the rules.

44 (3)(B)(iv) Official court reporters shall provide information to the court executive  
45 concerning the reporter's activities, including time in court sessions taking the record,  
46 number and length of transcripts pending, compliance with time standards for  
47 preparation of transcripts and requests for extension of time for preparation of  
48 transcripts.

49 (3)(C) Attendance at court. Official court reporters shall report for duty as scheduled,  
50 attend sessions of court as assigned, and notify the court executive as promptly as  
51 possible of any illness or other reason preventing the performance of duties.

52 (4) Appointment. The court executive with input from the managing court reporter  
53 shall recruit and select qualified official court reporters in accordance with the human  
54 resource policies and procedures adopted by the Judicial Council.

55 (5) Supervision and discipline.

56 (5)(A) The in-court supervision of individual official court reporters is the  
57 responsibility of the judge to whom the reporter is assigned.

58 (5)(B) Pursuant to this Code and under the direction of the presiding judge, the court  
59 executive shall supervise and discipline official court reporters in accordance with the  
60 human resource policies and procedures adopted by the Judicial Council.

61 (5)(C) An official court reporter shall be subject to disciplinary action by the court  
62 executive with input from the managing court reporter for failure to file an appellate

63 transcript timely. Such discipline may include, but shall not be limited to, reprimand,  
64 censure, suspension without pay, reduction of salary, or removal from office.

65 (6) Compensation and Benefits. The state court administrator shall establish a pay  
66 plan for official court reporters that shall include a career ladder advancement system  
67 based upon professional qualifications and prior experience in the profession. Official  
68 court reporters are entitled to the same benefits as other full time career service state  
69 court employees provided for in the human resource policies and procedure adopted by  
70 the Judicial Council. Official court reporters shall be credited with unused annual leave  
71 credited at the start of the calendar year in which amendments to this section are  
72 approved by the Judicial Council.

73 (7) Court executive duties and responsibilities. In addition to the duties,  
74 responsibilities and authority as otherwise set forth in this rule and the human resource  
75 policies and procedures adopted by the Judicial Council, the court executive shall:

76 (7)(A) assign court reporters to attend sessions of court in accordance with Rule 4-  
77 201;

78 (7)(B) coordinate and provide coverage for excused absences of reporters;

79 (7)(C) monitor activities of reporters including, if necessary, time in court sessions  
80 taking the record, number and length of transcripts pending, compliance with time  
81 periods for preparation of transcripts and requests for extension of time for preparation  
82 of transcripts; and

83 (7)(D) interact with clerks of the appellate courts regarding timely preparation of  
84 transcripts and take corrective action as necessary to avoid undue delay in submission  
85 of transcripts.

86 (8) Managing Court Reporter. Subject to approval of the state court administrator  
87 and availability of funds, the court executive may appoint a managing court reporter in a  
88 district who shall assume the duties, responsibilities and authority of the court executive  
89 excepting the imposition of disciplinary action under 3-305(5). The managing court  
90 reporter shall be accountable to the court executive for the performance of those duties.

91 (9) General provisions.

92 (9)(A) Standard workday. Work hours for official court reporters shall be governed by  
93 the human resource policies and procedures adopted by the Judicial Council. Judges

94 are encouraged to accommodate official court reporters by avoiding court sessions of  
95 excessive length whenever possible.

96 (9)(B) Extra reporting activities. No official court reporter may engage in outside  
97 reporting activities and shall conform to the secondary employment and conflict of  
98 interest provisions of the human resource policies and procedures adopted by the  
99 Judicial Council.

100 (9)(C) Furniture and equipment. The administrative office of the courts shall provide  
101 each official court reporter with all necessary equipment and supplies for the  
102 performance of official duties.

103 (9)(D) Education. The state court administrator shall be responsible for the judicial  
104 employees education program which shall incorporate the official court reporters, and  
105 which shall include the National Court Reporter Association guidelines or their  
106 equivalent. Court executives will coordinate schedules to ensure the ability of official  
107 court reporters to meet required education standards.

108 (10) Transcript format. A transcript produced by official court reporters and official  
109 court transcribers from proceedings occurring in Utah courts shall be formatted as  
110 follows:

111 (10)(A) Paper size: 8 ½ inches x 11 inches.

112 (10)(B) Paper weight: At least 13 pounds for original and copies.

113 (10)(C) The transcript shall consist of the title page, index pages, transcript pages  
114 and certificate pages.

115 (10)(D) Lines of text on transcript pages shall be double spaced and numbered.

116 (10)(E) All pages shall be numbered at the bottom right corner of the page.

117 (10)(F) Each transcript shall contain 25 lines of text except the final transcript page,  
118 which may contain fewer lines.

119 (10)(G) Each line of text shall contain 63 characters or columns, filled or unfilled.

120 (10)(H) Text shall be 12-point plain font text except for words normally italicized or  
121 underlined.

122 (10)(I) Indentations shall be as follows:

123 (10)(I)(i) "Q" and "A" designations. All "Q" and "A" designations shall begin at the  
124 fifth column. A period following the "Q" and "A" designation is optional. The statement

125 following the “Q” or “A” designation shall begin at the tenth column. Subsequent lines  
126 shall begin at the left margin.

127 (10)(I)(ii) Colloquy. Speaker identification shall begin at the tenth column followed  
128 directly by a colon. The statement shall begin on the third column after the colon.  
129 Subsequent lines shall begin at the left margin.

130 (10)(I)(iii) Quotations. Quoted material shall begin at the tenth column, with  
131 additional quoted lines beginning at the tenth column, with appropriate quotation marks  
132 used.

133 (10)(I)(iv) Parentheses. Parenthetical notations shall begin with an open parenthesis  
134 at the tenth column with the remark beginning on the eleventh column. Parentheses are  
135 used for customary statements such as recesses, adjournments and admission of  
136 exhibits. Subsequent lines contained in parenthetical notations shall begin at the tenth  
137 column.

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