ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

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Director

WASHINGTON, D.C. 20544

October 18, 2007

MEMORANDUM

To: Chief Judges, United States Courts
Circuit Executives
Federal Public/Community Defenders
District Court Executives
Clerks, United States Courts

From: James C. Duff James C. Duff

RE: INCREASE TO TRANSCRIPT FEE RATES AND NEW TRANSCRIPT DELIVERY CATEGORY FOR FY 2008 **(ACTION REQUESTED)**

At its September 2007 session, the Judicial Conference approved an increase of ten percent to the maximum original and copy transcript fee rates to be effective in fiscal year 2008, subject to the availability of funding. The Judicial Conference also approved a new rate for the delivery of transcripts within 14 days and agreed that the rate be set at the mid-point between the rates authorized for expedited (7-day) and ordinary (30-day) delivery, to be effective in fiscal year 2008. Based on the terms of the Continuing Resolution and the funding available under the interim financial plan approved by the Executive Committee of the Judicial Conference, implementation of these adjustments to transcript fee rates can take effect immediately.

Each court may adopt a schedule of transcript fee rates subject to the maximum rates established by the Judicial Conference. Transcripts ordered prior to the date of a court's adoption of the new rates should be billed at the rates in effect at the time the transcript order was placed with the official court reporter. Court reporter contracts and transcription service agreements may be adjusted in accordance with the terms and conditions of the contract agreement. A revised Schedule of Maximum Rates for all categories of transcript is attached and will also be posted on the J-Net (http://jnet.ao.dcn/District/Court_Reporting/Transcript_Fees.html) and included in the *Guide to Judiciary Policies and Procedures*, Volume 6, Chapter 2.

In recent years, limited exceptions to the original transcript fee rates have been approved for large metropolitan courts using the authority provided by the Judicial Conference (JCUS-MAR 81, pp.7-8). These exceptions were justified primarily on the courts' need to remain

competitive in their geographic areas and to ensure that they could recruit and retain official staff reporters meeting minimum Judicial Conference requirements. The September 2007 action of the Judicial Conference adjusting the maximum transcript fee rates does not authorize the courts that received an exception to readjust again their original transcript fee rates. Any additional exceptions to the Judicial Conference maximum rates, either by these courts or others, would have to be justified and approved through the process outlined in the *Guide* (Vol. 6, Chapter 20, Part 20.6).

The Judicial Conference approved creation of an additional category of transcript delivery to fill the wide gap between ordinary (30-day) and expedited (7-day) delivery times. The adoption of a new category of transcript delivery will provide an additional option to parties ordering transcripts while still leaving the other categories of transcript delivery in place. It also addresses requests from attorneys and parties to provide delivery of transcripts after 7 days but well before 30 days. The 14-day rate for original transcript pages will be $4.25. As with other categories of transcript delivery, the ordering of transcripts is at the discretion of the parties. Until the Administrative Office is able to revise the Transcript Order form (AO 435) and the Attendance and Transcripts form (AO 40A), users of these forms may write in "14-day" or use the expedited (7-day) category to record these transactions. Similarly, with respect to the CJA 24 form (Authorization and Voucher for Payment of Transcript), which is primarily used by CJA panel attorneys to order transcripts: (1) attorneys should be instructed to check "expedited" and write "14-day" in available space in item 14B (without this notation, "expedited" would be a 7-day transcript), and (2) in the CJA payment system on the CJA 24 lines page, CJA staff should click the "Special Authorization" box and the "expedited" radio button, and enter "14-day" in the "Description" field.

If you have any questions concerning the maximum transcript fee rates or the 14-day transcript delivery category, please contact Ed Baca in the District Court Administration Division at (202) 502-1568.

Attachment

cc: CJA Panel Attorney District Representatives

Attachment

Maximum Transcript Fee Rates - All Parties Per Page

	Original	First Copy to Each Party	Each Add'l Copy to the Same Party
Ordinary Transcript (30 day) A transcript to be delivered within thirty (30) calendar days after receipt of an order.	$3.65	$.90	$.60
14-Day Transcript A transcript to be delivered within fourteen (14) calendar days after receipt of an order.	$4.25	$.90	$.60
Expedited Transcript (7 day) A transcript to be delivered within seven (7) calendar days after receipt of an order.	$4.85	$.90	$.60
Daily Transcript A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually is a court day.	$6.05	$1.20	$.90
Hourly Transcript A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours.	$7.25	$1.20	$.90
Realtime Transcript A draft unedited transcript produced by a certified realtime reporter as a byproduct of realtime to be delivered electronically during proceedings or immediately following adjournment.	$3.05	$1.20	