



SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

**Court Administration
Court Reporters
#A.10.100.4
Privately Retained Court Reporter**

Approved:

Reference:
Government Code §68086
California Rules of Court, rule 2.956
General Order #2023-7

/s/
Marita C. Ford, Interim Court Executive Officer

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Purpose

Parties have the right to arrange, at their own expense, for the presence of a court reporter if the services of an official court reporter are not available for a proceeding (Govt. Code §68086 and Cal. Rules of Court, rule 2.956). This document establishes the policy for parties arranging for a court reporter when an official reporter is unavailable and establishes requirements for qualifying as an official reporter pro tempore.

Authority

If the services of an official court reporter are not available for a proceeding, a party may privately arrange for court reporter services at their own expense, pursuant to Government Code §68086 and California Rules of Court, rule 2.956.

Policy

Arranging for Reporters

Parties must make arrangements for reporters in advance of the proceeding if they want the proceedings to be reported. Parties may select a reporter from the Court-Approved Official Reporters Pro Tempore List ("List") or must stipulate to a court reporter that is not on the list and file the required form with the court at least five days before the hearing.

- a. When parties arrange for their own reporter selected from the Court-Approved List of Official Reporters Pro Tempore, local form RI-RE003 should be completed and submitted to the court. A stipulation by all parties is not required.

- b. If a privately-retained court reporter is not on the Court-Approved List of Official Reporters Pro Tempore, all parties must stipulate to the reporter's appointment. Local form RI-RE005 must be signed by all parties.
- c. The judicial officer must sign local form RI-RE003 or RI-RE005 appointing the reporter as an official reporter pro tempore before the reporter may report the proceeding.
- d. If the Court issues an order approving appointment of an Official Court Reporter Pro Tempore for a specific hearing and the hearing is subsequently continued, the approved reporter may appear and report at the continued hearing without the need for a further order.

Court Reporter Pro Tempore Agreement

By signing local forms RI-RE003 or RI-RE005, the reporter agrees to the following:

- a. They possess a valid, current California Certified Shorthand Reporter License.
- b. They are not a current employee of the court.
- c. They will maintain current contact information with the court.
- d. They will remain in good standing with the Court Reporters Board of California.
- e. All fees for reporting services, including appearance, transcript and realtime fees, are the responsibility of the party or parties who arranged for the reporter services and may not be charged to the court.
- f. They will comply with statutes and rules applicable to official reporters pro tempore, including appearing in person, the duty to timely prepare transcripts, including those for appeals, in the proper form.
- g. They will demonstrate the highest standards of ethics and impartiality in the performance of their duties.
- h. They will comply with the court's requirements regarding uploading electronic archiving of notes within 48 hours of the date of the proceedings except in extenuating circumstances and as approved in advance by Court Reporter and Interpreter Services management, or making other arrangements if the only notes are in paper form.
- i. They will be subject to the same rules, regulations and law as an official reporter. (Govt. Code §69941 et seq.)
- j. They will inform the court and parties prior to the use of an audio recording device.
- k. They will be available for read-back of notes within 30 minutes of the Court's request.
- l. Provide realtime reporting and/or other litigation support services upon stipulation and request and in conformity with applicable department rules. This includes the ability and responsibility for providing the necessary equipment and configuring cables. The court does not provide technical support.

Only One Official Record

There can only be one official record of court proceedings, and only a reporter appointed by the court may report a court proceeding (CCP §273; Govt. Code §§70043, 70044; *Redwing v. Moncravie* (1934) 138 Cal.App.432, 434). Only one reporter will be allowed to report a court proceeding at any given time. If the parties cannot agree on a reporter, the judicial officer will make the selection.

Payment for Official Reporter Pro Tempore Services

The party arranging for an official reporter pro tempore is responsible for paying the reporter's fees (CRC rule 2.956(c)). All fees must be paid directly to the court reporter.

Indigent Litigants

In unlimited civil proceedings, a party who has received a fee waiver pursuant to California Rules of Court, rule 3.55 may request an official court reporter pursuant to California Rules of Court, rule 2.956(b)(3) at least 10 calendar days prior to a trial or hearing by submitting Judicial Council Form FW-020. The court, for good cause, may shorten or waive the 10-day requirement.

Transcripts

The judicial officer may order any party who arranges for the transcription of proceedings by the official reporter pro tempore to lodge a copy of the transcript with the court (CCP §128(a)).

Transcripts produced by an official reporter pro tempore will be treated, for court purposes, identically to transcripts prepared by official reporters. Reporting notes of an official reporter pro tempore are official records of the court (Govt. Code §69955(a)). The notes of official reporters pro tempore, when transcribed and certified, are prima facie evidence of the testimony and proceedings (CCP §273(a)).

Certified transcripts are admissible as evidence to the extent otherwise permitted by law. Transcripts prepared by a privately retained certified shorthand reporter appointed by the court as an official reporter pro tempore are admissible as evidence to the extent otherwise permitted by law (CCP §273(a)).

Reimbursement of Advanced Fees

Fees lodged with the court prior to the date this policy becomes effective for an official reporter in advance of the proceeding where a reporter will no longer be available will be returned to the party that lodged them upon request.

Forms

Local forms RI-RE003 and RI-RE005 are available at www.riverside.courts.ca.gov/localforms

This administrative policy memorandum shall be posted on the court's website at www.riverside.courts.ca.gov/GeneralInfo/CourtReporterInfo/court-reporter-info.php