



STATE OF NEW YORK
UNIFIED COURT SYSTEM
OFFICE OF MANAGEMENT SUPPORT
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BUDGET BULLETIN	NUMBER 330	October 18, 2000
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TO: Holders of the Financial Planning and Control Manual

SUBJECT: Transcript Page Rates and Definitions

This supersedes the provisions of Budget Bulletin 309, dated May 4, 1998 and all other bulletins relating to fees for transcripts paid to nonjudicial officers and employees in positions in the following negotiating units: the Association of Surrogate's and Supreme Court Reporters within the City of New York; the Court Officers Benevolent Association of Nassau County; District Council 37, AFSCME, AFL-CIO and Local 1070; the Ninth Judicial District Court Employees Association; and the Suffolk County Court Employees Association. These rates do not apply to CSEA - represented court reporters who continue to be subject to the provisions of Budget Bulletin 309. Likewise, the per diem appearance fee provisions of Budget Bulletin 309 remain in force and effect.

Pursuant to the provisions of chapter 279 of the Laws of 2000, and in consultation with the Administrative Board of the Courts, the Chief Administrative Judge has amended Part 108 of his Rules (22 NYCRR Part 108) to establish the following transcript rates per page and definitions applicable to each transcript of proceedings recorded in the New York State courts provided that: (1) such transcript is produced and delivered by a court reporter who is not represented by CSEA, and (2) such transcript is ordered on or after August 16, 2000:

1. For purposes of determining transcription fees, a page shall be defined as:

25 numbered lines, not including title or page numbers
8 ½" x 11" paper
left-hand margin 1 ¾"

right-hand margin 3/8"
writing block - horizontal 6 5/16"
writing block - vertical 9"
Q&A = 5 then to margin
colloquy = 15 then 5
space stops 5-5-5
10 characters to inch
13 lines for full page

2. The rate per page to be paid to a court reporter for production and delivery of a transcript (except where the UCS is responsible for payment) shall be as agreed upon by the court reporter and the ordering party provided such rate shall be within whichever of the following ranges applies:

(a) Where the transcript is not to be paid for from public funds:

Regular delivery: \$3.30 - \$4.30 (original)
 \$1.00 (each copy)

Expedited delivery: \$4.40 - \$5.40 (original)
 \$1.10 (each copy)

Daily delivery: \$5.50 - \$6.50 (original)
 \$1.25 (each copy)

(b) Where the transcript is to be paid for from public funds (except where the UCS is responsible for payment):

Regular delivery: \$2.50 - \$3.15 (original)
 \$1.00 (each copy)

Expedited delivery: \$3.15 - \$4.25 (original)
 \$1.10 (each copy)

Daily delivery: \$3.75 - \$5.25 (original)
 \$1.25 (each copy)

(c) The provisions of subdivision (b) notwithstanding, where a transcript which is to be paid for from public funds (except where the UCS is responsible for payment) was ordered on or after August 16, 2000, but transcribed prior to such date:

Regular delivery:	\$2.25 - \$2.75 (original) \$1.00 (each copy)
Expedited delivery:	\$2.75 - 3.85 (original) \$1.10 (each copy)
Daily delivery:	\$3.40 - \$4.75 (original) \$1.25 (each copy)

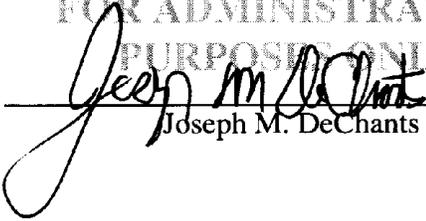
2. The rate per page to be paid a court reporter for production and delivery of a transcript where the UCS is responsible for payment shall be:
 - (a) Except as otherwise provided in subdivision (c) of this section, where the transcript is not ordered by a judge for the court's use, the only authorized page rate for payment for such transcript is \$2.50 for an original plus \$1.00 for each copy. (Note: this rate also will apply in UCS administrative proceedings)
 - (b) Where the transcript is ordered by a judge for the court's use, the only authorized page rate for payment for such transcript is \$2.50 for an original plus \$1.00 for each copy, unless regular delivery of such transcript has been ordered, in which event there is to be no charge for such transcript.
 - (c) Where the transcript is ordered pursuant to section 460.70 of the Criminal Procedure Law, the only authorized page rate for payment for such transcript is \$3.50 for an original and no charge for one copy thereof.
 - (d) The provisions of subdivisions (a) through (c) of this section notwithstanding, where a transcript subject to one of those provisions was ordered on or after August 16, 2000, but transcribed prior to such date, the only authorized page rate for payment shall be the rate provided in such subdivision less ten percent thereof.

4. The range of rates provided herein is intended to allow court reporters and persons/parties other than the UCS ordering transcripts to negotiate payment rates reflective of regional and market differences in the cost of transcripts and transcript production, complexity of the subject matter of proceedings recorded, and an affected court reporter's transcript volume. Where a court reporter and an ordering party cannot agree upon a rate, the court reporter shall not be required to produce or deliver the transcript except where regular delivery has been ordered, in which event the lowest rate within the range of rates specified for regular delivery will be the applicable rate.

5. If agreed to by the court reporter and the ordering party, a transcript may be produced and delivered in the form of a file (in ASCII or other agreed-upon format) on a computer diskette. In such event, such file shall be designated as an original or copy as the court reporter and the ordering party shall agree, and the court reporter shall be paid at the per page rate that would apply hereunder were the transcript in paper form; except that, for such purpose, where a transcript delivered as a file on a computer diskette is compressed, each quadrant (*i.e.*, one of four transcript pages electronically compressed into a single page) of such transcript shall be deemed a separate page.
6. The following definitions shall apply to the rates and provisions contained herein:
 - (a) “Daily delivery” means production and delivery of a transcript on the morning of the next UCS workday.
 - (b) “Expedited delivery” means production and delivery of a transcript within five (5) UCS workdays for each day’s or partial day’s proceeding.
 - (c) “Regular delivery” means production and delivery of a transcript under ordinary circumstances after the conclusion of the proceedings, and including any production and delivery times that exceed those for daily or expedited delivery.
 - (d) Delivery times are measured from the time that the reporter receives the order for the transcript or portion thereof.
 - (e) To qualify for the “copy” rate, a transcript or portion thereof must be ordered within thirty (30) days from the date on which the original of such transcript or portion thereof was ordered.
7. The State shall not provide any court reporting equipment or supplies except for stenographic machine packets.
8. Each court reporter who furnishes a transcript of a court proceeding to a private party shall, at the time the transcript is requested, enter into a written agreement for its production with that individual or party requesting the transcript. The agreement shall be documented on the attached form. This agreement shall set forth the payment rate per page, the estimated number of pages and the estimated date by which the transcript shall be delivered. No later than seven (7) days after entering into such written agreement, each court reporter who enters into a written agreement shall file a copy of that agreement in the office of the appropriate supervisor as designated by the Administrative Judge.

Any questions regarding these provisions should be directed to the UCS Division of Human Resources - Office of Employee Relations.

Please ensure distribution of this bulletin to all personnel within your respective jurisdictions who may be responsible for the processing of, or the monitoring of internal controls relating to, State-funded transcript expenditures.

NYS UNIFIED COURT SYSTEM
FOR ADMINISTRATIVE
PURPOSES ONLY


Joseph M. DeChants

COURT REPORTER MINUTE AGREEMENT FORM
(Private Party Transactions)

Please Type or Print Clearly

1. _____ Court, _____ County

Part No. _____ Name of Judge / Justice _____

2. Name of Case _____

3. Court Docket / File / Index Number _____ 4. Date(s) of Minutes Requested _____

5. Type of Proceeding (check one or more):

Arraignment _____ Application _____ Hearing _____ Plea _____ Trial _____ Sentence _____

Other (specify): _____

6. Pursuant to Section 108 of the Rules of the Chief Administrator, the rates per page for transcripts of proceedings reported in the New York State Courts shall be as follows:

Regular delivery: \$3.30 - \$4.30 (original)
\$1.00 (each copy)

Expedited delivery: \$4.40 - \$5.40 (original)
\$1.10 (each copy)

Daily delivery: \$5.50 - \$6.50 (original)
\$1.25 (each copy)

7. Rate to be Charged Per Page: _____

Regular _____ Expedited _____ Daily _____ Other _____

No. of Copies Ordered _____

8. Estimated Number of Pages: _____

9. Estimated Delivery Date: _____

10. Agreed to:

Court Reporter (signature)

Attorney / Party (signature)

Date of Agreement

Name of Court Reporter _____ Name of Attorney / Party _____

Address _____ Firm / Address _____

Telephone Number _____ Telephone Number _____

Fax Number _____ Fax Number _____

A copy of this agreement must be filed by the court reporter with his / her supervisor as designated by the Administrative Judge within 7 calendar days following the date of the agreement.