

IN THE COURT OF COMMON PLEAS OF MIFFLIN COUNTY, PENNSYLVANIA

In Re: Local Rule 4007 and : CP-44-CV-2-2018
Local Rule 4008 of :
Judicial Administration :

AMENDED ORDER OF COURT

And now, this 31st day of August, 2018, the Court hereby adopts the following new Local Rules of Judicial Administration hereby amending this Court's Order dated December 19, 2016.

Rule 4007 Requests for Transcripts

(A) All requests for transcripts shall be submitted on a form provided by the District Court Administrator or a form prepared by the judicial district and approved by the District Court Administrator. The form shall include the current rates authorized to be charged for transcripts under these rules.

(B) The request for transcript form may be downloaded from the Mifflin County Court website at www.co.mifflin.pa.us/dept/courts. A copy may also be obtained from the Office of Court Administration. For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with Court Administration. The requesting party shall also serve copies of the formal request upon the:

- (1) Judge presiding over the matter;
- (2) District Court Administrator;
- (3) Court Reporter or transcriptionist;
- (4) Opposing counsel, but if not represented, the opposing party.

The provisions of subsection (B) do not apply to requests by the Judicial Conduct Board.

(C) Daily, expedited, or same day transcripts are not available except in extreme circumstances approved by the presiding Judge.

(D) When a party requests a transcript,

(1) the party ordering a transcript shall make payment of the estimated transcript cost. Payments are to be made payable to County Of Mifflin and shall be delivered to the Office of Court Administration. Court Administration staff will forward same to the Prothonotary/Clerk of Court. Payment by private parties shall be made by money order or cashier's check. Personal checks and cash shall NOT be accepted by the Office of Court Administration.

(2) the Court Reporter, Court Recorder or transcriptionist shall prepare the transcript upon direction of the District Court Administrator after approval by the presiding Judge.

(3) the Court Reporter, Court Recorder or transcriptionist shall notify the ordering party and the Office of Court Administration of the completion of the transcript and deliver the original to the presiding Judge for approval of the transcript.

(4) upon payment of any balance owed, the Court Reporter, the Court Recorder or transcriptionist shall deliver the original transcript to the appropriate filing office for filing with copies for distribution to the requesting party and any other parties who may have requested copies. Copies of the transcript and filing of the original will be made upon payment in full. Checks for the final balance are to be made payable to the County of Mifflin and shall be delivered to the district court administrator or other court designee.

(E) When a party requests a transcript but cannot pay for the transcript because of alleged economic hardship, the Court shall determine economic hardship pursuant to the procedure set forth in Rule 4008(B). In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the Court. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate reasonable need before the Court shall waive or adjust the cost of obtaining the transcript.

(F) When a transcript is requested for which the Court or County is responsible for the cost, the Court Reporter, Court Recorder or transcriptionist shall prepare the transcript, without the necessity of a deposit, at the direction of the District Court Administrator after approval by the presiding Judge who will determine the priority of the request.

Rule 4008 Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof

(A) Costs:

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for an original transcript in an electronic format shall be:

(a) for a transcript for which an accelerated delivery is not requested, \$2.50 per page;

(b) expedited transcript, \$3.50 per page, if the court reporter is able to accommodate;

(c) daily transcript, \$4.50 per page, if the court reporter is able to accommodate;

(d) same day delivery, \$6.50 per page, if the court reporter is able to accommodate.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(B) Economic hardship – minimum standards:

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a party who has been permitted by the Court to proceed *in forma pauperis* or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a party whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, may be waived at the Court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application should be prepared in the form of an In Forma Pauperis Petition to Waive Transcript Fee and submitted with the request for transcript.

(C) Assignment and allocation of transcripts costs:

(1) *Assignment of costs.* The requesting party, or the party required by general rule to file a transcript, shall be responsible for the cost of the original transcript. Costs shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) *Allocation of costs.* When more than one party is to receive the transcript, or is required by general rule to file the transcript, the cost of the original transcript shall be divided equitably among the parties, taking into account any reduced fee or free transcripts.

(D) Copies of transcript:

(1) A request for a copy of any transcript previously ordered, transcribed and filed of record shall not exceed:

- (a) \$0.75 per page bound, paper format; and,
- (b) \$0.50 per page electronic copy.

(2) A request for a copy of an expedited transcript shall not exceed:

- (a) \$1.00 per page bound, paper format; and,
- (b) \$0.75 per page electronic copy.

(3) A request for a copy of a daily transcript shall not exceed:

- (a) \$1.25 per page bound, paper format; and,
- (b) \$1.00 per page electronic copy

(4) A request for a copy of a same day transcript shall not exceed:

- (a) \$1.50 per page bound, paper format; and,
- (b) \$1.25 per page electronic copy.

(E) Additional Costs:

No transcript or related costs may be charged to the parties or the public other than those listed in subdivisions (A), (B) and (D) without the written approval of the Court Administrator, except that a judicial district may enact a local rule that permits a trial judge to impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for a Court Reporter to significantly expand his/her dictionary.

(F) Requests for Rate Increases

The president judge of a judicial district may request an increase in the rates prescribed in subdivision (A) or (D) by submitting a written request to the Committee on Court Reporting and Transcripts. The request shall only be approved where it is established that the judicial district faces an economic hardship caused by the current rates and that the requested rates are reasonable. If the Committee approves the request by majority vote, it shall be forwarded to the Court Administrator for review. If the Court Administrator determines that the increase is necessary, the request shall be forwarded to the Supreme Court.

Said Local Rules of Judicial Administration shall be effective in the 58th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the Pennsylvania Bulletin and upon publication on the Mifflin County website.

BY THE COURT:



DAVID W. BARRON
PRESIDENT JUDGE

DISTRIBUTION: SEE NEXT PAGE

**c: Administrative Office of Pennsylvania Courts,
Pennsylvania Judicial Center, 601 Commonwealth Ave., Suite 1500
P.O. Box 61260, Harrisburg, PA 17106-1260**

**Legislative Reference Bureau, (Two certified copies and one electronic copy)
641 Main Capital Building, Harrisburg, 17120-0001**

Mifflin County Prothonotary

File

Request for Transcript or Copy



_____ County
Pursuant to Pa.R.J.A. 4007(A), this form must be completed by any person requesting a transcript for any court proceeding. Additional requirements may be found in the local rules of court for each judicial district. Local rules may be found by following the appropriate link at: <http://www.pacourts.us/courts/courts-of-common-pleas/>

If the cost of the transcript presents an economic hardship, there are reduced rates available to those who qualify. See Pa.R.J.A. 4007(E). Copies of this request must be served in accordance with Pa.R.J.A. 4007(B). A deposit determined by local rule may be required.

I. Case Information	
Case Caption:	Docket Number:
Presiding Judge:	
Date(s) of Proceeding:	
Court Reporter Name (if available):	
Case Type (check the appropriate box): <input type="checkbox"/> Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Family <input type="checkbox"/> Orphans' Court <input type="checkbox"/> Juvenile	
Type of Proceeding: <input type="checkbox"/> Suppression <input type="checkbox"/> Argument <input type="checkbox"/> Trial <input type="checkbox"/> Plea <input type="checkbox"/> Sentence or "Other" (please specify): _____	
PCRA <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the Transcript Associated with an Appeal? <input type="checkbox"/> Yes <input type="checkbox"/> No	Children's Fast Track: <input type="checkbox"/> Yes <input type="checkbox"/> No
II. Requestor Information	
Name of Requestor/Attorney ID Number (if applicable): _____	
I am: <input type="checkbox"/> Counsel for _____ <input type="checkbox"/> Unrepresented <input type="checkbox"/> Not a party to this action	
Agency/Firm: _____ Court Represented: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Street Address: _____ City: _____ State: _____ Zip: _____	
Email: _____ Phone: _____ Fax: _____	
Does this request qualify for a reduced rate pursuant to Pa.R.J.A. 4007(E)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please provide proof of authorization for a reduced rate or an affidavit required by Pa.R.J.A. 4008(B)(4) requesting a waiver of all or a portion of the costs.	
III. Transcript Items Requested	
<input type="checkbox"/> Entire proceeding <input type="checkbox"/> Jury Voir Dire <input type="checkbox"/> Opening statements <input type="checkbox"/> Closing arguments <input type="checkbox"/> Jury Instructions	
<input type="checkbox"/> Testimony (specify each witness):	
<input type="checkbox"/> Pre/Post trial hearing (specify):	
<input type="checkbox"/> Other (specify):	

IV. Transcript Delivery and Cost				
For the original transcript request, please select from the following:				
Delivery Time:	<input type="checkbox"/> Ordinary	<input type="checkbox"/> Expedited	<input type="checkbox"/> Daily	<input type="checkbox"/> Same Day
Original Transcript:	+\$2.50	+\$3.50	+\$4.50	+\$6.50 (cost per page)
Copy for Requestor: <input type="checkbox"/> Yes <input type="checkbox"/> No	+\$0.50	+\$0.75	+\$1.00	+\$1.25 (cost per page)
Note: Expedited, Daily, and Same Day Requests are only available where provided by the judicial district or court reporter. Costs payable by requestor shall not exceed the rates prescribed in Pa.R.J.A. 4008(A)(1) and (D)(1).				
Requesting Governmental Agency Rate (if applicable): <input type="checkbox"/> Yes <input type="checkbox"/> No				
Manner of Delivery: <input type="checkbox"/> Electronic (PDF) Format <input type="checkbox"/> Hard copy (add \$0.25 per page to page rates)				
Other (if offered, extra charges may apply): <input type="checkbox"/> Complex Litigation <input type="checkbox"/> Real Time Feed				
Special Requests (if offered): <input type="checkbox"/> Minuscript/Condensed <input type="checkbox"/> ASCII <input type="checkbox"/> Include Word Index <input type="checkbox"/> Other				
If Other, please specify: _____				
Are you requesting a photocopy of an existing transcript? <input type="checkbox"/> Yes <input type="checkbox"/> No (For photocopy rates, please see Pa.R.J.A 4008(D))				

Requestor's Signature: _____

Date: _____

Note: The first requestor of a transcript is obligated to pay for the original transcript, which is filed with the court, plus the copy rate if the requestor desires a personal copy (subject to any cost sharing with additional parties).



For Court Use Only

Date of Request: _____	Docket Number: _____
Case Caption: _____	
Name of Requestor: _____	
Email: _____ Phone: _____ Fax: _____	
Are the costs waived or reduced? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Date Deposit Received: _____	Deposit Check/M.O. Number: _____
Date Transcript Assigned: _____	Transcript to be Prepared By: _____
Transcript Due Date: _____	Date Transcript Completed: _____
Date Balance Received: _____	Balance Check/M.O. Number: _____
Date Transcript Sent to Requesting Parties: _____	

Ordinary, County Paid	\$	X	pages	=\$	Estimated Cost	\$
Ordinary, Private Paid	\$	X	pages	=\$	Less Deposit	-\$
Expedited	\$	X	pages	=\$	Balance Due	\$
Daily	\$	X	pages	=\$	Adjusted Cost (+/-)	=\$
Same Day	\$	X	pages	=\$	Final Page Total	
+Hard Copy	\$0.25	X	pages	=\$	Final Balance	\$
+Requestor Copy	\$	X	pages	=\$		
+Additional Charges	\$	X	pages	=\$		
Is the cost of the transcript being shared between parties? <input type="checkbox"/> Yes <input type="checkbox"/> No						
Photocopy of Existing Transcript: <input type="checkbox"/> Yes <input type="checkbox"/> No						

Notes: