

IN THE COURT OF COMMON PLEAS OF BEDFORD COUNTY, PENNSYLVANIA

In Re: Local Rule 4007.1 and : AD No. 4 for 2016
Local Rule 4008.1 of :
Judicial Administration :

ORDER OF COURT

And now, November 2, 2016, the Court hereby adopts the following new Local Rules of Judicial Administration:

Rule 4007.1 Requests for Transcripts

(A) All requests for transcripts shall be submitted on a form provided by the district court administrator which will include the current rates charged for transcripts.

(B) The request for transcript can be downloaded from the Bedford County website at bedfordcountypa.org or a copy can be obtained at the district court administrator's office. For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the district court administrator. The requesting party shall also serve copies of the formal request to:

- (1) the judge presiding over the matter;
- (2) the court reporter or transcriptionist;
- (3) opposing counsel, but if not represented, the opposing party.

(C) Daily, expedited, same day or rough draft transcripts are not available except in extreme circumstances approved by the judge presiding over the matter.

(D) When a litigant requests a transcript,

(1) the litigant ordering a transcript shall make partial payment of 50% of the estimated transcript cost. Deposit payments are to be made payable to Bedford County and shall be delivered to the district court administrator. Payment by private parties shall be made by money order. Cash shall NOT be accepted by the district court administrator's office.

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PROCLERK/CLERK OF COURTS
CLERK OF COMMONS COURT

(2) the court reporter or transcriptionist shall prepare the transcript upon direction of the district court administrator after approval by the judge presiding over the matter.

(3) the court reporter or transcriptionist shall notify the ordering party and the district court administrator of the completion of the transcript and deliver the original to the judge presiding over the matter for approval of the transcript.

(4) upon payment of any balance owed, the court reporter or transcriptionist shall deliver the original transcript to the district court administrator for filing with copies for distribution to the requesting party and any other parties who may have requested copies. Payment for the final balance shall be made payable to Bedford County and shall be delivered to the district court administrator who will forward it to the Finance Department. Copies of the transcript and filing of the original will be made upon payment in full.

(E) When a litigant 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 or transcriptionist shall prepare the transcript at the direction of the district court administrator after approval by the judge presiding over the matter who will determine the priority of the request.

Rule 4008.1 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 a transcript in an electronic format shall be:

(a) for an ordinary transcript, \$2.50 per page;

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

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

(d) for 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 litigant 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 litigant 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 a Petition to Waive All or a Portion of the Transcript Costs and submitted with the request for transcript.

(C) Assignment and allocation of transcripts costs

(1) *Assignment of costs.* The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the 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 requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(D) Copies of transcript

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

- (1) \$0.75 per page bound, paper format; and,
- (2) \$0.50 per page electronic copy.

(E) Additional Costs

A trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary. Such surcharges are at the discretion of the trial judge.

Said Local Rules of Judicial Administration shall be effective in the 57th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Bedford County website.

By the Court,



Thomas S. Ling P.J.