

IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

In Re: Local Rule of Judicial Administration

: MsD No. 16-40327
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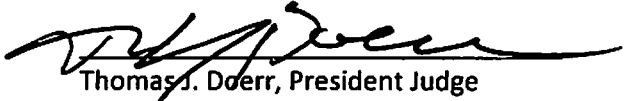
Administrative Order of Court

And Now, this 23rd day of December, 2016, it is hereby Ordered and Decreed, that effective January 1, 2017, or thirty (30) days after publication in the *Pennsylvania Bulletin*, whichever is later, the Butler County Court of Common Pleas adopts the following local rules, L4002, L4007, L4008, and L 4014, governing court reporting and transcripts for the 50th Judicial District.

The Butler County District Court Administrator is Ordered and Directed to do the following:

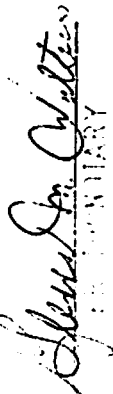
1. File one (1) copy with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these rules on the Butler County Court Services website.
4. Incorporate this rule into the set of Butler County local rules within thirty days after the publication of the rule in the *Pennsylvania Bulletin*.
5. File one (1) copy of the local rule in the in the appropriate filing office for public inspection and copying.
6. Deliver one (1) copy to the Butler County Legal Journal for publication at their discretion.

By the Court,


Thomas J. Daerr, President Judge

CLERK OF COURTS
OFFICE BUTLER CO
ENTERED & FILED

2016 DEC 27 P 2:00


ALEXANDER S. CHELTON
CLERK OF COURTS

Local Rules Governing Court Reporting and Transcripts

Rule L4002. Definitions

Court Administrator means the Court Administrator of Pennsylvania

District Court Administrator means the County Court Administrator

Rule L4007. Requests for Transcripts

(A) All requests for transcripts shall be set forth on a standardized form provided by the Court Administrator.

(B) The party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the District Court Administrator of the Court of Common Pleas of Butler County who will immediately note in their intake log that the filing has been made. The requesting party shall also serve copies of the formal request to:

(1) the judge presiding over the matter;

and

(2) opposing counsel, but if not represented, the opposing party.

(3) the District Court Administrator shall determine which Court Reporter is responsible for information requested and deliver a copy of the request to that reporter.

(C) Requests for daily, expedited or same day requests for these transcripts shall be filed in writing in the Butler County District Court Administrator's office at least 10 days prior to the proceeding. Copies of the written request shall be delivered as required by subsection (B) above. In the event of an emergency, a party may request by oral motion a daily, expedited or same day transcript. These requests must be approved by the trial Judge and are subject to the availability of the Court Reporter.

(D) When counsel, or the litigant when proceeding *pro se*, requests a transcript:

(1) The requester shall make partial payment of 90% of the estimated transcript cost upon notification by the Court Reporter of the estimated total cost of preparing the transcript. Litigants will be directed by the Court Reporter to the proper filing office where payment may be made. Deposit checks are to be made payable to the filing office in which the transcript will be or has been filed.

(2) Upon payment of the deposit the filing office will notify the District Court Administrator who in turn will notify the Court Reporter that the deposit has been received and that preparation of the desired transcript may proceed.

(3) Upon completion of the transcript, the Court Reporter shall notify the individual who requested the transcript that it is ready for delivery. The Court Reporter shall notify the requester of the balance due. The Court Reporter shall then serve an electronic copy on the trial Judge and the transcript shall be filed of record with the appropriate filing office. Upon payment of any balance owed, the filing office shall deliver a copy of the transcript to the litigant who ordered it. Electronic delivery by e-mail is preferred. Checks or Money Orders for the final balance are to be made payable to the filing office in which the transcript has been filed. Transcripts of all hearings or portions thereof, once transcribed by the Court Reporter, shall be filed of record in the proper recording office.

(5) A "Request for Transcript" must also be submitted for individuals seeking to obtain copies of transcripts that have previously been filed of record. Upon payment of the appropriate fee, the recording office may provide a copy of the transcript to the individual requesting it. Distribution of electronic copies by e-mail is preferred.

(4) A copy of the "Request for Transcript" form shall be made available in the District Court Administrator's office, the recording offices and on the Butler County Court of Common Pleas website.

Rule L4008. 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 those entities described in section 4 below, for production and filing of 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, expedited transcripts are only available if the court reporter is able to accommodate;

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

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

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

(3) When the requesting party represents a Commonwealth or federal agency (for example but not limited to: Office of the Attorney General, Penn Dot, FBI other state or federal

investigative agency) the costs payable to the County of Butler shall be equivalent to that which is charged to any outside, private party or litigant. A request for transcript under this section must be made on the form prescribed by the Court Administrator.

(4) When the requesting party is a Judge, the Butler County District Attorney's office, the Butler County Public Defender's Office or any other County office or agency there will be no charge for a transcript provided the transcript is being used in the furtherance of litigation. A request for transcript under this section must be made on the form prescribed by the Court Administrator. All transcripts under this section will be delivered to the requester in electronic format only.

(5) Nothing in this rule shall authorize delivery of an original transcript, or copy thereof, in a proceeding where the record is sealed or where the record is not generally available to the public to any person or entity not otherwise entitled to the same.

(B) Economic hardship – minimum standards

(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 Proceed *In Forma Pauperis* to waive all or a portion of the transcript costs and filed in the appropriate filing office. A copy of the Order of Court granting a person the privilege of proceeding *In Forma Pauperis*, or at a reduced rate, must accompany the "Request for Transcript" form. A sample Petition to Proceed *In Forma Pauperis* shall be made available in the recording offices, the Court Administrator's office and on line on the Butler County Courts web page.

(D) Copies of transcript

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided by the appropriate filing office upon completion of a "Request for Transcript" and payment of the appropriate fee according to the following schedule:

- (1) \$0.75 per page, 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, not to exceed \$1.00 per page, are at the discretion of the trial judge.

Rule 4014. Redaction of Personal Identifiers

(A) As a rule, social security numbers and financial institution account numbers shall be redacted from any transcript that is filed of record. Only the last four numbers of the social security number or financial institution account number shall appear in a transcript. Other confidential, personal and/or financial data and other identifiers may be redacted upon the Court's own motion or upon motion of any party and subsequent Order of Court. Redacted information may be made available to the parties upon motion presented to and ordered by the Court.

(B) Names of all minor children shall be identified by initial only. The transcript of any proceeding which is not open to the public may be released only with the approval of the presiding judge.

(C) In the instance when information in a transcript is to be redacted, the Court Reporter shall file of record only the redacted transcript noting on the face page that portions of the transcription have been redacted. The Court Reporter shall maintain an un-redacted copy in their personal electronic files. Should an un-redacted copy of the transcript be requested, the Court may, at its own discretion or upon motion of either one or all of the parties, direct that an un-redacted copy of the transcript be created by the Court Reporter and delivered by the proper filing office to the party as directed by the Court.