



# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST VIRGINIA



## Ordering a Transcript and/or Purchasing a Copy of an Audio Tape or CD of a Proceeding (Rev. 04/2014)

### **Introduction**

A primary responsibility of court reporters is to provide transcripts of court proceedings held before district judges and, on occasion, proceedings held before magistrate judges. Transcripts must be verbatim records of proceedings recorded by shorthand, mechanical means, electronic sound recording, or other suitable method.

A transcript is generated upon the request of a party who has agreed to pay the fees established by the Judicial Conference or upon approval of a request for funds under the Criminal Justice Act. Procedures for ordering a transcript (or ordering a copy of an audio tape or CD of a proceeding when an audio record instead of a transcript is desired) follow.

### **Procedures**

#### **Ordering a Transcript from an Official Court Reporter**

To order a transcript of proceedings recorded electronically, see [Ordering a Transcript from an Electronic Recording](#).

- 1. Identify the court reporter who recorded the proceeding:**
  - from PACER, access the case-specific docket sheet and review the minute entry for the proceeding to be transcribed, or
  - if PACER access is unavailable, contact the Clerk's Office and ask the deputy clerk to access a case-specific docket sheet and review the minute entry for the proceeding to be transcribed.
- 2. Contact the court reporter with a written or verbal request; include the following:**
  - information which identifies the proceeding to be transcribed, e.g., case number, case style, date of the proceeding, judicial officer who held proceeding, type of proceeding held EXCEPT for opening and closing statements, voir dire, or jury instructions, which require special authorization; and
  - the type of transcript desired, e.g., ordinary, 14-day, expedited, daily, or hourly as described in [Transcript Rates](#).
- 3. Make financial arrangements to purchase the transcript.**
  - if the costs are to be paid using CJA funds, complete and submit a [CJA 24 Authorization and Voucher for Payment of Transcript \(CJA 24 Form\)](#) to the judicial officer who held the proceedings for authorization to obtain the transcript.<sup>1</sup>

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<sup>1</sup> In multi-defendant cases, Judicial Conference policy provides that no more than one transcript of a proceeding should be purchased from the court reporter using CJA funds. Arrangements should be made for duplications of copies at commercially competitive rates, the cost of which will be paid by CJA funds. This policy does not preclude



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4. ***If the transcript is ordered for appeal purposes, complete and file a [Fourth Circuit Transcript Order Form](#):***
  - ***[provide a copy of the form to each court reporter from whom a transcript is requested](#)*** (court reporter information is located at [Judges and Chambers' Staff](#)); and
  - file the form with the Fourth Circuit Court of Appeals (include a copy of the [CJA 24 Form](#), if applicable), who will set a deadline for the filing of the transcript.
  
5. ***The court reporter will, upon completion of satisfactory financial arrangements:***
  - prepare the transcript;
  - electronically file the transcript into the official district court record using the CM/ECF system; and
  - provide the requestor with a PDF version or paper copy.

## **Ordering a Transcript from an Electronic Recording**

1. ***Identify the judicial officer before whom the proceeding was held:***
  - from PACER, access the case-specific docket sheet and review the minute entry for the proceeding to be transcribed, or
  - if PACER access is unavailable, contact the Clerk's Office and ask the deputy clerk to access a case-specific docket sheet and review the minute entry for the proceeding to be transcribed.
  
2. ***Complete and file a [Request for Transcript or Recording](#):***
  - complete the form in its entirety, including the type of transcript desired, e.g., ordinary, 14-day, expedited, daily or hourly, as described in [Transcript Rates](#);
  - electronically file the form into the official district court record using the CM/ECF system;
  - provide a copy to the judicial officer's secretary or courtroom deputy and, for expedited requests, follow-up with a telephone call to initiate preparation (judicial officer secretary and courtroom deputy information is located at [Judges and Chambers' Staff](#)); and
  - if the costs are to be paid using CJA funds, complete and submit a [CJA 24 Form](#) to the judicial officer who held the proceedings for authorization to obtain the transcript.

**CAUTION: The CM/ECF system is not designed to notify the judicial officer's secretary or courtroom deputy when a request is electronically filed; it is the requestor's responsibility to make that notification and initiate preparation.**

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the court reporter from providing the copies at the commercially competitive rates.



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3. ***If the transcript is ordered for appeal purposes, complete and file a [Fourth Circuit Transcript Order Form](#):***
  - provide a copy of the form to the judicial officer's secretary or courtroom deputy; and
  - file the form with the Fourth Circuit Court of Appeals (include a copy of the [CJA 24 Form](#), if applicable), who will set a deadline for the filing of the transcript.
4. ***Upon receipt of the request, the secretary or courtroom deputy will:***
  - download the proceeding onto a CD or cassette tape; and
  - send the CD or cassette tape, with the request form, to Lynn Cooper in the Charleston Division who will assign the request to a court reporter and forward the CD or cassette tape accordingly.
5. ***Upon receipt of the assignment, the court reporter will:***
  - estimate the involved costs and the approximate time required;
  - contact the requestor with those estimates unless the transcript is being ordered pursuant to the CJA; and
  - set a date by which payment is expected.
6. ***Upon completion of satisfactory financial arrangements, the court reporter will:***
  - prepare the transcript;
  - electronically file the transcript into the official district court record, using the CM/ECF system; and
  - provide the requestor with a PDF version or paper copy.

### **Purchasing a Copy of an Audio Tape or CD of an Electronically Recorded Proceeding**

If an electronic recording system is used to record proceedings held before a magistrate judge or a district judge, a copy of the audio tape or CD of the electronically recorded proceeding may be purchased.

1. ***Complete and file a [Request for Transcript or Recording](#):***
  - complete the form in its entirety;
  - electronically file the form into the official district court record using the CM/ECF system;
  - tender the \$30 duplication fee to the Clerk of Court, along with a copy of the electronically filed request form; and
  - provide the [Request for Transcript or Recording](#) to the appropriate judicial officer's secretary or courtroom deputy; for expedited requests, follow-up with a telephone call to initiate preparation.

**CAUTION: The CM/ECF system is not designed to notify the judicial officer's secretary and/or courtroom deputy when a request is filed; it is the requestor's responsibility to make that notification and initiate preparation.**



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2. ***Upon receipt of the completed form, the judicial officer's secretary or courtroom deputy will:***
- verify that the Clerk's Office has received the duplication fee; and
  - forward the request to Lynn Cooper for processing and delivery.

## **Additional Information**

Questions regarding court reporters or transcript orders from an official court reporter or electronic recording should be directed to Lynn Cooper at 304/347-3051.