

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LOCAL RULES OF JUDICIAL
ADMINISTRATION 101, 4007.1,
AND 4008.1

*
* MISC. NO. 2016 - 4747
*

ADMINISTRATIVE ORDER

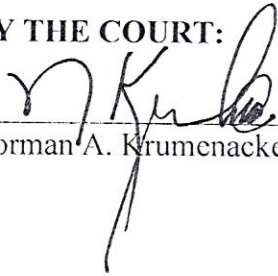
AND NOW, this 22nd day of December 2016, **IT IS HEREBY ORDERED,**

DIRECTED AND DECREED that the Cambria County Court of Common Pleas adopts the following Local Rules of Judicial Administration governing court reporting and transcripts. These Rules shall become effective thirty (30) days after the date of publication in the Pennsylvania Bulletin.

The Cambria County District Court Administrator **IS HEREBY ORDERED AND DIRECTED** to:

- 1) File one (1) copy of the Local Rules of Judicial Administration with the Administrative Office of Pennsylvania Courts via e-mail to rulescommittees@pacourts.us and adminrules@pacourts.us;
- 2) File two (2) paper copies and one (1) computer disk containing the text of the Local Rules of Judicial Administration with the Legislative Bureau for publication in the Pennsylvania Bulletin;
- 3) Publish these Rules on the Cambria County website www.cambriacountypa.gov;
- 4) Incorporate these Rules into the set of Local Rules on www.cambriacountypa.gov within thirty (30) days after publication of them in the Pennsylvania Bulletin; and
- 5) File a copy of these Rules, which shall be continuously available for inspection, in the Cambria County Prothonotary's Office.

BY THE COURT:


Norman A. Krumenacker, III, P.J.

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PROTHONOTARY
CAMBRIA COUNTY, PA

Rule 101 – Title and Citation

These Rules shall be known as the Cambria County Local Rules of Judicial Administration and may be cited as “C.C.L.R.J.A.”

Rule 4007.1 - Requests for Transcripts

- A) All requests for transcripts shall be set forth on a standardized form provided by the Court Administrator which will include the current rates charged for transcripts. The form can be downloaded from the Cambria County website www.cambriacountypa.gov or a copy can be obtained from the District Court Administrator’s Office.
- B) For an ordinary transcript, defined as necessary for the purpose of appeal or to advance litigation, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the District Court Administrator’s Office. The requesting party shall also serve copies of the formal request to:
 - 1) the judge presiding over the matter;
 - 2) the court reporter, court recorder or transcriptionist;
 - 3) opposing counsel, but if not represented, the opposing party.
- C) Requests for daily, expedited, or same day transcripts shall be filed with the District Court Administrator’s Office at least ten (10) days prior to the proceeding. Copies of the written request shall be delivered as required by subsection (B). In the event of an emergency, a party may request by oral motion a daily or expedited transcript.
- D) When a litigant requests a transcript:
 - 1) The litigant ordering a transcript shall make partial payment in the amount of 80% of the estimated cost of the transcript which shall be communicated to them by the court reporter or the District Court Administrator’s Office within ten (10) days of the request. Payment by self-represented litigants shall be by money order only. Cash shall not be accepted. Checks or money orders are to be made payable to Cambria County and shall be delivered to the District Court Administrator’s Office.
 - 2) The court reporter or transcriptionist shall prepare the transcript upon direction of the District Court Administrator’s Office after approval of the presiding judge.
 - 3) The court reporter, court recorder, or transcriptionist shall notify the ordering party and the District Court Administrator’s Office of the completion of the transcript and of any outstanding balance due. The court reporter, court recorder, or transcriptionist shall deliver a copy of the transcript to the judge presiding over the matter for review and approval.

- 4) Upon payment of any balance owed, the court reporter, court recorder or transcriptionist shall deliver the original transcript to the appropriate filing office and copies to the parties. Checks or money orders for the final balance are to be made payable to Cambria County and shall be delivered to the District Court Administrator's Office.
- E) When a litigant requests a transcript, but cannot pay for the transcript because of alleged economic hardship, the presiding judge shall determine economic hardship pursuant to the procedure set forth in Cambria County Local Rule 4008.1(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 upon receipt of the request.

Rule 4008.1 - Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof

A) Costs Payable

- 1) *Electronic format* - 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 the request; and
 - c. For a daily transcript, \$4.50 per page, if the court reporter is able to accommodate the request; and
 - d. For same day delivery, \$6.50 per page, if the court reporter is able to accommodate the request.
- 2) *Paper Format* - 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

- 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 below 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, or for expedited, daily, or same day transcripts 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. The court shall advise litigants of the procedure for requesting a waiver or reduction of costs.
- 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 the *In Forma Pauperis* Rule 240(h) of the Pennsylvania Rules of Civil Procedure. Such application shall 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.

Counsel for a represented party must provide the presiding judge with a letter of certification, as provided in Pennsylvania Rule of Civil Procedure 240(d), verifying that the client meets the financial eligibility requirements and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

C) Assignment and allocation of transcript 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 filed with the District Court Administrator's Office and 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 presiding judge may impose a reasonable surcharge for transcripts 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 charges are at the discretion of the presiding judge.