

THE COURTS

BLAIR COUNTY

Administrative Order; No. 2016 MD 146

[47 Pa.B. 12]

[Saturday, January 7, 2017]

Order

And Now, this 21st day of December, 2016 it is hereby Ordered, Directed and Decreed, the Blair County Court of Common Pleas adopts the following local rules governing court reporting and transcripts for the 24th Judicial District.

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

1. File one (1) copy of the local rules with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us;
2. File two (2) paper copies and one (1) computer diskette containing the text of the local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;
3. Publish these Rules on the Blair County website at www.blairco.org;
4. Incorporate these rules into the set of local rules on www.blairco.org within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*;
5. File a copy of the local rules, which shall be continuously available for inspection and copying, in the Office of the Prothonotary.
6. These local rules shall become effective not less than 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

ELIZABETH A. DOYLE,
President Judge

Blair County Local Rules of Judicial Administration 4007.1 and 4008.1

Rule 101. Title and Citation.

These Rules shall be known as the Blair County Local Rules of Judicial Administration and may be cited as "Bl.C.L.R.J.A. . . ."

Rule 4007.1. Requests for Transcripts.

(A) All requests for transcripts shall be submitted on a form provided by the Court Administrator which will include rates charged for transcripts. The form can be downloaded from the Blair County website at www.blairco.org.

(B) For an ordinary transcript, defined as necessary for an appeal or to otherwise advance litigation, the party requesting the full or partial transcript of a trial or other proceeding shall file the original request with the District Court Administrator's Office at 423 Allegheny Street, STE 239, Hollidaysburg, PA 16648.

(C) Requests for daily, expedited or same day transcripts shall be filed in the 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). 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 the transcript shall make payment in the amount of 90% of the estimated total cost of the transcript which will be communicated to them by the court reporting personnel or District Court Administrator's Office within 10 days of the request. Payment by self-represented litigants shall be made by money order only.

Checks or money orders are to be made payable to the County of Blair and shall be delivered to the District Court Administrator's Office. Cash shall not be accepted by the District Court Administrator's Office.

(2) The court reporting personnel assigned to the proceeding shall be directed by the District Court Administrator or designee to prepare the transcript.

(3) The court reporting personnel shall notify the ordering party and the District Court Administrator or designee upon completion of the transcript and shall indicate the balance due if any.

(4) Checks or money orders for the final balance are to be made payable to the County of Blair and shall be delivered to the District Court Administrator's Office.

Upon payment of the balance owed, the court reporting personnel shall file the original transcript in the appropriate filing office with copies made and delivered to the appropriate litigants.

(E) When a litigant requests an ordinary transcript, but cannot pay for the transcript because of alleged economic hardship, the President Judge shall determine economic hardship pursuant to Bl.C.L.R.J.A. 4008.1(B). In cases of economic hardship where there is no appeal pending or a transcript is not needed to advance litigation, the requesting

party must demonstrate reasonable need before the court shall waive or adjust the cost of obtaining the transcript.

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 the initial ordering party for a transcript delivered via 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 within seventy-two (72) hours of an official request, not including weekends or official court holidays;

(c) For a daily transcript, \$4.50 per page, if the court reporter is able to accommodate within eighteen (18) hours of an official request, not including weekends or official court holidays; and

(d) For same-day delivery, \$6.50 per page, if the court reporter is able to accommodate the request within 6 hours of the close of the court session.

(2) *Paper Format.* The costs payable by the initial ordering party for a transcript delivered via paper format shall be:

(a) For an ordinary transcript, \$2.75 per page;

(b) For an expedited transcript, \$3.75 per page, if the court reporter is able to accommodate within seventy-two (72) hours of an official request, not including weekends or official court holidays;

(c) For a daily transcript, \$4.75 per page, if the court reporter is able to accommodate within eighteen (18) hours of an official request, not including weekends or official court holidays;

(d) For same-day delivery, \$6.75 per page, if the court reporter is able to accommodate the request within 6 hours of the close of the court session.

Comment: When a condensed paper transcript, meaning that more than one page of transcript is included on a single sheet of paper, is ordered by a party, the cost will be per sheet of paper, regardless of the number of pages of transcript on the sheet.

(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 the poverty guidelines as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript cost 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.

(4) Any request to waive all or a portion of costs for ordinary transcripts based on economic hardship must be attached to the request for transcript and in the form of a fully completed In Forma Pauperis Petition pursuant to Pennsylvania Rule of Civil Procedure 240.

Counsel for a represented party must provide the President Judge with a letter of certification verifying, as provided in Pa.R.J.A. 4008(B), that the client meets financial eligibility 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 costs 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 Transcripts

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

- (1) No more than \$0.75 per page bound, paper format; and
- (2) No more than \$0.50 per page electronic copy.

Any requests for copies shall be addressed to and produced by the Blair County Prothonotary Office, Clerk of Courts or Blair County Orphans Court as applicable at 423 Allegheny Street, STE 144, Hollidaysburg, PA 16648.

(E) Additional Costs

The presiding judge may impose a reasonable surcharge for transcripts in cases of mass tort, medical malpractice, or any other complex litigation, where there is a need for a court reporter to expand their dictionary. Such determination is at the discretion of the presiding judge.

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