

Court Reporter Roundtable

Trial Court Employee Conference

Tuesday, July 12, 2016

Payment for Transcripts

- Problem: A Notice of Appeal has been filed requesting the preparation of a transcript. You have sent an estimate of the cost of preparing the transcript to the party or their counsel. However, no payment arrangements have ever been made for the preparation of the transcript.
- What should you do?

Payment for Transcripts

continued

- Appellate Rule 9(H) provides that within ten (10) days after the filing of the Notice of Appeal, a party must enter into an agreement with the Court Reporter for payment of the cost of the transcript.
- As of July 1, 2016, a party must send the Notice of Appeal to the Court Reporter by electronic transmission. Ind. Appellate Rule 9(F)(5).
- Be aware that for appeals initiated on or after July 1, 2016, the Court Reporter has forty-five (45) days after the filing of the Notice of Appeal to complete the transcript. Ind. Appellate Rule 11(B).

Payment for Transcripts

continued

- If a party does not make payment arrangements for the transcript and is not entitled to a free transcript, then the Court Reporter should bring this to the attention of the court on appeal by filing either (1) a motion for extension of time to complete the transcript; or (2) a notice stating that payment arrangements have not been made for the transcript.

Payment for Transcripts

continued

- When the court on appeal receives notice that payment arrangements have not been made for the transcript, the court will issue an order to show cause.
- The Court Reporter's obligation to prepare the transcript will be held in abeyance.
- The party that requested the transcript will be ordered to show that payment arrangements have been made.
- If the party does not show that payment arrangements have been made, then the appeal will be dismissed.

Payment for Transcripts

continued

- Be aware that sometimes a party may be entitled to a free transcript.
- This is common in criminal direct appeals and in appeals from the denial of a petition for post-conviction relief.
- Under Appellate Rule 40, a party can seek permission from the Court of Appeals to proceed on appeal in forma pauperis.
 - This only relieves a party of the obligation to pay the appellate filing fee.
 - This does not entitle a party to a free transcript.

Farming it Out

- Problem: Two cases from your court have gone up on appeal at almost the same time. You are able to complete the transcript in one case, but do not have sufficient time to complete the transcript for the second case.
- What should you do to make sure the second transcript is timely completed?

Farming it Out continued

- You could request an extension of time under Appellate Rule 11(C) to complete the second transcript.
- Alternatively, Appellate Rule 11(A) provides that the Court Reporter may engage the services of outside transcribers or transcription services to assist in all or part of the transcription.
- However, if you do farm out the transcript, remember that under Appellate Rule 11(A), the Court Reporter remains responsible for preparation of the documentary exhibits. The Court Reporter also remains responsible under Appellate Rule 28(B) for certifying that the transcript is correct.

Farming it Out continued

- If you are thinking about farming out the transcript, remember that under Trial Rule 74(A) and Criminal Rule 5, the trial judge has the authority to order that the transcript be farmed out.
- Best Practice: Consult with your judge before you engage the services of another transcriber or transcription service.

Confidentiality: Exhibits

- Problem: A party enters an exhibit into evidence during a trial or a hearing that contains confidential information. The exhibit is filed on green paper with a separate notice that states the specific grounds for why the exhibit should be excluded from public access.
- What should you do with this exhibit when you prepare the exhibit volume for the transcript?

Confidentiality: Exhibits

continued

- In this case, the party has fully complied with Administrative Rule 9(G)(5).
- Administrative Rule 9(G)(5) provides that at the time the exhibit is admitted into evidence, it must be on green paper and be accompanied by a separate notice that identifies the specific grounds for why the document or information should be excluded from public access.

Confidentiality: Exhibits

continued

- If a party has fully complied with Administrative Rule 9(G)(5), then under Appellate Rule 29(D), the Court Reporter is obligated to file the exhibit with the Trial Court Clerk in a manner that complies with Appellate Rule 23(F).

Confidentiality: Exhibits

continued

- Problem: An exhibit is admitted into evidence that you know contains confidential information. The exhibit is not on green paper, the confidential information has not been omitted or redacted, and no notice has been filed stating that the exhibit contains confidential information.
- What should you do with this exhibit when you prepare the exhibit volume for the transcript?

Confidentiality: Exhibits

continued

- In this case, the party has not fully complied with Administrative Rule 9(G)(5).
- The Court Reporter does not need to take any special action with regard to the exhibit.
- The exhibit should be placed in the regular for public access exhibit volume on white paper.
- The confidential information in the exhibit remains accessible to the public until the party takes some action to exclude the confidential information from public access.

Confidentiality: Transcripts

- Problem: During a trial or a hearing, a witness makes a statement that contains confidential information. Counsel provides notice to the Court Reporter that the statement contains confidential information and states the specific grounds for why the statement should be excluded from public access.
- What should you do with this statement when you prepare the transcript?

Confidentiality: Transcripts

continued

- In this case, the party has fully complied with Administrative Rule 9(G)(5).
- Under Administrative Rule 9(G)(5), during the trial or hearing, the Court Reporter must be given notice that the statement contains confidential information that should be excluded from public access and that states the specific grounds for why the information should be excluded from public access.
- Administrative Rule 9(G)(5) does not specify that the notice must be in writing, so notice may be given orally.

Confidentiality: Transcripts

continued

- If a party has fully complied with Administrative Rule 9(G)(5), the Court Reporter must file the transcript in a manner that complies with Appellate Rule 23(F).

Confidentiality: Transcripts

continued

- If the party has not fully complied with Administrative Rule 9(G)(5), then the Court Reporter does not need to take any special action with regard to this statement.
- This statement should be placed in the regular for public access version of the transcript on white paper.

Confidentiality: Filing documents with the Appellate Courts

- Problem: A case from your court has been appealed. During the trial, a confidential exhibit was introduced into evidence. Additionally, a witness gave confidential testimony . The party fully complied with Administrative Rule 9(G)(5) when it introduced the confidential exhibit and when the confidential testimony was given.
- What should you do with the confidential exhibit and the confidential testimony when you file your transcript with the appellate court?

Confidentiality: Filing Documents with the Appellate Courts

- If the party has fully complied with Administrative Rule 9(G)(5), then the Court Reporter must file the exhibits and the transcript with the appellate court in a manner that complies with Appellate Rule 23(F).

Confidentiality: Filing Documents with the Appellate Courts

- First, the Court Reporter must file a Public Access version of the document.
- In the public access version of the document, the confidential information should be omitted or redacted.
- Confidential exhibits should be omitted. The Court Reporter should not redact an exhibit unless ordered to do so by a court.
- If a page is omitted, a separate place keeper page must be inserted for each omitted page.

Confidentiality: Filing Documents with the Appellate Courts

- Next, the Court Reporter must file a Non-Public Access version of the document.
- The Non-Public Access version is a completely separate document, and the first page should be marked “Not for Public Access” or “Confidential”.
- The Non-Public Access version should be a complete, consecutively paginated replication of the Public Access version of the document that includes both the public access and the non-public access material.

Confidentiality: Filing Documents with the Appellate Courts

- If you e-file, then green paper is no longer required. Instead, pages in the Non-Public Access version containing confidential information excluded from public access should be identified with a header, label or stamp that states “Confidential Per A.R. 9(G)” or “Excluded from Public Access Per A.R. 9(G)”.
- If you do not e-file, then the Non-Public Access version must still be a complete, consecutively paginated replication of the Public Access version, but the non-public access materials must be placed on green paper.

Electronic Transcripts

- Problem: The Notice of Appeal is filed before July 1, 2016. If you complete and file the transcript after July 1, 2016, do you have to file the transcript in an electronic format?

Electronic Transcripts

- No. The Transcript should be prepared in a manner that complies with the Appellate Rules in effect at the time the Notice of Appeal was filed.
- If the Notice of Appeal was filed before July 1, 2016, then you prepare a paper copy of the transcript.
- If the Notice of Appeal was filed on or after July 1, 2016, then you prepare an electronic copy of the transcript only.

Exhibits

- Problem: Do you have to submit the exhibits in electronic format?

Exhibits

- No. Documentary exhibit volumes may be submitted in either electronic or paper format. Ind. Appellate Rule 29(A).

Exhibits

- Problem: Can audio and video recordings that have been submitted as exhibits be filed with the transcript?

Exhibits

- Yes. Exhibits in the form of audio or video recordings shall be separately submitted to the Appellate Clerk on CD, DVD, flash drive, or other physical media at the same time as the transcript and documentary exhibits are filed. Ind. Appellate Rule 29(B).
- However, non-documentary and oversized exhibits should not be filed with the Appellate Clerk and should remain in the custody of the trial court.

Filing the Electronic Transcript

- Problem: How should you file the electronic transcript?

Filing the Electronic Transcript

- Appellate Rule 28 provides specific details about how to file the electronic transcript.
- Submission by E-Filing:
 - If the trial court clerk is listed on the Public Service List, then the Court Reporter shall transmit the electronic Transcript to the trial court clerk through the IEFS using a “Serve” filing type under the Court on Appeal case number.
 - The exhibit volumes should be filed with the trial court clerk in accordance with Rule 11.
 - The trial court clerk then transmits the electronic transcript to the Appellate Clerk through the IEFS.

Filing the Electronic Transcript

- Submission on Physical Media:
- Step 1: If the trial court clerk is not listed on the Public Service List, the Court Reporter shall seal the official record and official working copy in an envelope bearing the trial court case number and marked “Transcript”. Ind. Appellate Rule 28(C).
 - The Court Reporter should retain their own copy of the electronic transcript. Ind. Appellate Rule 28(C).
- Step 2: The sealed electronic transcript copies and separate exhibit volumes shall be filed with the trial court clerk in accordance with Appellate Rule 11. Ind. Appellate Rule 28(C).

Filing the Electronic Transcript

- Step 3: The trial court clerk shall file stamp the envelope that will be used to store the electronic data storage device. Ind. Appellate Rule 28(E).
 - The trial court clerk should retain the official working copy of the transcript and store it in conformity with Administrative Rule 6. Ind. Appellate Rule 28(E).
- Step 4: The trial court clerk shall transmit the official record to the Appellate Clerk either through the IEFS or conventionally by personal delivery, U.S. mail, or third party commercial carrier. Ind. Appellate Rule 28(E).
- Arrangements should be made so that attorneys can have access to the transcript after it is completed.

Additional Resources

- **Professional Associations**

- American Association of Electronic Reporters and Transcribers (AAERT) – www.aaert.org
- National Court Reporters Association (NCRA) - www.ncra.org
- National Verbatim Reporters Association (NVRA) - www.nvra.org
- International Alliance of Professional Reporters and Transcribers (IAPRT) - www.iaprt.org
- Indiana Court Reporters Association (INCRA) - www.incraonline.com

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- **Link to Federal Guidelines**

- [http://c.ymcdn.com/sites/www.aaert.org/resource/resmgr/Docs/Federal Guidelines.pdf](http://c.ymcdn.com/sites/www.aaert.org/resource/resmgr/Docs/Federal_Guidelines.pdf)

Additional Resources continued

- **Social Media, Forums, Blogs, and Websites**
- Grammar Girl
- www.quickanddirtytips.com/grammar-girl
- www.facebook.com/GrammarGirl
- Margie Holds Court
- www.margieholdscourt.com
- www.margieholdscourt.com/category/mww-blog/
- www.facebook.com/margieholdscourt/
- Grammar Book
- www.grammarbook.com/
- CSR Nation
- www.csrnation.ning.com/
- Court Reporter Forum
- www.facebook.com/Court-Reporter-Forum-156971821011831/info/?ref=page_internal
- The RecordXchange
- www.therecordxchange.net/

Additional Resources continued

- **Reference Books**
- **Court Reporting: Bad Grammar/Good Punctuation**
- by Margaret L Wakeman Wells
- **The Gregg Reference Manual**
- by William Sabin
- **Morson's English Guide for Court Reporters**
- by Lillian I. Morson
- **One Word, Two Words, Hyphenated?**
- by **Mary Louise Gilman**

New Appellate Rules for Preparation of Transcripts

Summary Highlights

Each Court Reporter/Transcriber is advised to read the Appellate Rules <http://www.in.gov/judiciary/rules/appellate/index.html> and Order Amending Rules <http://www.in.gov/judiciary/2784.htm> very carefully.

App. Rule 2. Definitions

- Adds the phrase “conventional filing” (meaning the physical non-electronic presentation of documents to the Clerk or Court) to the appellate rules.
- Adds other new terms with definitions for purposes of electronic filing. See the new rule language.

App. Rule 9 F (5). Request for Transcript.

- The appellant must include the email address of the Court Reporter **and** must send by electronic transmission to the Court Reporter the Notice of Appeal. **Note:** This means your work email address must be readily available to the public and attorneys.

App. Rule 9 H. Payment for Transcript

- The payment arrangements must be made with 10 days of the filing of the notice of Appeal.
- The Court Reporter may require from the appellant a fifty percent (50%) deposit based on the estimated cost of the Transcript.
 - **NOTE:** No deposit may be charged for a state or county paid Transcript.

App. Rule 11 A. Preparation of Transcript

- **With the exception of the preparation of documentary exhibits pursuant to Rule 29(A)**, the Court Reporter may engage the services of outside transcribers or transcription services to assist in all or part of the transcription.
- **NOTE Criminal Rule 5 and Trial Rule 74 have not changed**
The judge of the court in which the oral matters were recorded may direct the court reporter or any other responsible, competent person, in his discretion, to make a transcription of recorded oral matters and certify the accuracy of the transcription.
- **Best Practice:** a Reporter should consult with the Judge **before** engaging the service of another transcriber.
- Changes to Rule 28 and 29 (see below)

App. Rule 11 B. Deadline for Filing Transcript

- The Court Reporter shall have **forty-five (45) days** after the appellant files the Notice of Appeal to file the Transcript with the trial court clerk or Administrative Agency.

App. Rule 12 B. Transmittal of the Record

- With five (5) days of the Court Reporter filing the Transcript, the **trial court clerk** shall transmit the Transcript to the Clerk in accordance with Rules 28 and 29.

App. Rule 23(F)

This Rule deals with the parties' responsibility to submit documents in a manner that complies with Admin. R. Rule 9(G).

- If the party has not taken steps to comply with Admin. Rule 9(G), then the court reporter is under no obligation to comply with the rule. The documents should be filed with the appellate court as they were submitted and accessible to the public.
- If the party has complied with Admin. Rule 9(G), then the Court Reporter must file the documents with the appellate court in a manner that complies with Appellate Rule 23(F).
 - In the Public Access Version of a document, the confidential information should be omitted or redacted. Each omission or redaction should be indicated at the place it occurs in the Public Access Version. If multiple pages are omitted, then a separate place holder page must be inserted for each page that is omitted.
 - In the Non-Public Access Version, the first page should be conspicuously marked "Not for Public Access" or "Confidential" and should include the case's caption and cause number. The Non-Public Access Version should consist of a complete, consecutively paginated replication of the document including both the public access material and the non-public access material.
 - The use of green paper is abolished for e-filing. If the transcript and exhibits are e-filed, pages in the Non-Public Access Version containing court records that are excluded from public access should be identified with a header, label, or stamp that states, "Confidential Per A.R. 9(G)" or "Excluded from Public Access Per A.R. 9(G)."

App. Rule 24 Service of Documents

- The Court Reporter shall be served with the Notice of Appeal by electronic transmission. See the summary of App. Rule 9F.

App. Rule 28 Preparation of Transcript by Court Reporter

- The Court Reporter shall prepare an electronic Transcript in accordance with Appendix A (see below).
- Certification

- The Court Reporter shall certify the Transcript is correct.
 - The Court Reporter's certification shall be the last page of the last volume of the Transcript, signed by the Court Reporter in accordance with Appendix A.
- Submission of Electronic Transcript
 - Following certification of the Transcript, the Court Reporter shall seal the official record and official working copy in an envelope or package bearing the trial court case number and marked "Transcript."
 - ❖ **Note:** This language would indicate the court reporter either makes and transfers (by copy and paste) an electronic copy of the transcript to a USB flash memory drive or burns an electronic copy of the transcript to a compact CD or DVD. The flash drive/CD/DVD is sealed in an envelope or package bearing the case number and marked "Transcript."
 - The Court Reporter shall retain the Court Reporter's copy of the electronic Transcript.
 - ❖ **Best Practice Note:** The court reporter's copy of the electronic transcript should be backed up to a secure location in the event of a hard drive crash.
- The sealed electronic Transcript copies, separate Exhibit volume(s), and photographic reproductions of oversized exhibits (if included pursuant to Rule 29(C)) shall be filed with the trial court clerk in accordance with Rule 11.

App. Rule 29 Exhibits

- Documentary exhibit volumes may be submitted in either electronic or paper format. Documentary exhibit volumes submitted in electronic format shall additionally conform to the requirements of Appendix A(15)-(19). The documentary exhibit volumes shall be transmitted to the Clerk with the electronic Transcript, using the same method of transmission as the electronic Transcript.
- Audio and Video Recordings. Exhibits in the form of audio or video recordings shall be separately submitted to the Clerk on CD, DVD, flash drive, or other physical media at the same time as the Transcript and documentary exhibits are filed. App. Rule 29 (B)
- If an exhibit was accompanied by the separate written notice required by Administrative Rule 9(G)(5)(a)(i)(b), the Court Reporter must comply with the requirements of Appellate Rule 23(F) when the exhibit is thereafter filed with the Trial Court Clerk. App. Rule 29 (B)

Appendix A Standards for Preparation of Electronic Transcripts

- Each volume of the Transcript shall be independently and consecutively numbered at the bottom. Each volume shall begin with numeral one on its front page. Appendix A(2)(a)
- Page numbers or header notations shall not be considered part of the 25 lines of text. Appendix A (2)(b)

- Exception: A page break may be inserted before and after sidebar conferences, bench conferences, and hearings on motions.
 - Court Reporters are required to reduce the page count for billing purposes by one-half page for every page of Transcript that includes a sidebar conference, bench conference, or hearing on motions that is marked by such a page break. Appendix A (2)(c)
- Left margin: Text shall begin no more than one (1) inch from the edge of the page. Appendix A (3)
- Indentations: Certain text may be indented as follows:
 - Q and A. All “Q” and “A” designations must begin at the left margin. A period following the “Q” and “A” designation is optional. The statement following the “Q” and “A” must begin on the fifth (5th) space following the “Q” or “A” (or period if used following the “Q” or “A” designation). Subsequent lines must begin at the left margin.
 - Depositions read at trial:
 - The indentations for “Q” and “A” must be the same as described above.
 - In the Transcript, each question and answer read from a deposition must be preceded by a quotation mark. At the conclusion of the reading, a closing quotation mark must be used.
 - Colloquy:
 - Speaker identification must begin on the tenth (10th) space from the left margin, followed immediately by a colon.
 - The statement must begin on the third (3rd) space after the colon.
 - Subsequent lines must begin at the left margin.
 - Quotations—Quoted material other than depositions. Must begin on the tenth (10th) space from the left margin, with additional quoted lines beginning at the tenth (10th) space from the left margin, with appropriate quotation marks used. Appendix A (4) (a)-(d)
- Headers:
 - The Court Reporter shall note in boldface capital letters at the top of each page where a witness' direct, cross, or redirect examination begins.
 - Header notations of other types of persons and/or events are permitted but not required.
 - Listing the last name of the witness or other party and the type of examination or other event is sufficient. Appendix A (5)
- Typeface and Line Spacing
 - The font, which must be 12-point type or smaller
 - Font must be: Arial, Baskerville, Book Antigua, Bookman, Bookman Old Style, Century, Century Schoolbook, Courier, Courier New, CG Times, Garamond, Georgia, New Baskerville, New Century Schoolbook, Palatino or Times New Roman
 - Font must be black in color.
 - Lines shall be double-spaced. Appendix A (6)
- Interruptions of speech must be denoted by the use of a dash at the point of interruption, and again at the point the speaker resumes speaking. Appendix A (7)

- Transcript **must** contain all words and other verbal expressions uttered during course of the proceeding, **except as noted below**. Appendix A (8)
 - No portion of the proceeding must be omitted from the record by an order to strike.
 - The material ordered stricken, as well as the order to strike, must appear in the Transcript.
 - The Transcript must provide an accurate record of words spoken in the course of proceedings.
 - All grammatical errors, changes of thought, contractions, misstatements, and poorly constructed sentences must be transcribed as spoken.
 - Every effort should be made to produce a complete Transcript; however, the Court Reporter may label a portion of the Transcript “indiscernible” or “inaudible” if it is impossible to transcribe the record.
 - Private communications and off the record conversations inadvertently recorded must not be included in the Transcript.
- Standard Summary Phrases. Appendix A (8)(e)
 - Call to Order, Swearing in, Affirmation of Witnesses or Jurors, and other customary introductory statements must be noted in the Transcript using standard summary phrases.
 - Standard summary phrases must appear in parentheses or brackets and begin with an open parenthesis or bracket on the fifth (5th) space from the left margin, with the phrase beginning in the sixth (6th) space from the left margin. Examples: (Call to Order of the Court); (The Jury is Sworn); (The Witness is Sworn); (The Witness is Affirmed)
- All speakers must be properly identified throughout the Transcript, initially by their full name, thereafter by the following designations or courtesy titles, in capital letters indented ten (10) spaces from the left margin. Appendix A (8)(f)
 - The judge shall be identified as THE COURT
 - An attorney shall be identified as MR., MRS., MS., or MISS (last name)
 - A witness shall be identified as THE WITNESS
 - An interpreter shall be identified as THE INTERPRETER
 - The defendant in a criminal case shall be identified as THE DEFENDANT
- References to speakers and events that occur throughout proceedings must be properly noted in **capital letters and centered on the appropriate line**. Appendix A(9). Examples: AFTER RECESS; DIRECT EXAMINATION; CROSS EXAMINATION; REDIRECT EXAMINATION; RECROSS EXAMINATION; FURTHER REDIRECT EXAMINATION; PLAINTIFF’S EVIDENCE; PLAINTIFF RESTS; DEFENDANT’S EVIDENCE; DEFENDANT RESTS; PLAINTIFF’S EVIDENCE IN REBUTTAL
- Parenthetical notations
 - Must begin with an open parenthesis or bracket on the fifth (5th) space from the left margin, with the remark beginning on the sixth (6th) space from the left margin.
 - Parenthetical notations in a Transcript are a Court Reporter’s own words, enclosed in parentheses or brackets, recording some action or event.
 - Parenthetical notations should be as short as possible but consistent with clarity and standard word usage.

- Parenthetical notations are used for customary introductory statements such as a call to order of court or swearing in a witness, and indicating non-verbal behavior, pauses, and readback/playback.
- The following parenthetical notations should be used to designate portions of proceedings: Appendix A (10)
 - Proceedings Started, Recessed, and Adjourned, with Time of Day and Any Future Date Indicated where Appropriate. Examples: (Recess at 12:00 p.m.); (Recess at 12:00 p.m. until 1:30 p.m.); (Proceedings concluded at 5:00 p.m.)
 - Jury In/Out. Examples: (Jury out at 2:15 p.m.); (Jury in at 2:40 p.m.) If a jury is involved, it is essential to indicate by the proper parenthetical notation whether the proceeding occurred: in the presence of the jury, out of the presence of the jury, out of the hearing of the jury, prior to the jury entering the courtroom, or after the jury left the courtroom.
 - Defendant Present/Not Present. In criminal trials, this designation must be made if not stated in the record by the judge.
 - Bench/Side Bar Conferences. This designation must note whether the bench/side bar conference is on or off the record. If all the attorneys in court are not participating in bench/side bar conference, the parenthetical notation must so indicate. Examples: (Bench conference on the record); (Bench conference off the record with Mr. Johnson and Ms. Smith); (At side bar on the record); (At side bar); (End of discussion at side bar).
- Discussions off the Record. This designation must note where the discussion took place.
- Chambers Conferences. This designation must note the presence or absence of parties in chambers. Examples: (Discussion off the record in chambers with defendant not present); (Discussion on the record in chambers with defendant present)
- Nonverbal Behavior, Pauses, and Readback/playback.
 - Attorneys, and judges in some instances, should note for the record any nonverbal behavior (e.g. physical gestures, lengthy pauses by witnesses).
 - Parenthetical phrases may be used to indicate physical gestures to which attorneys or judges refer. Examples: (Nods head up and down); (Shakes head from side to side); (Indicating)
 - If an attorney or judge refers to a physical gesture, but the nature of the gesture is specified in the log notes, then the transcriber may use the parenthetical phrase “(inaudible response).”
 - All readbacks and/or playbacks and the party requesting must be noted parenthetically as follows:
 - ❖ If the question and/or answer requested to be read or played back appears on the same page as the request, the following parenthetical must be used: (The last question and/or answer was read/played back)

- ❖ If the question and/or answer, or both, appear on a previous page, the Court Reporter should restate the question and/or answer in full, with appropriate quotation marks and parentheses.
- Transcript Volume
 - A Transcript volume shall be a single PDF or PDF/A file consisting of no more than the lesser of two hundred fifty (250) pages or twenty megabytes (20 MB).
 - Each volume shall be numbered at the bottom starting with numeral one on each volume's front page. Appendix A (11)
 - The front page of each volume shall conform to Form #App.R. 28-1. Appendix A (12)
- Table of Contents
 - Prepare a table of contents listing each witness and volume and page where that witness's direct, cross, and redirect examination begins
 - Table of contents must identify each exhibit offered and show the Transcript volumes and pages at which the exhibit was identified and at which a rule was made on its admission in evidence
 - Table of contents shall be a separate volume.
- Court Records Excluded by Administrative Rule 9 (G)
 - In cases where all of the Court Records are excluded from Public Access pursuant to Administrative Rule 9(G)(1), the Transcript shall be excluded from Public Access. Appendix A (14)
 - If, during the hearing or trial a party or person identified any oral statement(s) to be excluded from Public Access, the Court Reporter must comply with the requirements of Appellate Rule 23(F) with regard to the statement(s) and must note in the Transcript the specific Administrative 9(G)(2) or 9(G)(3) ground(s) identified by the party or person.
 - Additionally, until the time the Transcript is transmitted to the Court on Appeal, any party or person may file written notice with the Trial Court identifying: the Transcript page and line number(s) containing any Court Record to be excluded from Public Access; and the specific Administrative Rule 9(G)(2) or 9(G)(3) grounds upon which that exclusion is based. (See Form #App.R. 11-3). This written notice must be served on the Court Reporter and, upon receipt of the written notice, the Court Reporter must refile the Transcript in compliance with the requirements of Appellate Rule 23(F) and must note in the Transcript the specific Administrative Rule 9(G)(2) or 9(G)(3) grounds(s) identified by a party or person.
 - After the Transcript has been transmitted to the Court on Appeal, any request by a party or person to exclude a Court Record in the Transcript from Public Access must be made to the Court on Appeal and must contain the specific Administrative Rule 9(G)(2) or 9(G)(3) ground(s) upon which that exclusion is based. Upon receipt of an order from the Court on Appeal, the Court Reporter must re-file the Transcript in compliance with the requirements of Administrative Rule 9(G)(5)(b).
- File Formatting and Size
 - File saved in one or more searchable PDF or searchable PDF/A format
 - File size limited to lesser of 250 pages or 20MB

- Specified naming convention. See Appendix A(15).
- Valid document types include: Table of Contents, Transcript, Index, and Exhibit.
- Electronic Storage Devices
 - USB flash memory drive, CD, or DVD in a File Allocation Table (FAT) or File Allocation Table 32 (FAT-32) file system.
 - CD/DVD must be prepared for distribute (finalized, closed session) to ensure files can be opened by the Clerk,
 - Each storage device must be labeled or labeled or tagged to identify the names of the parties and case number in the proceedings in the trial court; the Court on Appeal case number, if known; the device sequence number, if more than one (1) device is required for a complete Transcript; the Signature of the Court Reporter; and whether the device is the official record, official working copy, Court Reporter's copy, or party copy. See Appendix A(16)
- Original Version -- The Court Reporter shall retain a copy of the electronic Transcript in the original word processing version used for the transcription. Appendix A (17)
- Signature. All electronic documents that require a signature must include a person's signature using one of the following methods: a graphic image of a handwritten signature, including an actual signature on a scanned document; or the indicator "/s/" followed by the person's name. Appendix A (18)
- Malware
 - Court Reporter must take reasonable steps to ensure that the Transcript and other files do not contain malicious software ("malware"), such as viruses, worms, and Trojan horses.
 - The Clerk will scan all files for malware.
 - Any files that contain malware will be rejected by the Clerk and will not be processed.
 - Rejection of a filing because it contains malware will not necessarily excuse a late filing. Appendix A(19)

COURT REPORTING

As much as any profession in the United States, Court Reporting has its own strange rules under federal and state law. To prevent violation of the law, both Judges and Court Reporters need to be aware of certain restrictions and peculiar applications of the law.

In Indiana, all courts are required to elect a model under Administrative Rule 15 for preparation of transcriptions. Each court reporter needs to know which option of the rule her court chose in order to know what the requirements are. Option 3 allows a court to hire all court reporter services by private contract. All counties except Henry County have chosen either Option 1 or Option 2. Both Option 1 and 2 allow a court reporter employed by the court to receive payment for transcription work from the county and from private parties.

If you as a court reporter other than in Henry County:

- Your pay from the court is for work performed for the court.
- Transcribing court proceedings are not work performed for the court because you receive separate pay for the transcriptions.
- Transcription work has to be done outside of the normal work time for your job with the court (after hours, vacation time, personal time, etc.)
- Regular court hours are the time you are paid to work for the court and does not include lunch hours, benefit time used, etc.
- A Judge cannot give you permission to do your private business duties during regular court hours, just as a Judge could not give you permission to work any other outside job or work during regular court hours.
- It is ghost employment to work on anything other than work for the court during regular court hours.
- To avoid the appearance of impropriety, it is recommended that when you are working on transcriptions and in the office that you post a sign, inform your supervisor or take other action to make it clear that you are not doing the transcriptions when you are on duty for the court.
- It is not a requirement of the Supreme Court that all the transcription be done by the person who recorded the transcript.
- The court reporter can allow anyone to do the transcription work but the court reporter then has to certify that it is accurate.