

AMENDED IN ASSEMBLY APRIL 23, 2013

AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 788

Introduced by Assembly Member Wagner

February 21, 2013

An act to amend Section 69954 of, and to add Section 69954.5 to, the Government Code, relating to court transcripts.

LEGISLATIVE COUNSEL'S DIGEST

AB 788, as amended, Wagner. Court transcripts.

Existing law authorizes a superior court to appoint official reporters and prescribes the fees for their services. Existing law requires that transcripts prepared by a reporter using computer assistance and delivered on a medium other than paper be compensated at the same rate set for paper transcripts, except as specified. Existing law establishes certain fees for second copies of transcripts, as specified, including transcripts in computer-readable format.

Existing law authorizes a court, party, or person who has purchased a transcript to reproduce a copy or portion thereof as an exhibit, pursuant to court order or rule, or for internal use, without paying a further fee to the reporter, but prohibits otherwise providing or selling a copy or copies to any other party or person.

This bill would limit the reproduction provisions described above to computer-readable transcripts.

This bill would additionally authorize, in the case of transcripts that are not computer-readable, the purchaser of a transcript to reproduce the transcript for any purpose reasonably related to the conduct or pursuit

~~of the case or internal use or in response to a request for discovery, a court order, rule, statute, or subpoena without paying a further fee to the reporter. The bill would also authorize, without paying a further fee to the reporter, the purchaser of a transcript, other than a computer-readable transcript, to provide a copy of the transcript to any other party to the litigation at a cost not exceeding the actual copying costs; reporter, but would prohibit otherwise providing or selling a copy or copies to any other party or person.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 69954 of the Government Code is
2 amended to read:
3 69954. (a) Transcripts prepared by a reporter using computer
4 assistance and delivered on a medium other than paper shall be
5 compensated at the same rate set for paper transcripts, except the
6 reporter may also charge an additional fee not to exceed the cost
7 of the medium or any copies thereof.
8 (b) The fee for a second copy of a transcript on appeal in
9 computer-readable format ordered by or on behalf of a requesting
10 party within 120 days of the filing or delivery of the original
11 transcript shall be compensated at one-third the rate set forth for
12 a second copy of a transcript as provided in Section 69950. A
13 reporter may also charge an additional fee not to exceed the cost
14 of the medium or any copies thereof.
15 (c) The fee for a computer-readable transcript shall be paid by
16 the requesting court, party, or person, unless the computer-readable
17 transcript is requested by a party in lieu of a paper transcript
18 required to be delivered to that party by the rules of court. In that
19 event, the fee shall be chargeable as statute or rule provides for
20 the paper transcript.
21 (d) Any court, party, or person who has purchased a
22 computer-readable transcript may, without paying a further fee to
23 the reporter, reproduce a copy or portion thereof as an exhibit
24 pursuant to court order or rule, or for internal use, but shall not
25 otherwise provide or sell a copy or copies to any other party or
26 person.

1 SEC. 2. Section 69954.5 is added to the Government Code, to
2 read:

3 69954.5. Except as provided in subdivision (d) of Section
4 69954, any court, party, or person who has purchased a transcript
5 may, without paying a further fee to the reporter, reproduce one
6 or more copies or portions of the transcript ~~for any purpose~~
7 ~~reasonably related to the conduct or pursuit of the case, for internal~~
8 ~~use, or in response to court order, rule, statute, or subpoena. The~~
9 ~~purchaser of a transcript, other than a computer-readable transcript,~~
10 ~~may, without paying a further fee to the reporter, provide a copy~~
11 ~~to any other party to the litigation at a cost not to exceed the actual~~
12 ~~copying costs incurred in making the copy for the other party, but~~
13 ~~shall not otherwise provide or sell a copy or copies to another party~~
14 ~~or person. for internal use or in response to a request for discovery,~~
15 ~~court order, rule, statute, or subpoena, but shall not otherwise~~
16 ~~provide or sell a copy or copies to any other party or person.~~