

AMENDED IN ASSEMBLY APRIL 16, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 749

Introduced by Assembly Member Bloom

February 25, 2015

An act to ~~amend Section 269 of the Code of Civil Procedure, add Sections 3013 and 6230 to the Family Code~~, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 749, as amended, Bloom. Superior courts: court reporters.

Existing law requires an official reporter or official reporter pro tempore of the superior court to take down in shorthand specified information regarding the testimony and proceedings before the court in civil cases, felony cases, and misdemeanor or infraction cases on order of the court, and in only civil cases or felony cases, at the request of a party or counsel.

~~This bill would extend this requirement to domestic violence cases and child custody proceedings, as specified.~~ *require an official reporter or official reporter pro tempore to take down in shorthand all testimony and all of the statements and remarks of the judge and all persons appearing at any hearing at which testimony is received in child custody proceedings and proceedings under the Domestic Violence Prevention Act.*

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

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

1 SECTION 1. Section 3013 is added to the Family Code, to
2 read:

3 3013. At any hearing in a proceeding under this division at
4 which testimony is received, an official reporter or official reporter
5 pro tempore shall take down in shorthand all testimony and all of
6 the statements and remarks of the judge and all persons appearing
7 at the hearing.

8 SEC. 2. Section 6230 is added to the Family Code, immediately
9 following Section 6229, to read:

10 6230. At any hearing in a proceeding under this division at
11 which testimony is received, an official reporter or official reporter
12 pro tempore shall take down in shorthand all testimony and all of
13 the statements and remarks of the judge and all persons appearing
14 at the hearing.

15 SECTION 1. ~~Section 269 of the Code of Civil Procedure is~~
16 ~~amended to read:~~

17 ~~269. (a) An official reporter or official reporter pro tempore~~
18 ~~of the superior court shall take down in shorthand all testimony,~~
19 ~~objections made, rulings of the court, exceptions taken,~~
20 ~~arraignments, pleas, sentencees, arguments of the attorneys to the~~
21 ~~jury, and statements and remarks made and oral instructions given~~
22 ~~by the judge or other judicial officer, in the following cases:~~

23 ~~(1) In a civil case, on the order of the court or at the request of~~
24 ~~a party.~~

25 ~~(2) In a felony case, on the order of the court or at the request~~
26 ~~of the prosecution, the defendant, or the attorney for the defendant.~~

27 ~~(3) In a misdemeanor or infraction case, on the order of the~~
28 ~~court.~~

29 ~~(4) In a domestic violence case, on the order of the court or at~~
30 ~~the request of the prosecution, the defendant, or the attorney for~~
31 ~~the defendant. For purposes of this section, “domestic violence”~~
32 ~~has the same meaning as set forth in Section 6211 of the Family~~
33 ~~Code.~~

34 ~~(5) In a child custody proceeding, on the order of the court or~~
35 ~~at the request of a party or the party’s attorney. For purposes of~~
36 ~~this section, “child custody proceeding” has the same meaning as~~
37 ~~set forth in Section 3402 of the Family Code.~~

1 ~~(b) If a transcript is ordered by the court or requested by a party,~~
2 ~~or if a nonparty requests a transcript that the nonparty is entitled~~
3 ~~to receive, regardless of whether the nonparty was permitted to~~
4 ~~attend the proceeding to be transcribed, the official reporter or~~
5 ~~official reporter pro tempore shall, within a reasonable time after~~
6 ~~the trial of the case that the court designates, write the transcripts~~
7 ~~out, or the specific portions thereof as may be requested, in plain~~
8 ~~and legible longhand, or by typewriter, or other printing machine,~~
9 ~~and certify that the transcripts were correctly reported and~~
10 ~~transcribed, and when directed by the court, file the transcripts~~
11 ~~with the clerk of the court.~~

12 ~~(c) If a defendant is convicted of a felony, after a trial on the~~
13 ~~merits, the record on appeal shall be prepared immediately after~~
14 ~~the verdict or finding of guilt is announced unless the court~~
15 ~~determines that it is likely that no appeal from the decision will~~
16 ~~be made. The court's determination of a likelihood of appeal shall~~
17 ~~be based upon standards and rules adopted by the Judicial Council.~~