

AMENDED IN SENATE AUGUST 15, 2016
AMENDED IN ASSEMBLY MAY 31, 2016
AMENDED IN ASSEMBLY APRIL 20, 2016
AMENDED IN ASSEMBLY MARCH 18, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2629

Introduced by Assembly Member Roger Hernández

February 19, 2016

An act to amend Section 69951 of, ~~and to amend, repeal, and add Section 69950 of, and to add and repeal Section 69950.5 of,~~ the Government Code, relating to court reporters.

LEGISLATIVE COUNSEL'S DIGEST

AB 2629, as amended, Roger Hernández. Court reporters.

Existing law provides that, except as specified, the fee for original transcripts prepared by an official court reporter or by a court reporter pro tempore is \$0.85 for each 100 words, and for each copy purchased at the same time, \$0.15 for each 100 words. Existing law provides that, except as specified, the fee for a first copy of a transcript by a person who does not simultaneously purchase the original transcript is \$0.20 for each 100 words, and for each additional copy purchased at the same time, \$0.15 for each 100 words. Existing law authorizes a court reporter, in civil cases, to charge an additional 50% for special daily copy service.

This bill would increase the fee charged for original transcripts and copies *purchased at the same time, and copies purchased thereafter without the original transcript*, incrementally commencing January 1, 2017. ~~The bill would provide that on and after January 1, 2021, the fee~~

for an original transcript is \$1.13 for each 100 words, and for each copy purchased at the same time, \$0.22 for each 100 words. The bill would provide that on and after January 1, 2021, the fee for a first copy of a transcript that is not simultaneously purchased with the original transcript is \$0.29 for each 100 words, and for each additional copy purchased at the same time, \$0.22 for each 100 words. 2017, except as specified. The bill would also provide that the fee for transcription is an additional 50% for special daily copy service. *The bill would require the Judicial Council to report to the Legislature by January 1, 2021, with regard to transcript fees, as specified.*

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Official court reporters and court reporters pro tempore
- 4 employed by the courts are currently paid under a dual
- 5 compensation structure in which the base salary of the court
- 6 reporter is supplemented by income from preparing required
- 7 transcripts and providing other required transcription services.
- 8 (b) The dual compensation structure protects the state from
- 9 bearing the full cost of transcript preparation and other transcription
- 10 services and avoids the resulting consequences of overtime liability
- 11 related to these services.
- 12 (c) The fees for original transcripts prepared by official court
- 13 reporters and court reporters pro tempore have not been adjusted
- 14 in 26 years, and fees for copies purchased at the same time as the
- 15 original transcript have only increased once in 103 years.
- 16 (d) In order to ensure full and fair compensation of official court
- 17 reporters and court reporters pro tempore employed by the court,
- 18 and in order to attract and retain official court reporters and court
- 19 reporters pro tempore employed by the courts that have sufficient
- 20 skills and competence to serve the needs of the justice system, it
- 21 is imperative that the system of dual compensation provide
- 22 sufficient payment for transcription services.
- 23 (e) Therefore, it is necessary to revise the fees for transcripts
- 24 prepared by official court reporters and court reporters pro tempore.

1 SEC. 2. Section 69950 of the Government Code is amended
2 to read:

3 69950. (a) From January 1, 2017, to December 31, 2018,
4 inclusive, the fee for transcription for the original printed copy is
5 ninety-three cents (\$0.93) for each 100 words, and for each copy
6 purchased at the same time by the court, party, or other person
7 purchasing the original, ~~seventeen cents (\$0.17)~~ *sixteen cents*
8 *(\$0.16)* for each 100 words.

9 (b) From January 1, 2017, to December 31, 2018, inclusive, the
10 fee for a first copy to any court, party, or other person who does
11 not simultaneously purchase the original shall be ~~twenty-three~~
12 ~~cents (\$0.23)~~ *twenty-one cents (\$0.21)* for each 100 words, and
13 for each additional copy, purchased at the same time, ~~seventeen~~
14 ~~cents (\$0.17)~~ *sixteen cents (\$0.16)* for each 100 words.

15 (c) Notwithstanding subdivisions (a) and (b), if a trial court had
16 established transcription fees that were in effect on January 1,
17 2012, based on an estimate or assumption as to the number of
18 words or folios on a typical transcript page, those transcription
19 fees shall be the transcription fees for proceedings in those trial
20 courts, and the policy or practice for determining transcription fees
21 in those trial courts shall not be unilaterally changed.

22 (d) This section shall remain in effect only until January 1, 2019,
23 and as of that date is repealed, unless a later enacted statute, that
24 is enacted before January 1, 2019, deletes or extends that date.

25 SEC. 3. Section 69950 is added to the Government Code, to
26 read:

27 69950. (a) From January 1, 2019, to December 31, 2020,
28 inclusive, the fee for transcription for the original printed copy is
29 one dollar and three cents (\$1.03) for each 100 words, and for each
30 copy purchased at the same time by the court, party, or other person
31 purchasing the original, ~~twenty cents (\$0.20)~~ *eighteen cents (\$0.18)*
32 for each 100 words.

33 (b) From January 1, 2019, to December 31, 2020, inclusive,
34 the fee for a first copy to any court, party, or other person who
35 does not simultaneously purchase the original shall be ~~twenty-six~~
36 ~~cents (\$0.26)~~ *twenty-three cents (\$0.23)* for each 100 words, and
37 for each additional copy, purchased at the same time, ~~twenty cents~~
38 ~~(\$0.20)~~ *eighteen cents (\$0.18)* for each 100 words.

39 (c) Notwithstanding subdivisions (a) and (b), if a trial court had
40 established transcription fees that were in effect on January 1,

1 2012, based on an estimate or assumption as to the number of
 2 words or folios on a typical transcript page, those transcription
 3 fees shall be the transcription fees for proceedings in those trial
 4 courts, and the policy or practice for determining transcription fees
 5 in those trial courts shall not be unilaterally changed.

6 (d) This section shall become operative on January 1, 2019.

7 (e) This section shall remain in effect only until January 1, 2021,
 8 and as of that date is repealed, unless a later enacted statute, that
 9 is enacted before January 1, 2021, deletes or extends that date.

10 SEC. 4. Section 69950 is added to the Government Code, to
 11 read:

12 69950. (a) On and after January 1, 2021, the fee for
 13 transcription for the original printed copy is one dollar thirteen
 14 cents (\$1.13) for each 100 words, and for each copy purchased at
 15 the same time by the court, party, or other person purchasing the
 16 original, ~~twenty-two cents (\$0.22)~~ *twenty cents (\$0.20)* for each
 17 100 words.

18 (b) On and after January 1, 2021, the fee for a first copy to any
 19 court, party, or other person who does not simultaneously purchase
 20 the original shall be ~~twenty-nine cents (\$0.29)~~ *twenty-six cents*
 21 *(\$0.26)* for each 100 words, and for each additional copy, purchased
 22 at the same time, ~~twenty-two cents (\$0.22)~~ *twenty cents (\$0.20)*
 23 for each 100 words.

24 (c) Notwithstanding subdivisions (a) and (b), if a trial court had
 25 established transcription fees that were in effect on January 1,
 26 2012, based on an estimate or assumption as to the number of
 27 words or folios on a typical transcript page, those transcription
 28 fees shall be the transcription fees for proceedings in those trial
 29 courts, and the policy or practice for determining transcription fees
 30 in those trial courts shall not be unilaterally changed.

31 (d) This section shall become operative on January 1, 2021.

32 SEC. 5. Section 69950.5 is added to the Government Code, to
 33 read:

34 69950.5. (a) *On or before January 1, 2021, the Judicial*
 35 *Council shall report to the Legislature recommendations to*
 36 *increase uniformity in transcript rate expenditures in California.*
 37 *The intent of the report shall be to not reduce the rate of pay or*
 38 *overall compensation to reporters or jeopardize collective*
 39 *bargaining agreements. The Judicial Council shall work in*
 40 *collaboration with key stakeholder groups, including the California*

1 *Court Reporters Association, the Court Reporters Board of*
2 *California, and relevant labor unions.*

3 *(b) The report to be submitted pursuant to subdivision (a) shall*
4 *be submitted in compliance with Section 9795.*

5 *(c) This section shall remain in effect only until January 1, 2025,*
6 *and as of that date is repealed, unless a later enacted statute, that*
7 *is enacted before January 1, 2025, deletes or extends that date.*

8 ~~SEC. 5.~~

9 *SEC. 6.* Section 69951 of the Government Code is amended
10 to read:

11 69951. The fee for transcription is an additional 50 percent for
12 special daily copy service.

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