

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2.503-08/21*

IN RE: COURT REPORTING SERVICES

The State of Florida has established and funded court reporter positions for all judicial proceedings required by law to be reported at public expense. The Court's administrative office is charged with the responsibility of supervising court reporting functions.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of General Practice and Judicial Administration 2.215, it is **ORDERED** as follows:

1. The Court Reporting Services Department ("Department") shall continue as established within the Administrative Office of the Court. A manager of the Department shall be appointed by the Trial Court Administrator.
2. Subdivisions of the Department shall include Computer Assisted Transcription ("CAT"), Digital Court Reporting ("DCR"), and Central Recording ("CR").
3. CAT and DCR technology may be utilized for any judicial proceeding, including depositions, in the County and Circuit Courts of the Fifteenth Judicial Circuit.
4. The Manager shall:
 - a. Direct and manage the affairs of all court reporting services provided within this Circuit, inclusive of maintaining the schedules for the Circuit and County Courts.
 - b. Implement policies and procedures for the effective administration of the programs.
 - c. In conjunction with the Trial Court Administrator, develop and administer a budget for the effective and efficient administration of the programs.
 - d. Provide and coordinate the appropriate training of stenographers, digital court reporters, electronic transcribers, and scopists assigned to the Circuit and County Courts.
 - e. Recommend the establishment of new programs to ensure that the Department is keeping pace with the latest court reporting technology.

- f. Develop retention and retrieval policies and procedures to ensure timely and adequate production of transcripts.
5. Stenographers, digital court reporters, electronic transcribers, and scopists who are contractual may be assigned to the CAT and DCR court reporting programs. Agreements for contractual stenographers, digital court reporters, electronic transcribers, and scopists must be approved by the Manager and Trial Court Administrator. All contractual stenographers, digital court reporters, electronic transcribers, and scopists will be required to enter into an agreement for services and certain contractors may be required to pay an annual processing fee. A current list of all contractual stenographers, digital court reporters, electronic transcribers and scopists shall be maintained by court reporting services.
6. All contractual stenographers, digital court reporters, electronic transcribers, and scopists utilized by the Fifteenth Circuit must meet certification requirements established by the Court. Proof of certification may be required from time to time by the Trial Court Administrator.
7. Requests to the Department for transcript and/or digital recording production at public expense shall be accompanied by a court order.
8. If appellate transcripts are requested for a specific date on which both trial and other proceedings (voir dire, motions in limine, etc.) took place, then the Department will not produce transcripts of any proceeding except for the trial, unless such other proceeding is specifically requested in the Notice of Designation.
9. The Department will produce transcripts of voir dire/jury selection only in the following circumstances:
 - a) when voir dire or jury selection is specifically included in the Statement of Judicial Acts to be Reviewed; or
 - b) when the Notice of Designation states that a transcript of voir dire/jury selection is necessary for considering one of the judicial acts listed in the Statement of Judicial Acts to be Reviewed.
10. Transcripts of all judicial proceedings, including depositions, shall comply with Florida Rule of General Practice and Judicial Administration 2.535(f).
11. A schedule of fees shall be established by the Department. A copy of the fee schedule is attached hereto as Exhibit "A". All transcript production shall be in accordance with the fee schedule, except that the Office of the Public Defender, the Office of the State Attorney, and the Office of Regional Conflict Counsel shall be billed as set forth in the Fifteenth Judicial Circuit Court Reporting Statement of Services. Court appointed counsel and private counsel representing indigent defendants for costs shall comply with court orders and the requirements of the Justice Administration Committee for payment.

12. **A clerk's determination of civil indigent status per section 57.082, Florida Statutes, does not entitle an indigent party to a civil, family, and civil traffic infraction case to creation and production of transcripts and/or a digital recording at the public expense. See § 57.081(1), Fla. Stat. (2021). Likewise, indigent criminal defendants are not entitled to the creation of a transcript and/or digital recording at the public expense for purposes of preparing a postconviction motion. See, e.g. Roesch v. State, 633 So. 2d 1, 2 (Fla. 1993).**
13. The Court Reporting Services Department shall maintain a list of Frequently Asked Questions on the circuit's website at: <http://15thcircuit.co.palm-beach.fl.us/court-reporters>. A copy of the Frequently Asked Questions is attached hereto as Exhibit "B".

DONE and SIGNED in Chambers at West Palm Beach, Palm Beach County, FL, this 1st day of September, 2021, *nunc pro tunc* to August 30, 2021.



Glenn D. Kelley, Chief Judge

*supersedes admin. order 2.503-06/19

EXHIBIT "A"

COURT REPORTER COMPENSATION AND TRANSCRIPT CD/DVD FEE SCHEDULE

A. STATE EMPLOYED COURT REPORTERS

Stenographers, digital court reporters, electronic transcribers, and scopists employed by the Fifteenth Judicial Circuit in the CAT and DCR programs shall be paid according to State of Florida compensation schedules for such positions. Actual mileage associated with any court reporting assignment shall be compensated at a rate equal to current State mileage rates.

B. CONTRACTUAL COURT REPORTERS

1. Trial Proceeding Coverage

From time to time, the Court may require the services of contractual stenographers, digital court reporters, electronic transcribers, or scopists. When it becomes necessary to utilize the services of a contractor for trial proceedings, the following fee schedule shall apply:

a. CAT Program (Stenographer)

Attendance Fee:

AM Session (8:30 AM -12:00 PM)

Not to Exceed \$150.00 except for extraordinary circumstances

PM Session (1:30 PM - 5:00 PM)

Not to Exceed \$150.00 except for extraordinary circumstances

Any hours in excess of 3 ½ hours for morning or afternoon sessions, or for work on Saturdays, Sundays and legal holidays, shall be compensated at a rate of \$30.00 per hour billed to the nearest 1/4 hour.

b. Digital Court Reporting: Contractual digital court reporters shall be paid at the rate of \$14.00 per hour.

C. TRANSCRIPT/CD/DVD FEE SCHEDULE

Transcripts/CDs/DVDs may be ordered by using the online Department approved *Request Web Form*. The per page rates set forth immediately below, along with other information relating to how to order transcripts/CDs/DVDs are set out in *Court Reporting FAQs* (attached).

1. CAT Program (Stenographer Rates)

Printed Original and One Copy	\$5.50
PDF Transcript Only (sent via email)	\$4.50
Additional Printed Copy	\$1.00 per page

Appeals

Printed Original and Two copies	\$6.50
PDF Transcript (e-filed)	\$5.50
Additional Printed Copy	\$1.00 per page

2. DCR Program (Electronic Transcriber Public Rates)

Printed Original and One Copy	\$3.25
PDF Transcript Only (sent via email)	\$2.25
Additional Printed Copy	\$1.00 per page

Appeals

Printed Original and Two Copies	\$4.25
PDF Transcript (e-filed)	\$3.25
Additional Printed Copy	\$1.00 per page

3. DCR Program (Cost Sharing Rates)

Printed Original and One Copy	\$2.25
PDF Transcript (sent via email)	\$2.25
Additional Printed Copy	\$1.00 per page

Appeals

Printed Original and Two Copies	\$3.25
PDF Transcript (e-filed)	\$3.25
Additional Copy	\$1.00 per page

Add On Item:

PDF Digital Copy of Transcript on Disc	\$10.00 per disc
---	-------------------------

D. SERVICE METHODS AND APPLICABLE RATES

At this time, Transcripts and CDs/DVDs may be ordered with normal delivery. No expedited service is available.

1. Transcripts

Regular Service (4 - 6 weeks)	See rates above
-------------------------------	-----------------

2. CDs/DVDs

Regular (within 5 business days)	\$20.00
----------------------------------	---------

EXHIBIT “B”



Frequently Asked Questions

1. What is a transcript?

A transcript is a written and typed verbatim record of court proceedings.

2. What is a digital recording?

A digital recording is an audio tape recording or a recording by any other electronic means, including but not limited to digital or other technology. Please note that the Court Reporting Services Department cannot guarantee that video is available for all proceedings recorded by our office. Although most courtrooms are equipped with audio recording technology, some courtrooms are not equipped for visual recording technology. Courtrooms may have CCTV cameras, which are not related to or connected to recordings maintained by the Court Reporting Services Department.

3. What proceedings are available for transcript and/or digital recording requests?

The following proceedings are either digitally recorded or reported by a stenographer (official court reporter);

Digitally Recorded: Felony, Misdemeanor, Criminal Traffic, First Appearances, Juvenile Dependency and Delinquency, Magistrate hearings, Contempt and Commitment hearings, Probate involving mental health, Incapacity, Guardianship, Baker and Marchman Act, and Family court hearings for DV (Domestic Violence)/RV (Repeat Violence).

Stenographer: Death Penalty cases, First Degree Murder trials, and other cases as needed.

****For civil, family, and traffic infraction hearings, it is the responsibility of the litigant to hire a court reporter** from a private court reporting agency. The Office of Court Reporting Services does not provide private court reporting services nor can we validate if a private court reporting agency was present at a hearing.

4. How long does the Court Reporting Department retain records?

Felony proceedings are retained for ten (10) years pursuant to Florida Rules of General Practice and Judicial Administration Rule 2.430(e)(2). All other non-felony proceedings are retained for five (5) years pursuant to Florida Rules of General Practice and Judicial Administration Rule 2.430(e)(3).

5. How do I obtain a record if it is no longer available with the Court Reporting Department?

If the record is no longer retained by our office, you can visit the Clerk's website at <https://appsgp.mypalmbeachclerk.com/eCaseView/> to search for case information or transcripts that may have already been filed, or contact the Clerk's Office at (561) 355-2996 for additional information.

6. How can I determine if a proceeding was digitally recorded, or if instead there was a court reporter present?

When the request is received and processed, our staff will check and you will be advised. Note: if a private court reporting agency was present for a hearing, our office does not have information as to the agency or private court reporter present. You can search the Clerk's Website at <https://appsgp.mypalmbeachclerk.com/eCaseView/> for possible additional information.

7. How do I order a transcript or CD/DVD (copy of digital recording) of a proceeding?

Complete the Online Request Form via the Web in its entirety: <https://e-services.co.palm-beach.fl.us/crtrpt/> Please note it is best to use Google Chrome as the web browser when submitting your request online. *No orders can be taken by phone or in-person.

8. If an ADA Accommodation is Needed:

If you are a person with a disability who needs any accommodation in order to obtain a transcript and/or digital recording you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380; if you are hearing or voice impaired, call "711."

9. Is there a cost for a CD/DVD of a hearing?

Yes, the cost is **\$20.00 per CD/DVD**. One court event/date per CD/DVD only. Payment is required before a CD/DVD request is processed.

10. If there are multiple hearing dates, can they all be on one disc?

Due to the software used, only one (1) date can be burned to a disc at a time.

11. What if I only need a portion of a selected hearing?

If you are only looking for a specific witness' testimony or a portion of a selected hearing, you can select the individual testimony or note the specific portion you are seeking in the request notes (i.e., defendant's testimony, trial closing arguments). Note: Individual parties/witnesses auto populate based on the Clerk's docketing system for the case, NOT the hearing date itself. If you are unsure of when the portion you are looking for took place, please refer to the Clerk's website or call the Clerk's office at (561) 355-2996 for additional assistance.

12. If I am a party to the case, can I just listen to the portion I am seeking via telephone?

The Court Reporting Services Department does not offer this service. If you would like to listen to a court hearing, you must request for a copy of the digital recording via our online request form.

13. How long will it take to receive the CD(s)/DVD(s) ordered?

If you are the party or attorney of record, the CDs/DVDs will be ready within five (5) business days from the date payment is received. If you are not the attorney or party of record, your request will be processed as a Public Record request, which will take additional time based on the length of the review.

14. How will I be notified when my CD/DVD order is available for pickup?

An e-mail will be sent to the e-mail address(es) provided within the request when the order is available for pickup.

15. How long can you hold my order for CDs/DVDs?

Orders are only held for thirty (30) days after we notify you via e-mail for pickup. If an order is not picked up within the aforementioned timeframe and no other arrangements have been made with Court Reporting Office to hold the order for additional time, the disc item(s) will be purged. Refunds will not be issued on orders that were not picked up. If you failed to pick up your order within the allotted time and are still in need of the requested items, a new request will need to be submitted via our online request form along with any payment(s) that may be due.

16. Can audio files be sent to me via e-mail?

For security and confidentiality reasons, we are unable to send audio and/or video files via e-mail.

17. How do I view or listen to my disc item(s)?

When we notify you via e-mail that your order is ready for pickup, we will attach a document for instructions on how to view your disc(s) when applicable. NOTE: All copies of digital recordings on CD/DVD are only available to be viewed on a computer or laptop. Discs are not compatible with CD players or car stereo systems.

18. How much do transcripts cost?

The cost of a transcript depends on (1) the length of the transcript ordered and (2) the type of technology used to record the court proceeding. The transcript per page rates are set forth in AO 2.503.

Once you have used the Online Request Form to place a transcript order, you will be contacted by a contracted vendor of the Circuit with an estimated cost, and a request for an 80% deposit. Once provided with an estimate, you will have five business days to arrange a deposit. Production will not begin until the deposit has been paid. If you have not received an estimate within one week of your order being placed, please contact our office at (561) 355-6526.

19. How long will it take for me to receive my transcript?

Transcript turnaround time is four (4) to six (6) weeks from the time the deposit is received.

20. If the Clerk has determined that I am indigent for costs, does that mean I can get CDs/DVDs and/or transcripts at no cost?

The Office of Court Reporting Services will need a signed court order directing Court Reporting Services to produce the specific hearing date(s) requested. Otherwise, you will be required to pay the aforementioned fees, even if the Clerk has determined that you are indigent.

21. Is there a way to rush or expedite services?

No, we are unable to expedite services. Please note for appeals, our office must be served with the Designation to Court Reporter via email at CAD-CourtReportingOffice@pbcgov.org. If you order a CD/DVD of a hearing, you can take the disc to a private court reporting agency of your choosing that may be able to offer expedited services.

22. Can a CD/DVD or a transcript be sent to me by private courier service or mail?

Yes, but only if you supply a pre-addressed, prepaid and insured mailing envelope or label from a mailing service of your choice (FedEx, UPS, USPS, other service, etc.) with your name, shipping information and account number. Please make sure the shipping address indicates the address for which you would like the disc(s) mailed to. ***Note: The State of Florida/Fifteenth Judicial Circuit/Court Reporting Services Department is not liable for any items that are lost or misplaced, insufficiently delivered, or damaged in transit. Additionally, the Court Reporting Services Department is not responsible for any delays for items sent via mail, private courier service, and/or shipping carriers.** It is preferred that CD/DVDs and transcripts from juvenile, mental health, and guardianship cases are picked up in person.

23. Can a CD/DVD or a transcript be picked up by someone other than myself?

Only the requestor or another person from the same agency as the requestor may pick up the requested item(s). If a certified courier will be picking up an item on your behalf, we must be notified beforehand in writing and provided the first name and last name of the courier, as well as the courier service agency name.

24. Can I order a CD/DVD or transcript of just part of a proceeding? Will the cost be less?

You can order a partial CD/DVD or transcript. To do so, complete the **Notes/Comments** section of the Request Form and indicate that a "Partial Proceeding" is requested. Please be specific about the event (i.e. Voir Dire, Opening or Closing Arguments, Sentencing, Witness Testimony). If requesting the testimony of a witness, provide the name of the witness. If you do not indicate "Partial Proceeding" on the Request Form, the entire proceeding will be provided.

The cost of the CD/DVD is the same, regardless of the length of the proceeding. However, if you are not a party or attorney of record and are requesting the CD/DVD as a public records request, there is an additional review fee (see questions 25 and 27, below), which will vary depending on the length of the proceeding requested. If you are ordering a transcript, the length of the proceeding will also affect the cost. An estimate of the requested portion will be e-mailed to you.

25. I am not a litigant or party to the case; what is the process for ordering a transcript(s) and/or a CD(s)/DVD(s) copy of an electronic recording?

If you are not listed in the Clerk of the Circuit Court and Comptroller's docketing system as an attorney or a party to an action, the request will be treated as a public record request in accordance with Florida Rule of General Practice and Judicial Administration 2.420 and the Fifteenth Judicial Circuit's Administrative Order 2.304. Accordingly, a review of the transcript and/or copy of the digital recording for must be undertaken by the Circuit's Office of General Counsel prior to its release pursuant to a public records request. An additional review fee will be charged for such requests as set forth in Question 27, below.

This procedure is in accordance with Florida Supreme Court Administrative Order 2011-22 to ensure that no exempt, confidential or non-public matter is released.

26. If I represent a party in a related case, what is the process for ordering a transcript(s) and/or CD(s)/DVD(s) of the electronic recording?

For criminal case types with co-defendants: If you are seeking a hearing in which the client you represent is not the case style or case number being requested, and the cases were not heard simultaneously, the request will be treated as a public record request in accordance with Florida Rule of General Practice and Judicial Administration 2.420 and the Fifteenth Judicial Circuit's Administrative Order 2.304.

All other case types: If you are not listed in the Clerk of the Circuit Court and Comptroller's docketing system as an attorney or a party to a case, but you represent a party in a related action, a notice of appearance will need to be filed with the Clerk of the Circuit Court and Comptroller for the case number you are requesting. A copy of the notice of appearance will need to be provided to the Court Reporting Services Department in order for us to process the request without undergoing a public records review. If you do not intend to file a notice of appearance, the request will be treated as a public record request in accordance with Florida Rule of General Practice and Judicial Administration 2.420 and the Fifteenth Judicial Circuit's Administrative order 2.304.

27. How much does a Public Records Request cost?

In addition to the electronic recording disc fee and/or the cost of creating a transcript, public records requests are subject to a **separate** review fee. The review fee is \$12.50 per 15-minute increment of review time with a minimum of \$12.50. Based on the length of the record requested, you will receive an e-mail notifying you of the estimated review fee, which must be paid as a deposit before your request can be processed. This amount **must be in a cashier's check or money order made payable to The Board of County Commissioners.**

If payment(s) for your public record request is not received within **thirty (30) days** from the original request date, your request will be cancelled.

Please note, we are unable to issue refunds for review deposit payments. All payments are final.

28. How can I pay for my request? Can the request be completed before I pay?

We cannot accept cash or payment over the phone for any orders. Production will not begin on any request items until payment has been made.

For CD(s)/DVD(s): The electronic record disc payment can be paid via our online payment system if not submitted as a public records request. After the request is submitted from our Online Request Form, a link is provided to redirect you to make payment online. The payment link is only available via the confirmation webpage once your order has been submitted. **Please note online payment is collected through a third-party agency and will incur a service charge, which is not regulated nor determined by the Court Reporting Services Department, and may be non-refundable through the vendor agency.** Alternatively, to make a disc payment by **cashier's check or money order payable to The State of Florida**, you may mail or drop off payment to our office. If payment is not received within thirty (30) days from the request being submitted, the order will be cancelled.

For Transcripts: Payment for transcripts is arranged with the contracted vendor assigned to your order. An e-mail will be sent to you with an estimate along with instructions to make payment. If a deposit is not received within thirty (30) days of the estimate being sent to you, the order will be cancelled.

For Public Records Request Review Fees: Payment for public records review fees must be made in a cashier's check or money order made payable to The Board of County Commissioners. If payment(s) for a public record request is not received within thirty (30) days from the original request date, the request will be cancelled.

29. Where do I mail payment to?

Fifteenth Judicial Circuit
Court Reporting Services
205 North Dixie Highway, Room 5.1400
West Palm Beach, FL 33401

30. Where can I drop off payment?

You may go to the 5th Floor of the Main Branch Courthouse at the address below, and use the phone by the glass doors to dial our office (**3-6526**). Please let us know your name and the case name for which you are dropping off payment.

205 North Dixie Highway, 5th Floor
West Palm Beach, FL 33401

31. How do I cancel my request?

Cancellations must be made within five business days of your order being placed. To cancel your request, please send an e-mail to CAD-CRSRequestForm@pbcgov.org providing the confirmation number and notifying us that you want to cancel your order.

32. How do I obtain a refund on a CD/DVD order?

If a payment was made online with a credit or debit card, the refund will be issued back to the original card method of payment within three (3) to five (5) business days from the date a timely notice of cancellation was provided. Payments that have been mailed to or dropped off our office must be picked up in person by the requestor within one week of the timely notice of cancellation. If payment(s) is not picked up by this time, any payment(s) will be voided and destroyed, and will no longer be available for pickup. If an order was already completed and was not picked up, no refund will be issued (refer to #31).

33. If I have a concern about a request, who can I contact?

Please call Court Reporting Services at (561) 355-6526 during the hours of 8:30 AM to 4:00 PM. Have your case information and the last four digits of your confirmation number readily available. If you are required to leave a voicemail, please indicate that you are inquiring about your request and be sure to provide your case number.