

IN RE: RULES OF THE COURT OF : IN THE COURT OF COMMON PLEAS OF
COMMON PLEAS OF : CUMBERLAND COUNTY, PENNSYLVANIA
CUMBERLAND COUNTY, :
PENNSYLVANIA : LOCAL RULES 1996-1335


ORDER OF COURT

AND NOW, this 3rd day of October, 2024, it is hereby Ordered and Decreed, that effective November 1, 2024, or thirty (30) days after publication in the Pennsylvania Bulletin, whichever is later, the Cumberland County Court of Common Pleas amends the following local rules, 4002, 4007, and 4008, governing court reporting and transcripts for the 9th Judicial District.

The Cumberland County District Court Administrator is Ordered and Directed to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.
3. Publish these Rules on the Cumberland County Court website at www.ccpa.net.
4. Incorporation of the local rule into the set of local rules on www.ccpa.net within thirty (30) days after the publication of the local rule in the Pennsylvania Bulletin.
5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.
6. Forward one (1) copy to the Cumberland Law Journal.

By the Court,



Edward E. Guido, P.J.

Rule 4002. Transcript Definitions

All terms in these rules shall have the same meaning as defined in Pa. R.J.A. No. 4002. As further clarification:

- (a) *Commonwealth or subdivision thereof* includes any Pennsylvania state, county, regional, or municipal government entity, including any department, board, attorney, employee or agent acting on behalf of that entity.
- (b) *Transcript* includes any electronic or paper record, including orders, prepared by a court reporter or court recorder of any proceeding presided over by a judge, a magisterial district judge, or a hearing officer.
- (c) All transcripts fall into one of two categories regarding need and purpose:
 - (1) an *ordinary* transcript is either:
 - (i) required by rule because notice of appeal has been filed; or
 - (ii) required by order or rule to advance litigation in a matter currently before the court.
 - (2) a *non-ordinary* transcript is any transcript requested or prepared for any reason other than *ordinary* as defined in section (c)(1) above.
- (d) The terms *daily*, *expedited*, *rough draft* and *same-day delivery* all refer to variations in the delivery deadline and cost for *non-ordinary* transcripts.

Rule 4007. Requests for Transcripts

- (a) All requests for new, previously untranscribed transcripts shall be submitted to the district court administrator's office, utilizing the FTR Justice Cloud platform, available through the Court Website, which shall include all elements required in the form provided by the state court administrator.
- (b) The district court administrator shall also serve copies of the request to all participating parties via electronic notice on the appropriate filing offices' docketing system:
 - (1) the judge presiding over the matter;
 - (2) the court reporter, court recorder or transcriptionist; and
 - (3) opposing counsel, or if not represented, the opposing party.
- (c) A request for daily, expedited, or same-day transcripts shall be filed in the district court administrator's office at least ten (10) days before the scheduled proceeding. Copies of the request shall be provided as required in paragraph (b) above. In the event of an emergency, a party may request by oral motion a daily, expedited, or same-day transcript. This request will be accommodated upon approval of the trial judge and the court reporter or court recorder.
 - (1) Transcripts will not be prepared until a credit or debit card has been placed on file, a deposit has been paid, or a fee waiver has been approved granted pursuant to C.C.R.J.A 4008(b). If the party requesting a transcript provides a credit or debit card through the request portal, a hold will be placed as a deposit. Upon completion of the transcript, the credit or debit card on file will be charged and the district court administrator shall deliver the original transcript to the appropriate filing office and provide a copy to the requesting party.
 - (2) If the party requesting a transcript is unable to provide a credit or debit card, the district court administrator's office will issue an invoice via email within seven (7) business days after the receipt of the transcript request.
 - (i) The invoice shall be for a non-refundable, partial payment of 90% of the estimated transcript cost. This deposit shall be paid by cash, money

order, certified check, or law firm check made payable to Cumberland County, and shall be delivered to the district court administrator's office within seven (7) calendar days from the date of the invoice.

- (ii) Upon receipt of the deposit by the district court administrator's office, the court reporter, court recorder or transcriptionist shall commence production of the requested transcript.
- (iii) Upon completion of the transcript, the court reporter, court recorder or transcriptionist shall deliver it to the district court administrator's office. The district court administrator's office will then issue a final invoice to the requester.
- (iv) Upon receipt of the final invoice, payment of the final balance shall be paid by cash, money order, certified check, or law firm check made payable to Cumberland County and shall be delivered to the district court administrator's office within seven (7) calendar days from the date of the invoice. Once full and final payment is received, the district court administrator shall deliver the original transcript to the appropriate filing office and provide a copy to the requesting party.

Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof

(a) Costs:

- (1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall be:
 - (i) for an ordinary transcript, \$2.50 per page;
 - (ii) for an expedited transcript, \$3.50 per page, expedited transcripts are only available if the court reporter or court recorder is able to accommodate;
 - (iii) for a daily transcript, \$4.50 per page, daily transcripts are only available if the court reporter or court recorder is able to accommodate; and
 - (iv) for same day delivery, \$6.50 per page, same delivery transcripts are only available if the court reporter or court recorder is able to accommodate.
- (2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(b) Economic hardship – minimum standards:

- (1) The application to waive all or a portion of costs for ordinary transcripts shall be supported by an affidavit substantially in the form required by Pa.R.C.P. Rule 240(h).
- (2) Such application should be prepared in the form of a Petition to Waive All or a Portion of the Transcript Costs and filed in the appropriate filing office.
- (3) Any request for hardship reduction or waiver of costs for any ordinary transcript shall be filed contemporaneously with the request for transcript.
- (4) No reduction or waiver of costs shall be requested or granted for any non-ordinary transcript unless the requesting party demonstrates reasonable need.
- (5) Time frames for completion of requested transcripts will not commence until the waiver has been approved. If waiver is denied, time frames will commence when the deposit is paid.

(c) Copies of transcript:

A request for a copy of any transcript previously ordered, transcribed and filed of record

shall be provided by the appropriate filing office according to the following schedule:

- (1) \$0.50 per page bound, paper format, and,
- (2) \$0.50 per page electronic copy, not to exceed \$50.00. An additional \$20.00 fee may be charged if the copy cannot be emailed directly and needs to be transferred to another medium or multiple emails are required for file transfer.

(d) Additional Costs:

- (1) A trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation, where there is a need for court reporters to significantly expand their dictionary.
- (2) Such surcharges are at the discretion of the trial judge.