

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

IN RE: Adoption of Local Rule of Judicial :
Administration 4009 – Court Reporting :
and Transcripts – Fees and Procedures :

ADMINISTRATIVE ORDER

AND NOW, this 6th day of January 2017, IT IS ORDERED THAT
Lehigh County Local Rule of Judicial Administration 4009 is hereby ADOPTED, effective 30 days
after publication in the Pennsylvania Bulletin.

IT IS FURTHER ORDERED THAT the Court Administrator of Lehigh County shall file: one
(1) certified copy of this Order and Lehigh County Rule of Judicial Administration 4009 with the
Administrative Office of Pennsylvania Courts; and two (2) certified copies with the Legislative
Reference Bureau for publication in the Pennsylvania Bulletin. This Local Rule shall also be
published on the Court’s website and incorporated into the complete set of Lehigh County Local
Rules.

By the Court:

Edward D. Reibman, P.J.

Rule 4009. Court Reporting and Transcripts – Fees and Procedures.

(A) Procedures for requesting a transcript:

- (1) All requests for transcripts shall be set forth on the standardized form, Request for Transcript or Copy Form, available at <http://www.lccpa.org/forms/RequestforTranscript.pdf>
- (2) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other court proceeding shall file the original Request for Transcript Form with the appropriate filing office (i.e., Clerk of Judicial Records – Civil Division, Clerk of Judicial Records – Criminal Division, Orphans’ Court, or the Domestic Relations Section) based upon the specific case type. The requesting party shall also serve copies of the Request for Transcript Form upon:
 - (a) the Judge presiding over the matter; and
 - (b) the Court Reporterby delivering two (2) copies of the Request for Transcript Form to the Court Administrator’s Office located in Room 614; and
 - (c) opposing counsel or the opposing party, if not represented.
- (3) The Court Reporter shall prepare the transcript upon:
 - (a) the approval of the Presiding Judge; and
 - (b) payment of the deposit by the requesting party to the appropriate filing office in accordance with the order of the Presiding Judge.
- (4) The Court Reporter shall file the transcript and serve the requesting party with a copy of the transcript upon payment of the balance owed by the requesting party to the appropriate filing office in accordance with the order of the Presiding Judge.
- (5) If a party is requesting daily, expedited or same day transcripts, or provisions for secure electronic feed, the request for such transcripts or service shall be filed with the appropriate filing office at least ten (10) days prior to the scheduled proceeding. Copies of the written request shall be delivered in accordance with subsection (2). Such requests will be accommodated only upon approval of the Presiding Judge and the Court Reporter.

(B) *Economic hardship*

- (1) Pursuant to Pa.R.J.A. 4008(B), a request to waive or reduce transcript fees shall be noted on the Request for Transcript Form and include a fully completed *In Forma Pauperis* Petition pursuant to Pennsylvania Rule of Civil Procedure 240, even if *IFP* status was previously granted on the case.
- (2) Litigants who have been approved for representation by Legal Aid Services are not required to further prove economic hardship pursuant to section (B)(1) above; however, they must attach to their Request for Transcript Form a letter of certification from Legal Aid Services that the litigant meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

(C) *Fees – original transcript – requesting party*

- (1) The fees payable by the party, other than the Commonwealth or a subdivision thereof, initially requesting the transcript in an electronic format shall be as follows:
 - (a) for an ordinary transcript, \$2.50 per page;
 - (b) for an expedited transcript, \$3.50 per page, if the Court Reporter is able to accommodate the request and the Presiding Judge approves; and
 - (c) for a daily transcript, \$4.50 per page, if the Court Reporter is able to accommodate the request and the Presiding Judge approves; and
 - (d) for same day delivery, \$6.50 per page, if the Court Reporter is able to accommodate the request and the Presiding Judge approves.
- (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.

(D) *Fees - copies of transcript*

A request for a copy of any transcript, made prior to filing the transcript of record, in excess of the copy provided for in section (A)(4) of this Rule, shall be provided according to the following schedule:

- (1) \$0.75 per page paper format; and
- (2) \$0.50 per page electronic copy.

(E) *Fees – copies of transcript - previously ordered, transcribed and filed of record*

A request for a copy of any transcript previously ordered, transcribed and filed of record shall be provided according to the following schedule:

- (1) \$0.75 per page paper format; and
- (2) \$0.50 per page electronic copy.

(F) *Fees - additional costs*

The Presiding 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. Such surcharges are at the discretion of the Presiding Judge.

(G) *Fees – secure electronic feed*

The Presiding Judge may impose a reasonable surcharge in cases involving a secure electronic feed during the proceeding. Such surcharge is at the discretion of the Presiding Judge.

(H) *Payment of fees*

All fees shall be made payable to the “County of Lehigh” and shall be delivered to the appropriate filing office (i.e., Clerk of Judicial Records – Civil Division, Clerk of Judicial Records – Criminal Division, Orphans’ Court, or the Domestic Relations Section) based on the case type. No fees shall be paid directly to the Court Reporter or Transcriptionist.

(I) *Rule as exclusive method to obtain, reproduce, distribute, or copy transcript of portion thereof*

No person shall obtain, reproduce, distribute, or copy any transcript or portion thereof except in accordance with this rule.