

# **AOC COURT REPORTER GUIDELINES FOR JUDGES**



**Authority: TCA §40-14-301 et. seq.**

**Prepared by the Administrative Office of the Courts  
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## INTRODUCTION

The Administrative Office of the Courts (AOC) recognizes the important contribution that court reporters make to the judicial community and hopes to ensure the continued success of the relationship between court reporters and other professionals in the judicial system. To this end, the AOC has drafted these guidelines to provide judges with information about the court reporter processes in Tennessee for those court reporters the AOC serves pursuant to T.C.A. §§40-14-301 through 40-14-317.

### **CONTACT INFORMATION**

For administrative or benefit matters, the following staff at the AOC should be contacted.

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## ALL COURT REPORTERS

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- Qualifications

Candidates must have a high school diploma or equivalent, the ability to operate a computer and use associated software, and the ability to operate other electronic recording equipment. Transcript preparation is required, thus, the ability to type is also essential. Preference is given to candidates who have practical court reporting experience, court reporter training, legal office skills, and knowledge of courtroom procedures.

- Payment Sources

Court reporters may receive payment from the AOC via two sources: the Court Reporter Fund, which includes the majority of criminal proceedings or the Indigent Defense Fund, which includes some indigent criminal and civil proceedings. The payment process for each of these is different. (The court reporter must be an employee or have a current contract on file with the AOC.)

For payment of court reporter services out of the Court Reporter Fund, all requests for payment must include a judge's authorization.

For payment of court reporter services out of the Indigent Defense Fund, the appointed counsel for the indigent defendant/respondent must seek prior approval from the trial court judge and from the AOC. (Refer to Supreme Court Rule 13, Section 4). This prior approval will ensure prompt payment to the court reporter.

In an indigent criminal case, the AOC will pay for one (1) original and one (1) copy of a transcript for the defendant out of the Court Reporter Fund. In non-indigent criminal cases payment arrangements are to be determined by the court reporter, the defendant, and/or the defendant's attorney. The AOC is not responsible for payment of transcripts requested by an employee of another state agency (i.e., district attorney general's office); payment arrangements are to be determined by the reporter and the employee of the state agency. If the trial judge desires a personal copy (in addition to the original which is being placed in the court file), he/she should take the original out of the court file and make a copy.

- Additional Copies

Should it be necessary for the reporter to request payment for additional copy sets beyond the original and copy already prepared, if adequate findings are made and supporting documentation included, the request will be honored.

- Recording Systems

The recording equipment/systems provided by the state shall be used solely for authorized judicial proceedings in which the state is required to provide court reporting services. In addition, the recording equipment/systems shall remain the property of the state and shall remain with the court when court reporters change employment. Court reporters are required to use these recording systems as the primary recording mechanism.

To date, the AOC has purchased 127 recording systems and installed them in 90 counties. Court reporters have received training on these systems and have been made aware of training material on our website.

## OFFICIAL COURT REPORTERS

- Administrative

The official court reporter “official” is a full-time State employee and is under the direct supervision of the hiring judge. The official should consult with the supervising judge on all issues related to the position. If further guidance is needed, the official should contact the coordinator of court reporting services. The official’s employment is at will, and the supervising judge may terminate the job relationship at any time with or without cause, as may the reporter.

It is the official’s responsibility to find a substitute reporter if it is necessary to be absent from court for any reason. Officials shall contact other official reporters within their district or within a 50-mile radius prior to contacting a per diem reporter to substitute. If the official is unsuccessful in securing a substitute, he/she should contact the AOC for assistance.

- Compensation

Compensation for officials is determined by salary and by transcript fee (paid as per page rate for transcripts).

- Benefits

Officials are eligible to receive the following benefits: longevity, sick leave, bereavement leave, and paid State holidays. Officials are not eligible for annual leave, compensatory time, or overtime compensation.

Sick leave is to be used for periods of temporary absence due to medically-related reasons (i.e., illness, disability due to accident, medical and dental appointments, surgery, etc.), whether or not court is scheduled. Sick leave eligibility begins after one (1) month of employment, and one (1) day (7.5 hours) will be earned per month. When courts are closed due to judicial conferences and extended holidays (i.e., Christmas), officials are not required to take sick leave.

Bereavement leave days are those designated in the event of death of one's immediate family member. Immediate family members include spouse, child, stepchild, parents, siblings, grandparents, grandchildren, stepparents, foster parents or parents-in-law. Three (3) bereavement days are allowed. If additional days are needed, they must be used as sick leave days.

- Work Relief

Work relief is defined as additional days that are needed for transcript preparation. If an official needs to take work relief, a work relief request form must be completed, approved by the supervising judge, and submitted to the AOC, if a per diem reporter will be used. If another official reporter will be used, the work relief request form is not required.

- Court Approved Leave

Officials do not accrue annual leave, therefore, if they need time off for reasons other than sick leave or work relief, they may use as court approved leave. All leave taken by the reporter must be approved by the supervising judge(s).

- Monthly Work Report

Official reporters are required to submit a monthly work report that identifies their work-related travel, reporting time in the courtroom, time performing tasks outside of the courtroom, (i.e., administrative tasks, transcription), associated expenses, and absences.

If the reporter worked for more than one judge during the month, the work report must reflect the initials of each judge for the dates on which the reporter appeared before him/her. The form may contain the signature of only one judge.

- Filing the Record

If an official court reporter retires, resigns, or is terminated from his/her position, the reporter shall immediately notify the AOC. If the reporter has records in his/her possession (including steno notes and audio recordings) that were not promptly filed with the clerk of the court pursuant to T.C.A. §40-14-307, the reporter should make arrangements with the clerk to transfer those records to the clerk's office for storage. (If a different storage location needs to be determined, the reporter should meet with the clerk and the supervising judge to select a location. Additionally, the replacement reporter should be notified of this location.) The records shall be clearly marked including notations of the district(s), court(s), judge(s), date(s) and type(s) of hearing. The transfer of items shall take place on the last day of employment of the reporter. The reporter shall also notify the AOC that the transfer has taken place and to whom the items were provided.

- Supplies

The AOC provides "general" supplies as necessary. The general supply list includes items such as transcript covers, steno pads, tape storage envelopes, CDs, exhibit labels, headsets, and foot pedals.

The AOC also reimburses officials for "consumable" office supplies up to a maximum of \$500 per fiscal year. Consumable office supplies include correction supplies, (i.e., liquid white-out), pens, pencils, post-it-notes, staples, etc. Officials should use the form designated for requesting consumable supplies.

Prior AOC approval is required for all requests for reimbursement for items that are not included on the general or consumable office supply list. This includes items that are to be used with the state-provided equipment.

## PER DIEM/AUXILIARY/CONTRACT COURT REPORTERS

- Administrative

Per diem court reporters are designated when there is no official reporter designated for the district/court or when the regularly designated official reporter is unable to attend court. (T.C.A. §40-14-304)

The per diem reporter serves the Tennessee courts in accordance with the terms of the contract to provide court reporting services, which authorizes the AOC to provide payment for court reporting services rendered. No reporter may function as a per diem reporter for the Tennessee courts without having a current signed contract on file with the AOC. Contracts must be signed and returned for each new fiscal year. The per diem reporter's relationship to the Tennessee courts and the AOC is that of an independent contractor.

A list of authorized per diem reporters is generated shortly after the contracts have been signed by the reporters, returned to the AOC, and approved by an AOC representative. The list is updated periodically and is provided to all official court reporters in the perspective districts. In districts or courts where there are no full-time official reporters, the list is provided to the judges' assistants.

- Compensation

Per diem reporters are paid in accordance to the rates established in their contract.

If the reporter works beyond 3.75 hours (3 hours & 45 minutes), the reporter will be paid at the full-day rate. If the reporter works 3.75 hours and below, the half-day rate will apply. Per diem reporters are also compensated for time worked in excess of 8 in-court hours (excluding time designated as the lunch period).

If the reporter worked for more than one judge during the dates for which payment is being requested, one request for payment form needs to be completed for each judge.

## Code of Professional Ethics

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A court reporter is a representative of the Judiciary whose presence is constitutionally, statutorily, or judicially required. As such, the reporter is an officer of the court and standards of behavior are expected. Court reporters shall maintain candor with the court. Court reporters shall perform their duties at the highest level of their ability and do everything necessary to preserve the discreet and confidential nature of court proceedings.

The AOC has adopted this Code of Professional Ethics from the National Court Reporters Association (NCRA). These standards are mandatory for all court reporters while in the service of Tennessee courts. Reporters have been made aware of the Code of Professional Ethics, and they are expected to comply.



# **AOC FORMS**

- REQUEST FOR PAYMENT OF TRANSCRIPT IN INDIGENT MATTER  
(Official & per diem reporters)
- WORK RELIEF REQUEST  
(Official reporters only)
- OFFICIAL COURT REPORTER MONTHLY WORK REPORT  
(Official reporters only)
- REQUEST FOR PAYMENT FOR COURT APPEARANCE BY PER DIEM COURT REPORTER  
(Per diem reporters only)

\*Signature of the trial court judge is required on each of these forms.