

# **COURT REPORTER MANAGEMENT PLAN**

**UNITED STATES DISTRICT COURT**

**DISTRICT OF MONTANA**



**October 2018**

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## **SECTION I – OBJECTIVES OF THE PLAN**

The objectives of the Court Reporter Management Plan are to establish and maintain the supervision and management necessary to ensure that the court receives the highest quality reportorial service available.

All reporters hired by the District of Montana to report court proceedings serve in the official capacity for which they were hired. However, for purposes of this document, the term “official reporter” refers to staff reporters, who are sworn in as officers of the court, distinguished from non-staff reporters who serve in a temporary, contract, or substitute capacity.

This plan is intended as a supplement to the provisions set forth in 28 U.S.C. § 753 (Court Reporters Act) and the *Guide to Judiciary Policy*.

## **SECTION II – APPLICABILITY OF THE PLAN**

This plan shall be applicable to all official, temporary, contract, and substitute court reporters and digital audio recording transcribers.

## **SECTION III – SUPERVISION**

Pursuant to 28 U.S.C. § 753(c), official court reporters shall be subject to the supervision of the appointing court and the Judicial Conference in the performance of their duties. The appointing court shall designate the clerk of court to be responsible for ensuring that the provisions of this plan are effectuated and for conferring, as needed, with the court’s judges.

### **Duties of the Court Reporter Supervisor**

The clerk of court shall designate the chief deputy of administration as the court reporter supervisor whose duties and responsibilities are to provide day-to-day management and perform all other functions set forth in this plan, including but not limited to:

- Effectively manage all court reporters through proper supervision and procedural systems;
- Assign court reporters to judges ensuring minimal travel and the lowest overall cost to the court;
- Supervise the relationship between parties and court reporters;
- Periodically review transcripts to assure full compliance with the format requirements as outlined in the *Guide to Judiciary Policy*, Volume 6, Chapter 5, § 520;
- Periodically review transcript invoices to ensure proper transcript rates are charged and transcripts are prepared, delivered, and filed in a timely manner;
- Ensure compliance by all court reporters with the provisions of 28 U.S.C. § 753 concerning the certifying and filing of either a transcript or notes and audio files of all criminal arraignments, pleas, and proceedings in connection with the imposition of sentence;

- Ensure that all notes and audio files are maintained in accordance with 28 U.S.C. § 753, the judiciary records disposition schedule, and Section VIII of this plan;
- Periodically review time records of the official court reporters to ensure proper maintenance and accuracy;
- Ensure official reporters' quarterly and annual reports are accurate and submitted in a timely fashion;
- Serve as liaison to the Ninth Circuit Court of Appeals for matters pertaining to court reporters and transcript production;
- Provide the clerk of court with necessary information relating to the duties set forth above, determine actual and projected budget needs, maintain a qualified panel of contract court reporters, maintain a qualified list of digital audio recording transcribers, and schedule contract court reporters as needed; and
- Periodically update this plan and perform any other duties related to court reporting services as needed.

Official court reporters shall be included in the organizational structure of the clerk's office.

### **Duties of Court Reporters**

Official court reporters are appointed by the clerk of court and, as such, are clerk's office employees. They serve at the pleasure of the court. In the performance of their duties, all court reporters of the District of Montana must follow:

- The statutory requirements of 28 U.S.C. § 753;
- The administrative practices defined in the *Guide to Judiciary Policy*, Volume 6;
- The administrative practices of this plan; and
- Any other policies set forth by the court.

Official court reporters must adhere to the policies and procedures outlined in the Clerk's Office Employee Manual.

### **Performance Evaluations**

The supervisor may prepare an annual performance evaluation for each official court reporter. In preparing the evaluation, the supervisor shall discuss work performance factors with the district judges to whom the reporters are primarily assigned.

All official court reporters who have successfully completed their 12-month probationary period shall have the right to challenge their performance evaluation in accordance with the grievance procedures outlined in the Clerk's Office Employee Manual.

## **SECTION IV – TYPES OF COURT REPORTERS**

Court reporters are categorized according to how they are utilized by the court.

- **Official Court Reporters** – Court reporters who are salaried employees of the court.

- **Temporary Court Reporters** – Court reporters who are employed, with the approval of the Director of the AO, for service not to exceed a specific period.
- **Contract Court Reporters** – Court reporters who serve the court on an as-needed basis. Daily contracts are utilized and are paid from contract funds.
- **Substitute Court Reporters** – Court reporters who may be hired and paid by an official court reporter under prescribed conditions with the approval of the court reporter supervisor.
- **Digital Audio Recording Transcribers** – Transcribers who may be hired and paid by attorneys or the court to provide certified transcripts of proceedings recorded by digital audio recording equipment. Official court reporters may transcribe digital audio recorded hearings.

## SECTION V – EMPLOYMENT

### Employment and Dismissal of Official Court Reporters

The clerk of court shall appoint and dismiss official court reporters. Official court reporters shall be appointed in accordance with the provisions of 28 U.S.C. § 753 and the qualifications established by the Judicial Conference and this plan. Only reporters, including official, temporary, contract, and substitute, who meet these qualifications shall be appointed. To the extent feasible, all new official court reporters must be proficient in realtime reporting or achieve realtime certification within one year of entrance on duty.

Upon appointment as an official court reporter, the reporter shall be required to execute a certification form (See Appendix A, Certification of Court Reporter Upon Hiring) regarding his or her responsibilities, including:

- Retention of all official notes, audio recordings, dictionaries, and software needed to prepare a transcript of a court proceeding; and
- Preparation and timely filing of all transcripts ordered during employment or after separation from the court. A copy of this certification shall be filed in the official personnel file of said reporter.

Official court reporters who do not perform in a competent and satisfactory manner or who do not comply with the requirements of the plan, the *Guide to Judiciary Policy*, or the Clerk’s Office Employee Manual, shall be subject to disciplinary action, including termination.

### Probationary Period

All initial appointments of official court reporters shall be for a 12-month probationary period. A court reporter dismissed during the 12-month probationary period does not have the right to appeal the termination. Upon successful completion of the 12-month probationary period, all official court reporters shall have employee rights as outlined in the Clerk’s Office Employee Manual.

### Primary Assignments

In accordance with the *Guide to Judiciary Policy*, official court reporters serve the court en banc; however, because of the district’s geographical considerations, the court reporter supervisor shall assign court reporters to active district judges as primary assignments.

## Hours of Employment

Official court reporters are placed on a regular tour of duty with the core working hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, for a minimum of 40 hours per week. All court reporters are required to be available for other assignments during core working hours when not in court taking the record or on annual or sick leave.

## Qualified Court Reporter Panel

The court reporter supervisor shall maintain a panel of qualified court reporters which shall be used as a reference for engaging temporary and contract court reporting services by the court and substitute court reporting services by official court reporters.

The qualifications for membership of the panel shall be four years of court reporting experience either in the freelance field, in court, or a combination thereof. Each member of the panel must possess a Registered Professional Reporter certification from the National Court Reporters Association or must have passed an equivalent qualifying examination. In addition, all panel members will be expected to have knowledge and equipment to provide computer-aided transcription.

The court reporter supervisor shall recruit and interview applicants for the panel on an as-needed basis. All members of the panel shall comply with all applicable sections of this plan including, but not limited to, format, fees, billing, and timely filing of transcripts. Additionally, all provisions of this plan will apply to all court reporters who are not members of the panel but engaged by the court.

## Use of Substitute Court Reporters

In the event it is determined that an official court reporter has overdue transcript(s), said reporter may be required by the district judge or by the chief judge of the circuit to contract for and pay a substitute reporter until the overdue transcripts have been e-filed. The use of non-salaried substitute court reporters by official court reporters shall be strictly limited to members of the panel.

## Use of Contract Court Reporters

Pursuant to the *Guide to Judiciary Policy*, Volume 6, contract reporters shall be utilized only when all official court reporters are occupied in court. Contract court reporters may be utilized in the place of official court reporters on authorized leave pursuant to the Leave Act only when no other official court reporter is available or where the travel expenses of the official court reporter exceed the cost to hire a contract court reporter.

Contract court reporters shall not be paid by the court when official court reporters are relieved of their courtroom duties to work on transcript backlogs. Costs associated with such substitute court reporting services shall be paid by the official court reporter so relieved. (See Section V, Use of Substitute Reporters.)

Travel of contract reporters within the district shall be limited to those occasions when no official court reporter is available to travel to the location requiring reporting services.

The use and hire of non-salaried contract reporters by the supervisor shall be limited strictly to members of the qualified panel.

## **Travel by Official Court Reporters**

To the extent possible, travel of official court reporters shall be minimized. Out-of-district travel for official court reporters is restricted unless the host court is unable to provide the required service. Travel must be approved by the clerk of court and authorized by the Administrative Office.

## **Separation with Court**

Whenever a salaried court reporter is separated (resigns, retires, or is dismissed), he or she will be required to meet with the court reporter supervisor and execute a certification form (See Appendix B) regarding his/her responsibilities for the preparation of all transcripts which are currently ordered but not yet filed or which might be ordered after separation.

## **SECTION VI – LEAVE FOR OFFICIAL COURT REPORTERS**

Official court reporters were placed under the Leave Act in January 1984. All official court reporters are permitted to earn annual and sick leave in accordance with the Leave Act, 5 U.S.C. § 6301.

Leave records for official court reporters shall be maintained by the human resources department for the district in the same manner as those for other clerk's office employees.

### **Annual Leave Policy**

In accordance with the Clerk's Office Employee Manual, all requests for annual leave for official court reporters shall be coordinated with the respective judge, entered into the court's leave system, and approved by the court reporter supervisor. Prior to the authorization of extended leave, the court reporter supervisor shall consult with the judge to whom the court reporter is primarily assigned.

### **Sick Leave Policy**

In accordance with the *Guide to Judiciary Policy*, Volume 12, Chapter 9, § 920.75, use of sick leave shall be strictly limited to personal illness or medical-related appointments, adoption-related purposes, general family care and bereavement, and to provide care to a family member with a serious health condition.

In accordance with the Clerk's Office Employee Manual, it is within the discretion of the clerk or designee to request a medical certificate from an employee, including salaried court reporters, when sick leave has been requested and/or used. See Clerk's Office Employee Manual for further information regarding leave policy.

In no event shall sick leave be used or authorized with the specific intent to work on transcript backlog.

### **Private Reporting Activities**

Official court reporters placed under the Leave Act may perform private (freelance) work during their employment with the court providing such work is done during non-core working hours, is approved in advance by the primary assigned judge, and the court reporter does not have appellate transcripts pending that would be unduly delayed by their private work. Official court reporters will not

be allowed to take annual leave during core working hours to perform private work as per the *Guide to Judiciary Policy*, Volume 6, Chapter 2, § 240.20.

## **SECTION VII - TRANSCRIPTS**

With the exception of appellate transcripts, all original transcripts of official proceedings (also known as the “court file copy”) shall be filed with the clerk of court within three days of delivery to the ordering party. Original appellate transcripts may be filed by the court reporter on the date set by the scheduling order(s) filed by the District Court or the Circuit Court of Appeals, whichever date is later.

At its September 2007 session, the Judicial Conference approved a policy regarding the availability of transcripts in the Case Management/Electronic Court Files (CM/ECF) system. The language from the Judicial Conference’s September 2007 session states:

- A transcript provided to a court by a court reporter or transcriber will be available at the clerk’s office for inspection.
- During the 90-day period, a copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference, the transcript will be available for court users, and an attorney who obtains the transcript from the court reporter or transcriber shall obtain remote electronic access to the transcript through the CM/ECF system.
- After the 90-day period has ended, the transcript will be available electronically in the clerk’s office, for downloading through PACER, or from the court reporter or transcriber.

### **Filing Redacted Transcripts**

When redactions of transcripts are requested, all court reporters and transcribers shall follow the steps set out in the Transcript Filing and Redaction Process adopted by the District of Montana, located on the court’s website.

### **Fee Schedule**

No reporter or transcriber employed by the court shall charge fees for transcripts which exceed the authorized fee schedule adopted by the District of Montana. No reporter or transcriber employed by the court shall charge fees for services not authorized.

Current fee schedules are available on the court’s website.

### **Copy Requests**

Fees charged for copies shall not exceed the authorized fee schedule adopted by the District of Montana.

### **Order for Appellate Transcripts**

- Orders for appellate transcripts shall be filed in the appropriate case.
- All requests for appellate transcripts shall be dealt with promptly. Individual reporters shall be responsible for making financial arrangements with the ordering party as soon as practicable. If

financial arrangements cannot be made expeditiously, the reporter shall promptly advise the court reporter supervisor and the Ninth Circuit Court of Appeals.

- If a bad check is received as payment for securing the transcript order, the court reporter shall immediately stop transcript production and notify the court reporter supervisor and the Ninth Circuit Court of Appeals.
- Appellate transcripts shall be filed on or before the date set by the scheduling order issued by the court unless an extension for filing has been granted by the Ninth Circuit Court of Appeals. Requests for extensions shall be made by the court reporters with a copy to the court reporter supervisor or made by the court reporter supervisor on behalf of the court reporter. The court reporter supervisor shall promptly notify the clerk of court of any potential problems regarding appellate transcripts.

## **Order for Non-Appellate Transcripts**

Orders for non-appellate transcripts shall be filed in the appropriate case. The court reporter shall make all necessary financial arrangements with the ordering party. Parties must use the Transcript Designation and Ordering Form available on the court's website.

## **CJA Transcript Orders**

- Form CJA 24 shall be used by court reporters and transcribers to obtain payment for transcripts ordered under the CJA, except for transcripts ordered by the federal defenders. The CJA 24 form must be signed by the presiding judicial officer prior to transcript production.
- In accordance with the *Guide to Judiciary Policy*, Volume 7, Chapter 3, § 320.30.20, the routine apportionment of accelerated transcript costs among parties in criminal cases is prohibited.
- In all CJA multi-defendant cases, the CJA defendant who first orders the transcripts shall pay the original page rate established by the Judicial Conference, and all other CJA defendants shall pay the commercially competitive copy rate set by the Ninth Circuit.

## **Cancellation of Transcript Orders**

The reporter shall immediately stop production of transcripts if advised of a cancellation. Any deposit received shall be refunded, excluding pages produced prior to the cancellation notice. The reporter shall promptly notify the court reporter supervisor of any cancellation notice.

## **Expedited Transcripts**

Unless ordered by the court, official court reporters shall not expedite the preparation of any transcripts that would delay the preparation of appellate transcripts.

## **Realtime Transcripts**

Court reporters are encouraged to provide realtime upon request but must comply with the Realtime Reporting Standards per the *Guide to Judiciary Policy*, Volume 6, Chapter 3, § 320.50.

## **Daily Transcripts**

Production of daily transcripts shall not be subsidized by the Court. If additional reporters are required to produce daily transcripts, the cost of such reporter(s) shall be paid by the official court reporter assigned to the proceeding. Official court reporters shall not charge any party fees in excess of

or in addition to those adopted by the District of Montana, including appearance or attendance fees used to subsidize the hire of additional court reporters for daily transcripts.

## **Billing**

All transcript orders shall be billed in writing.

## **Deposits**

Court reporters may request from the ordering party no more than 105% of the estimated number of pages. If the deposit exceeds the actual cost, the reporter shall reimburse the difference when the transcript is delivered to the ordering party. If the estimate is less than the total invoice amount, the ordering party will be invoiced for the balance.

## **Transcript Requests by Judicial Officers or Required by Statute**

Official court reporters shall not charge fees for transcript(s) ordered by and provided to a district or magistrate judge.

## **Overcharging**

Court reporters found to be overcharging by violations in page format, line format, increased pitch, or any other non-conforming format shall be required to make immediate restitution to the ordering party and may be subject to disciplinary action. Qualified panel reporters found to be overcharging by violation of non-conforming transcript format may be subject to permanent removal from the panel.

## **Priority of Transcript Production**

Appellate transcripts shall be produced in chronological order of the date due to the Ninth Circuit and shall be produced before non-appellate transcripts. Preparation of criminal transcripts shall take precedence over the preparation of civil transcripts.

## **Transcript Backlog**

The court reporter supervisor is authorized to take any measures necessary to reduce or eliminate transcript backlog or production delays. Such steps may include but are not limited to the following:

- Reassign or rotate the official court reporter on a temporary basis
- Require the official reporter to hire and pay substitute reporter(s)
- Initiate progressive discipline

## **SECTION VIII – RECORDS MAINTENANCE**

The work of all court reporters should be legible so that the notes of any court reporter can be read by another reporter, if necessary.

The filing and storing of all notes and audio recordings shall be in accordance with the Notes-Audio Storage Procedures outlined herein as Appendix C. The stenograph/shorthand notes prepared by

court reporters and all required electronic recordings shall be retained by the clerk's office in accordance with 28 U.S.C. § 753(b) and shall be maintained in accordance with the *Guide to Judiciary Policy*, Volume 10, Appendix 6b: Records Disposition Schedule 2.

The stenographic notes and required audio recordings of all contract and substitute court reporters shall be delivered to the clerk's office at the conclusion of all proceedings, or within 10 days of the conclusion of the hearing. This shall be done without further compensation. Reporters shall not be paid if the stenographic notes and required audio files have not been filed.

The stenographic notes and required audio recordings of all official and temporary court reporters shall be delivered to the clerk's office monthly as outlined in the Notes-Audio Storage Procedures (Appendix C).

The audio recordings and log notes prepared by deputy clerks acting as electronic court recorder operators shall be stored on a network server at the conclusion of all proceedings and shall be maintained in accordance with the *Guide to Judiciary Policy*, Volume 10, Appendix 6b: Records Disposition Schedule 2.

## **SECTION IX – MANDATORY REPORTS**

### **Attendance and Transcript Report (AO 40A)**

Each quarter, official court reporters shall prepare the Attendance and Transcripts of the United States Reporters (AO 40A) report, which shall be reviewed for accuracy and signed by the court reporter supervisor. The report for each calendar quarter shall be submitted via the ACRA system so that it is received within 20 days after the end of the quarter. A report is not required of non-official reporters.

### **Statement of Earnings Report (AO 40B)**

Each official court reporter shall prepare the annual Statement of Earnings of the United States Court Reporters (AO 40B) on or before April 15th of each year, which shall be reviewed for accuracy and signed by the court reporter supervisor. The report shall be submitted to the AO via the ACRA system no later than April 15 of each year. A report is not required of non-official reporters.

### **Records to be Maintained by Official Court Reporters**

To permit the routine audit and inspection of records, official court reporters shall maintain accurate, legible, and up-to-date records of their expenses, attendance in court, transcript orders, and invoices. Such records shall be maintained on forms prescribed by the Judicial Conference or similar thereto which include but are not limited to the following:

- Expense Ledger
- Attendance Ledger
- Transcript Order/Collections Ledger
- Invoice

## **SECTION X – REPORTER SERVICES TO U.S. MAGISTRATE JUDGES**

Regular proceedings before a United States Magistrate Judge shall be recorded by the courtroom deputy clerk utilizing sound recording equipment. Where the magistrate judge determines a court reporter is required by specific rule or statute, or by the particular circumstances of an individual case, the court reporting supervisor will assign one of the official court reporters or use a contract reporter whose attendance is paid by the court.

## **SECTION XI – ACCESS TO DATA COMMUNICATIONS NETWORK**

Each official court reporter is authorized to access the Judiciary's Data Communications Network (DCN) for official purposes such as: reading and sending court-related e-mail; accessing information on the court's intranet site; accessing information on the J-Net; accessing CM/ECF; accessing court calendar information; accessing automated forms to be used in conjunction with official court business. An official court reporter may access the DCN through government-owned equipment provided by the court via surplus equipment that is adequate to accomplish these purposes listed above. An official court reporter may also access the DCN with their own equipment via a VPN account.

A contract reporter shall not be allowed access to the DCN at any time.

A court reporter is strictly prohibited from using any government-owned equipment to assist in generating transcript income.

## **SECTION XII – DIGITAL AUDIO RECORDING**

### **Request for Transcript**

Upon receipt of a request for a transcript of a digital recording, the clerk's office will send a copy of the log notes and audio recording of the appropriate proceeding to the transcriber.

The transcriber will contact the ordering party with an estimate of costs. Upon receipt of payment, the transcriber will forward the transcript directly to the party. The transcriber will also file a copy with the court within three days of delivery of the transcript.

### **Request for Copy of Digital Audio Recording**

Upon receipt of a digital recording request, the clerk's office will:

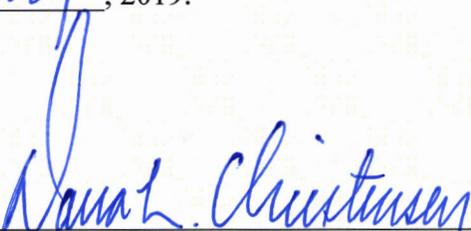
- Request and receipt payment as required by the Administrative Offices (See fee schedule for current rate)
- Provide the ordering party with a copy of the log notes and the digital audio recording of the appropriate proceeding

## CHAPTER SEVEN

### Approval of Jury Plan

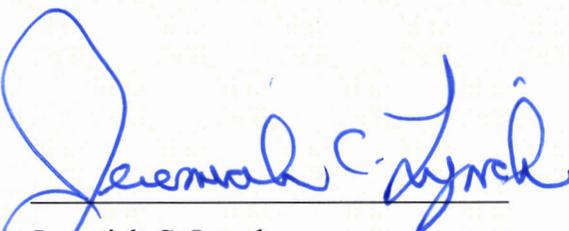
This plan will remain in full force and effect until approval of one or more modifications by the reviewing panel of the Ninth Circuit Court of Appeals.

SO ORDERED this 21<sup>st</sup> day of February, 2019.



Dana L. Christensen

Dana L. Christensen, Chief Judge  
United States District Court



Jeremiah C. Lynch

Jeremiah C. Lynch  
United States Magistrate Judge

# APPENDIX A

## CERTIFICATION OF COURT REPORTER UPON HIRING

EMPLOYEE NAME: \_\_\_\_\_

DATE OF HIRING: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

The following certification is made to the clerk of court upon my hiring:

- I understand that I am being hired by and will serve the judges of the United States District Court, District of Montana, en banc, although I may have a primary assignment to one judge;
- I understand that I will serve a probationary period of 12 months from the first day of my employment with the court;
- I will be responsible for preparing or having prepared, in a timely manner, any transcript of proceeding in which I was the reporter during my employment with the court and after my separation;
- All of my stenographic/shorthand notes will be properly marked and submitted to the court reporter supervisor in accordance with the Court Reporter Management Plan;
- All of my required audio files will be properly named and submitted to the court reporter supervisor in accordance with the Court Reporter Management Plan;
- I will submit a copy of my main dictionary on an annual basis;
- I will immediately inform the court reporter supervisor and human resource department of any change in my address or telephone numbers in order to facilitate the preparation of transcripts;
- I will read and adhere to all standards of the Code of Conduct for Judicial Employees;
- I declare to uphold the confidentiality of all matters at all times;
- I have read and will adhere to all statutory requirements of 28 U.S.C. § 753; and
- I have read and will adhere to all the administrative practices defined in the *Guide to Judiciary Policy, Volume 6*.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Court Reporter's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Court Reporter Supervisor's Signature

# APPENDIX B

## CERTIFICATION OF COURT REPORTER UPON SEPARATION

EMPLOYEE NAME: \_\_\_\_\_

DATE OF HIRING: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

The following certification is made to the clerk of court upon my separation:

- All my stenographic notes required by 28 U.S.C. § 753 have been filed with the court reporter supervisor as outlined in the Court Reporter Management Plan;
- All of the audio recordings required by 28 U.S.C. § 753 have been filed with the court reporter supervisor as outlined in the Court Reporter Management Plan;
- A final copy of my main dictionary has been submitted to the Court;
- I understand I am responsible for preparing any transcripts currently ordered but not filed and any transcripts ordered after my separation;
- I will immediately inform the court reporter supervisor and human resource department of any change in my address or telephone numbers in order to facilitate the preparation of transcripts;  
and
- I agree that transcripts may be produced by the clerk's office in the event I am unavailable or unwilling to produce such transcripts.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Court Reporter's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Court Reporter Supervisor's Signature

## APPENDIX C

### ELECTRONIC STORAGE OF NOTES & AUDIO FILES

The following procedures encompass storage of steno notes and applicable criminal case audio files. In accordance with Title 28 U.S.C. § 753(b), also known as the Court Reporter Act, court reporters are required to file with the clerk of court either a transcript or an electronic sound recording of all arraignments, pleas, and proceedings in connection with the imposition of a sentence in criminal cases. Additionally, federal court reporters are required to certify their original shorthand notes and file them with the clerk's office.

Today's technology allows for the use of paperless stenograph machines and the creation of electronic audio files. To ensure the files are accessible to the Court, standards relative to the file format, naming convention and preferred media are outlined below:

- Using the paperless steno machine's accompanying software, court reporters shall print/save the steno notes to an Adobe Acrobat PDF file.
- Audio files must be saved in a WAV file format.
- When saving files, meaningful file names should be used that include the date of the hearing and the case number, case title, or presiding judge. When saving a shorter, individual file, the preferred format is YYYY-MM-DD followed by the case number or case title.
- A certification must accompany the steno notes and audio files. It is recommended that reporters utilize the fillable PDF form the Court has created for the certification available on our website at <http://www.mtd.uscourts.gov/sites/mtd/files/Note%20Audio%20Certification.pdf>. Certifications must include the date and type of hearing, the case number, the presiding judge, the filename and file type. All certifications must be signed and dated, (/s/ is accepted as the reporter's signature).
- Official court reporters shall submit both steno notes and audio files to the court reporter supervisor for the preceding month by the 10th of every month. A certification must accompany the files. Files may be submitted on removable media, such as a CD or USB drive. Removable media will be returned to the court reporter.
- Contract court reporters shall submit both steno notes and audio files to the court reporter supervisor immediately after the hearing. A certification must accompany the files. Files shall be copied to a court-provided USB key.
- The steno notes will be stored on a court server. It should be noted that this storage method is for purposes of complying with the Court Reporter Act and is not meant to replace any archival system that reporters use.

**OFFICE OF THE CIRCUIT EXECUTIVE**

**UNITED STATES COURTS FOR THE NINTH CIRCUIT**

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TO: Tyler Gilman, District Court Executive and Clerk of Court, District of Montana

FROM: Kirsten Wilkinson, Assistant Circuit Executive

DATE: February 20, 2019

RE: Court Reporter Plan

This memo communicates on February 19, 2019, the Judicial Council for the Ninth Circuit approved the District of Montana's Amended Court Reporter Plan dated October 2018.

If you have any questions, please let me know.

cc: Julie Neville, Program Specialist, AO  
Beth Conley, Chief Deputy Clerk of Administration