

ASSEMBLY BILL NO. 91—ASSEMBLYMEN ANDERSON, PARKS,
ATKINSON, CLABORN, CONKLIN, DENIS, GERHARDT,
HETTRICK, HOGAN, HOLCOMB, HORNE, KOIVISTO,
MARVEL, OCEGUERA, OHRENSCHALL, PIERCE, SIBLEY AND
WEBER

FEBRUARY 21, 2005

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing fees of reporters of
district courts. (BDR 1-472)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to district courts; increasing the fees for a court
reporter in district court; establishing fees for a court
reporter of a district court for certain services provided in
a civil proceeding; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

- 1 Existing law sets forth the fees for the services of court reporters in district
- 2 courts. (NRS 3.370)
- 3 This bill increases certain fees paid to reporters and establishes fees for
- 4 reporters who deliver transcripts on a daily basis in a civil proceeding if the court
- 5 determines that the services of more than one reporter are necessary for such a task.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 3.370 is hereby amended to read as follows:
- 2 3.370 1. Except as otherwise provided in subsection 3, for his
- 3 services the official reporter or reporter pro tempore is entitled to the
- 4 following fees:



(a) For being available to report civil and criminal testimony and proceedings when the court is sitting during traditional business hours on any day except **Saturday or** Sunday, ~~[\$150]~~ **\$170** per day, to be paid by the county as provided in subsection 4.

(b) For being available to report civil and criminal testimony and proceedings when the court is sitting beyond traditional business hours or on **Saturday or** Sunday:

(1) If the reporter has been available to report for at least 4 hours, \$35 per hour for each hour of availability; or

(2) If the reporter has been available to report for fewer than 4 hours, a pro rata amount based on the daily rate set forth in paragraph (a),

↳ to be paid by the county as provided in subsection 4.

(c) For transcription ~~of~~ **of civil testimony**:

(1) Except as otherwise provided in subparagraph (2), for the original draft and any copy to be delivered:

(I) Within 24 hours after it is requested, ~~[\$7.10]~~ **\$8.20** per page for the original draft and one copy, and ~~[\$1.10]~~ **\$2.00** per page for each additional copy;

(II) Within 48 hours after it is requested, ~~[\$5.32]~~ **\$6.15** per page for the original draft and one copy, and ~~[83-cents]~~ **\$1.50** per page for each additional copy;

(III) Within 4 days after it is requested, ~~[\$4.43]~~ **\$5.13** per page for the original draft and one copy, and ~~[69-cents]~~ **\$1.25** per page for each additional copy; or

(IV) More than 4 days after it is requested, ~~[\$3.55]~~ **\$4.10** per page for the original draft and one copy, and ~~[55-cents]~~ **\$1** per page for each additional copy.

(2) For civil litigants who are ordering the original draft and are represented by a nonprofit legal corporation or a program for pro bono legal assistance, for the original draft and any copy to be delivered:

(I) Within 24 hours after it is requested, \$5.50 per page and \$1.10 per page for each additional copy;

(II) Within 48 hours after it is requested, \$4.13 per page and 83 cents per page for each additional copy;

(III) Within 4 days after it is requested, \$3.44 per page and 69 cents per page for each additional copy; or

(IV) More than 4 days after it is requested, \$2.75 per page and 55 cents per page for each additional copy.

(3) For any party other than the party ordering the original draft, for the copy of the draft to be delivered:

(I) Within 24 hours after it is requested, \$1.10 per page;



(II) Within 48 hours after it is requested, 83 cents per page;

(III) Within 4 days after it is requested, 69 cents per page; or

(IV) More than 4 days after it is requested, 55 cents per page.

(d) *For transcription of criminal testimony for the original draft and any copy to be delivered:*

(1) *Within 24 hours after it is requested, \$7.50 per page for the original draft and one copy, and \$2 per page for each additional copy;*

(2) *Within 48 hours after it is requested, \$5.62 per page for the original draft and one copy, and \$1.50 per page for each additional copy;*

(3) *Within 4 days after it is requested, \$4.68 per page for the original draft and one copy, and \$1.25 per page for each additional copy; or*

(4) *More than 4 days after it is requested, \$3.75 per page for the original draft and one copy, and \$1 per page for each additional copy.*

(e) For reporting all civil matters, in addition to the fees provided in paragraphs (a) and (b), ~~1201~~ \$30 for each hour or fraction thereof actually spent, to be taxed as costs pursuant to subsection 5.

~~(e)~~ (f) For providing an instantaneous translation of testimony into English which appears on a computer that is located at a table in the courtroom where the attorney who requested the translation is seated:

(1) Except as otherwise provided in this subparagraph, in all criminal matters in which a party requests such a translation, in addition to the fees provided pursuant to paragraphs (a) and (b), \$140 for the first day and \$90 per day for each subsequent day from the party who makes the request. This additional fee must be paid by the county as provided pursuant to subsection 4 only if the court issues an order granting the translation service to the prosecuting attorney or to an indigent defendant who is represented by a county or state public defender.

(2) In all civil matters in which a party requests such a translation, in addition to the fees provided pursuant to paragraphs (a), (b) and ~~(d)~~ (e), \$140 for the first day and \$90 per day for each subsequent day, to be paid by the party who requests the translation.

~~(e)~~ (g) For providing a diskette containing testimony prepared from a translation provided pursuant to paragraph ~~(e)~~ (f):

(1) Except as otherwise provided in this subparagraph, in all criminal matters in which a party requests the diskette and the



1 reporter agrees to provide the diskette, in addition to the fees
2 provided pursuant to paragraphs (a), (b) and ~~(e)~~ **(f)**, \$1.50 per
3 page of the translation contained on the diskette from the party who
4 makes the request. This additional fee must be paid by the county as
5 provided pursuant to subsection 4 only if the court issues an order
6 granting the diskette to the prosecuting attorney or to an indigent
7 defendant who is represented by a county or state public defender.

8 (2) In all civil matters in which a party requests the diskette
9 and the reporter agrees to provide the diskette, in addition to the fees
10 provided pursuant to paragraphs (a), (b), ~~(d) and (e)~~ **(e) and (f)**,
11 \$1.50 per page of the translation contained on the diskette, to be
12 paid by the party who requests the diskette.

13 2. For the purposes of subsection 1, a page is a sheet of paper
14 8 1/2 by 11 inches. The left margin must not be more than 1 1/2
15 inches from the left edge of the paper. The right margin must not be
16 more than three-fourths of an inch from the right edge of the paper.
17 Each sheet must be numbered on the left margin and must contain at
18 least 24 lines of type. The first line of each question and of each
19 answer may be indented not more than five spaces from the left
20 margin. The first line of any paragraph or other material may be
21 indented not more than 10 spaces from the left margin. There must
22 not be more than one space between words or more than two spaces
23 between sentences. The type size must not be larger than 10
24 characters per inch. The lines of type may be double spaced or one
25 and one-half spaced.

26 3. If the **court determines that the** services of more than one
27 reporter are ~~required by the court~~ **necessary to deliver transcripts**
28 **on a daily basis** in a **civil or** criminal proceeding, each reporter is
29 entitled to receive:

30 (a) The fees set forth in paragraphs (a) and (b) of subsection 1
31 and subparagraph (1) of paragraph ~~(e)~~ **(f)** of subsection 1, as
32 appropriate; and

33 (b) A fee of ~~15.33~~ **\$7.50** per page for the original draft and one
34 copy, and ~~83 cents~~ **\$2** per page for each additional copy for
35 transcribing a proceeding of which the transcripts are ordered by the
36 court to be delivered on or before the start of the next day the court
37 is scheduled to conduct business.

38 4. The fees specified in paragraphs (a) and (b) of subsection 1,
39 the fees for transcripts in criminal cases ordered by the court to be
40 made, the fees for transcripts in civil cases ordered by the court
41 pursuant to NRS 12.015, the fees for transcripts for parents or
42 guardians or attorneys of parents or guardians who receive
43 transcripts pursuant to NRS 432B.459, the fees in criminal cases
44 that are ordered by the court pursuant to subparagraph (1) of
45 paragraph ~~(e)~~ **(f)** and subparagraph (1) of paragraph ~~(f)~~ **(g)** of



1 subsection 1 and the fees specified in subsection 3 must be paid out
2 of the county treasury upon the order of the court. When there is no
3 official reporter in attendance and a reporter pro tempore is
4 appointed, his reasonable expenses for traveling and detention must
5 be fixed and allowed by the court and paid in the same manner. The
6 respective district judges may, with the approval of the respective
7 board or boards of county commissioners within the judicial district,
8 fix a monthly salary to be paid to the official reporter in lieu of per
9 diem. The salary, and also actual traveling expenses in cases where
10 the reporter acts in more than one county, must be prorated by the
11 judge on the basis of time consumed by work in the respective
12 counties and must be paid out of the respective county treasuries
13 upon the order of the court.

14 5. Except as otherwise provided in subsection 4, in civil cases,
15 the fees prescribed in paragraph ~~(d)~~ (e) of subsection 1 and for
16 transcripts ordered by the court to be made must be paid by the
17 parties in equal proportions, and either party may, at his option, pay
18 the whole fee. In either case, all amounts so paid by the party to
19 whom costs are awarded must be taxed as costs in the case. The fees
20 for transcripts and copies ordered by the parties must be paid by the
21 party ordering them. No reporter may be required to perform any
22 service in a civil case until his fees have been paid to him or
23 deposited with the clerk of the court.

24 6. Where a transcript is ordered by the court or by any party,
25 the fees for it must be paid to the clerk of the court and by him paid
26 to the reporter upon the furnishing of the transcript.

27 7. The testimony and proceedings in an uncontested divorce
28 action need not be transcribed unless requested by a party or ordered
29 by the court.

30 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
31 additional expenses of a local government that are related to the
32 provisions of this act.



