

State of Nevada Certified Court Reporters Board
Open Meeting – October 29, 2024
Agenda Item #10

For possible action; review and approve proposed amendments to NRS 3.370 to keep consistent with NAC Chapter 656 regarding transcript formatting.

Speaker: William LaBorde - Legislative Regulations Committee Vice Chair

BACKGROUND:

At the June 27, 2024 Legislative Regulations Committee Meeting, it was determined to proceed and utilize the services of NVCRA's lobbyist to assist in updating NRS 3.370(2) to keep the language consistent with NAC 656.360 regarding transcript formatting. Kim Farkas, President of NVCRA will provide the language changes to their lobbyist for the 2025 legislative session.

NAC 656.360 Preparation of transcripts. ([NRS 656.130](#), [656.250](#)) Except as otherwise provided by statute, an order of a court or a rule of a court, each court reporter or firm shall prepare each transcript of a proceeding in accordance with the following guidelines:

1. The transcript must be prepared on pages which are 8 1/2 by 11 inches in size.
2. The left margin must not be more than 1 3/4 inches from the left edge of the paper, and the right margin must not be more than 3/4 of an inch from the right edge of the paper.
3. Each page must contain at least 25 lines of type.
4. The type pitch must not be less than 9 characters per inch and not more than 10 characters per inch.
5. Each question and answer must begin on a separate line.
6. The first line of a question or answer must be indented not more than five spaces from the left margin.
7. If a question or answer requires more than one line, each line after the first line must begin at the left margin.
8. The first line of a paragraph or other material must begin not more than 10 spaces from the left margin.
9. After the first line, each line of a paragraph or other material must begin at the left margin.
10. Each line of a parenthetical or marking for an exhibit must begin not more than 15 spaces from the left margin.

NRS 3.370 Official reporter: Compensation.

1. Except as otherwise provided in subsection 3, for his or her services the official reporter or reporter pro tempore is entitled to the following compensation:

(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, \$250 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:

(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, \$8.03 per page for the original draft and one copy, and \$3.62 per page for each additional copy;

(II) Within 48 hours after it is requested, \$6.01 per page for the original draft and one copy, and \$2.72 per page for each additional copy;

(III) Within 4 days after it is requested, \$5.01 per page for the original draft and one copy, and \$2.26 per page for each additional copy; or

(IV) More than 4 days after it is requested, \$3.80 per page for the original draft and one copy, and \$1.00 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 reporting all civil matters, in addition to the compensation provided in paragraphs (a) and (b), \$40 for each hour or fraction thereof actually spent, to be taxed as costs pursuant to subsection 5.

(e) 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 compensation 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 compensation 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 compensation provided pursuant to paragraphs (a), (b) and (d), \$140 for the first day and \$90 per day for each subsequent day, to be paid by the party who requests the translation.

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

(1) Except as otherwise provided in this subparagraph, in all criminal matters in which a party requests the diskette and the reporter agrees to provide the diskette, in addition to the compensation provided pursuant to paragraphs (a), (b) and (e), \$1.50 per page of the translation contained on the diskette from the party who makes the request. This additional compensation must be paid by the county as provided pursuant to subsection 4 only if the court issues an order granting the diskette 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 the diskette and the reporter agrees to provide the diskette, in addition to the compensation provided pursuant to paragraphs (a), (b), (d) and (e), \$1.50 per page of the translation contained on the diskette, to be paid by the party who requests the diskette.

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

3. If the court determines that the services of more than one reporter are necessary to deliver transcripts on a daily basis in a criminal proceeding, each reporter is entitled to receive:

(a) The compensation set forth in paragraphs (a) and (b) of subsection 1 and subparagraph (1) of paragraph (e) of subsection 1, as appropriate; and

(b) Compensation of \$7.50 per page for the original draft and one copy, and \$2 per page for each additional copy for transcribing a proceeding of which the transcripts are ordered by the court to be delivered on or before the start of the next day the court is scheduled to conduct business.

4. The compensation specified in paragraphs (a) and (b) of subsection 1, the compensation for transcripts in criminal cases ordered by the court to be made, the compensation for transcripts in civil cases ordered by the court pursuant to [NRS 12.015](#), the compensation for transcripts for parents or guardians or attorneys of parents or guardians who receive transcripts pursuant to [NRS 432B.459](#), the compensation in criminal cases that is ordered by the court pursuant to subparagraph (1) of paragraph (e) and subparagraph (1) of paragraph (f) of subsection 1 and the compensation specified in subsection 3 must be paid out of the county treasury upon the order of the court. When there is no official reporter in attendance and a reporter pro tempore is

appointed, his or her reasonable expenses for traveling and detention must be fixed and allowed by the court and paid in the same manner. The respective district judges may, with the approval of the respective board or boards of county commissioners within the judicial district, fix a monthly salary to be paid to the official reporter in lieu of per diem. The salary, and also actual traveling expenses in cases where the reporter acts in more than one county, must be prorated by the judge on the basis of time consumed by work in the respective counties and must be paid out of the respective county treasuries upon the order of the court.

5. Except as otherwise provided in subsection 4, in civil cases, the compensation prescribed in paragraph (d) of subsection 1 and for transcripts ordered by the court to be made must be paid by the parties in equal proportions, and either party may, at the party's option, pay the entire compensation. In either case, all amounts so paid by the party to whom costs are awarded must be taxed as costs in the case. The compensation for transcripts and copies ordered by the parties must be paid by the party ordering them. No reporter may be required to perform any service in a civil case until his or her compensation has been paid to him or her.

6. Where a transcript is ordered by the court or by any party, the compensation for the transcript must be paid to the reporter before the furnishing of the transcript.