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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

AMENDED COURT REPORTER MANAGEMENT PLAN

The following court reporter management plan is adopted by the United States District Court for the District of Wyoming, subject to approval by the Tenth Circuit Judicial Council.

I. Utilization of Reporters

The court reporters shall be assigned to active judges as a matter of convenience. However, when necessary a court reporter may be temporarily reassigned by the Clerk to another active judge of the District, a magistrate judge, or a visiting district judge. Court reporters may also be required to report official activities of special masters and/or land commissioners.

The official court reporter assigned to the Honorable Clarence A. Brimmer in Cheyenne shall not be required to be in full-time attendance at court, provided that another official court reporter, or a competent substitute certified court reporter is provided without expense to the United States. The

official court reporters shall handle all such assignments of herself or her employee court reporters for each court proceeding, as well as proceedings in chambers, such as telephone motions and pretrial conferences. The judges of this Court shall not be required to supervise or monitor such assignments.

The official court reporter at Casper and the official court reporter assigned to the Honorable Alan B. Johnson in Cheyenne shall be required to be in full-time attendance at the court. If at any time the official court reporter is unable to perform duties due to illness or approved annual leave, a competent substitute certified court reporter shall be provided at the expense of the court.

II. Magistrates and Other Assignments

Provision has been made for use of electronic recording equipment by the magistrate judges of this court, the magistrate judges, when need arises, shall be entitled to use the court reporters' services. The magistrate judge shall determine which means is to be used.

III. Electronic Sound Recording of Proceedings

Each judge of this Court shall determine whether reporting of official proceedings in his or her court shall be by certified

court reporter or by electronic sound recording in accordance with Volume VI, Chapter XVI, Guide to Judicial Policies and Procedures.

In the event that a judge elects to use electronic sound recording as the official record of proceedings in the Court, the electronic technician-operator of the sound recording equipment shall be an employee of the office of the Clerk of the District Court. The Clerk of Court shall be responsible to provide during all business hours or at any time needed by the Court a competent substitute to provide such services in the event that the electronic sound recording technician is not available.

IV. Fees

Fees for transcripts of official proceedings shall be those adopted by the Court from time to time, but fees shall not exceed those fees recommended by the Judicial Conference of the United States.

V. Times for Delivery of Transcripts

Transcripts of official proceedings of this district for the purpose of appeal shall be delivered to the ordering party and/or filed with the Clerk of the District of Wyoming within the time prescribed by the Court of Appeals of the Tenth Circuit, or any

extension obtained therefrom. Transcripts being produced for use by judicial officers of this Court shall be delivered to the ordering party and/or filed with the Clerk of Court within the time prescribed by that judicial officer.

VI. Court Reporter Coordinator

The court reporter coordinator shall be the Clerk of the District Court for the District of Wyoming or the Clerk's designee, who shall be responsible for:

A. Monitoring the preparation and filing of transcripts, and ensuring compliance with this Plan;

B. Bringing to the attention of the Clerk of the Court of Appeals violations of this plan, which cannot be resolved locally; and,

C. Ensuring that communications are forwarded to and received by the appropriate parties.

VII. C.J.A. Transcripts

A. All transcripts produced for and on behalf of Criminal Justice Act defendants shall be billed on C.J.A. Form 24, copies of which shall be furnished by the Clerk of Court. The Clerk of Court shall assist the ordering party in the proper preparation of the C.J.A. Form 24; and court reporters shall promptly furnish

the necessary information to ensure timely completion of the form.

B. The court reporter coordinator is designated to verify receipt of C.J.A. transcripts and shall ascertain the propriety of each voucher before submitting the same to the appropriate judicial officer for approval. Payment shall be made by the Clerk of Court upon approval of the judge or magistrate judge as may be appropriate.

VIII. Daily Transcripts

Production of daily or hourly transcripts shall not be subsidized by the court. If extra reporters are required to provide such transcript, the cost of such reporters shall be paid by the official reporter out of the earnings derived from the higher transcript rates as established by the Judicial Conference of the United States.

IX. Filing of Shorthand Notes and Electronic Recordings

A. The shorthand or stenotype notes prepared by the official court reporters and employees of the official court reporters will be maintained at their offices. Notes of contract reporters, if any, will be certified and filed with the Clerk of Court within ninety (90) days of completion of the proceedings.

B. Pursuant to the provisions of Title 28, United States Code, Section 753(b), reporters must transcribe and certify all arraignments, pleas and proceedings in connection with the imposition of sentence in criminal cases unless they have been recorded by electronic sound recording and such recordings have been certified and maintained in the office of the official court reporter or in the office of the Clerk of Court. Official and contract court reporters shall file with the Clerk transcripts of such proceedings within thirty (30) days of their occurrence unless an electronic recording device was utilized, in which event the electronic recording, accompanied by certification of the official reporter, or the electronic technician-operator designated to produce the record shall be filed as soon as the recording has been completed.

X. Hours

Unless otherwise approved by the appointing judge, the reporter shall be in the courthouse during the periods of time when not reporting; however, in those instances where the reporter has been excused or may not be present in the courthouse, telephone availability will be maintained with the Clerk of Court to ensure that if an emergency arises, the court

reporter can be made available within thirty (30) minutes.

Freelance reporting, that is reporting not related to official duties, shall be permitted to the extent that it does not interfere with the normal operation of the court, subject to approval by the appointing judge.

XI. Reports

Reports should be filed with financial management division of the Administrative Office, United States Courts.

The following reports are to be filed by each official reporter:

A. Report of attendance and transcription of the United States Court Reporters (AO Form 40A) shall be submitted quarterly during each calendar year of official reporting. A report for each calendar quarter is to be mailed to the Court Reporting and Interpreting Section, Court Administration Division, Financial Management Division, Administrative Office of the United States Courts, Washington, D. C. 20544, so that it reaches that office within twenty (20) days after the end of a quarter, a copy of which will be directed to the court reporter coordinator of this Court.

B. The statement of earnings of United States Court

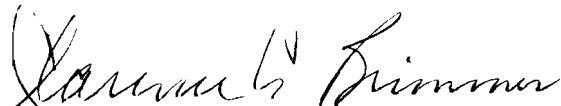
Reporters (AO Form 40B) shall be submitted annually by all official court reporters. The report shall be mailed to the Financial Management Division, Administrative Office of the United States Courts, Washington, D. C. 20544, within sixty (60) days after the end of the calendar years, a copy of which will be directed to the Clerk of this Court. This report shall be kept confidential by the Clerk.

The above Plan for effective utilization of court reporters is hereby adopted and shall become effective on September 2, 2003.

Dated this 22nd day of ^{October}~~September~~, 2003.



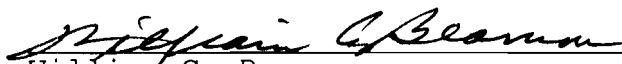
William F. Downes
CHIEF UNITED STATES DISTRICT JUDGE



Clarence A. Brimmer
UNITED STATES DISTRICT JUDGE



Alan B. Johnson
UNITED STATES DISTRICT JUDGE



William C. Beaman
UNITED STATES MAGISTRATE JUDGE