

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 3]

Amendment of Rule 301(b); No. 186; Judicial Administration Doc. No. 1

Order

Per Curiam:

And Now, this 25th day of August, 1997, Rule 301(b) of the Pennsylvania Rules of Judicial Administration is amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the immediate amendment of Rule 301(b) is hereby found to be required in the interest of justice and efficient administration.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 3. JUDICIAL COUNCIL OF PENNSYLVANIA

JUDICIAL COUNCIL OF PENNSYLVANIA

Rule 301. Judicial Council of Pennsylvania

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(b) *Composition.* The Judicial Council shall consist of [22] 25 members as follows:

* * * * *

(16) Three members appointed by the Governor.

[Pa.B. Doc. No. 97-1471. Filed for public inspection September 12, 1997, 1997, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Procedures for Preparation and Transcription of Court Proceedings; File No. 97-J-14

Order

And Now, this 25th day of August, 1997, *It Is Ordered* that the following Administrative Order involving Procedures for Preparation and Transcription of Court Proceedings in the 31st Judicial District of Pennsylvania composed of Lehigh County be, and the same is, promulgated herewith, to become effective thirty (30) days after the

publication of the Administrative Order in the *Pennsylvania Bulletin*; that the present Lehigh County Administrative Order filed to No. 254-M of 1995l, shall not apply to any transcripts ordered or requested on or after September 4, 1997; that seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Appellate Rules Committee; and that one copy shall be filed with the Clerk of Courts of the Court of Common Pleas of Lehigh County.

Order

Now, this 25th day of August, 1997, *It Is Hereby Ordered* that the provisions of the Administrative Order dated June 12, 1995, and filed to No. 254-M of 1995, shall not be applicable to transcripts ordered or requested on or after September 4, 1997, and that the within procedures shall apply thereto:

1. Court Reporters shall prepare transcripts for all completed trials and hearings in chronological order based upon the date of the receipt of the transcription order or request, or the date of the deposit of the partial transcription fee, whichever date is later. Where all of a given Court Reporter's transcripts are due for a single judge, that Judge may then, and only then, direct the Court Reporter to complete a given transcript or transcripts out of chronological sequence.

2. *It Is Further Ordered* that:

A. Where a transcript of a trial is requested or ordered, the Court Reporter shall not transcribe the voir dire examination of jurors, the opening or closing statements of counsel, or the reading into the record or for the benefit of the jury any written document which is also accepted into evidence as an exhibit, unless specifically ordered to do so [See Pa.R.J.A. 5000.2 (g)].

B. In civil cases the Court Reporter shall transcribe only that portion of the record as is required by Pa.R.C.P. 227.3 and/or Pa.R.A.P. 1922(b). The trial judge, by Court Order, shall determine what portion of the record is required for resolution of post-trial motions.

C. In criminal cases the Court Reporter shall transcribe only that portion of the record as is required by Pa.R.Crim.P. 9030(b), which is incorporated into Pa.R.A.P. 1922(b). The trial judge shall determine, and specify in a Court Order, what portion of the record is to be transcribed by the Court Reporter, i.e., what is required for the resolution of post-sentence motions and for appeals. The trial judge may rely upon Pa.R.A.P. 1925(b) statements to assist the judge in making this determination.

D. Should a Court Reporter be unable to comply with the deadlines set by the applicable state rules or specific orders of the court in a given case, the Reporter shall immediately advise his or her immediate supervisor, the District Court Administrator, and the judge or judges involved of that fact.

E. All Court Reporters shall file with the Court Administrator a monthly report of ordered or requested transcripts in chronological order indicating the date of each order/request/submit, the approximate length of the

record ordered to be transcribed, the status of the transcription, the deadline set by rule or order and the expected date of lodging.

F. Where a Court Reporter is unable to meet applicable deadlines for transcription, the District Court Administrator, after consultation with the Judge or Judges involved, and with the approval of the President Judge, may temporarily remove a Court Reporter from Courtroom duties or direct that alternative means for completing the transcription(s) be used. Any reprioritizing of the chrono-

logical preparation of transcripts, except as provided in paragraph 1 of this Order, will require the advance approval of all judges affected thereby.

By the Court

JAMES KNOLL GARDNER,
President Judge

[Pa.B. Doc. No. 97-1472. Filed for public inspection September 12, 1997, 9:00 a.m.]
