

# Analysis of Revised Uniform Format Manual

The Supreme Court of Texas approved revisions to the Uniform Format Manual (UFM) on May 25, 2010, in Miscellaneous Docket No. 10-9077, and amended the UFM on June 28, 2010, in Miscellaneous Docket No. 10-9113. The revised UFM supersedes the current UFM, which was approved in the Supreme Court Order dated July 8, 2003, in Misc. Docket No. 03-9070. The requirements of this edition of the manual apply to any Official Reporter's Record or Freelance Reporter's Record within the scope of the manual that is transcribed or prepared on or after July 1, 2010.

The revised UFM includes several changes:

- 1) establishes standards for filing records electronically, thereby permitting court reporters and court recorders to file the Official Reporter's Record electronically when appellate courts have the capability to receive electronic records as part of the ongoing Texas Appeals Management and E-Filing System (TAMES) project;
- 2) contains new and enhanced provisions relating to court recorders since the prior version of the manual provides limited guidance for court recorders who prepare the Official Reporter's Record;
- 3) reorganizes filing requirements to clearly delineate requirements for paper versus electronic filing;
- 4) groups related requirements in the same section of the manual, e.g., Section 2 of the revised UFM contains page-formatting requirements that were previously located in Sections 2, 3, 4, 5, 6, 8, 9, 10 and 16 of the manual;
- 5) makes some paper-oriented words more generic, e.g., replaces "paper" with "page";
- 6) makes content more prescriptive, e.g., replaces "will" and "should" with "must";

- 7) distinguishes between the Official Reporter’s Record and the Freelance Reporter’s Record;
- 8) deletes “new” in references to certain requirements that are no longer new;
- 9) makes references to electronic and multimedia terms more generic to protect them from obsolescence, e.g., replaces “tape” with “audio”;
- 10) adds text to introduce figures where the current UFM references figures without providing an explanation; and
- 11) corrects incorrect references to figures.

**Note that the Supreme Court’s May 25, 2010 Order does not revise the figures in the UFM. The Court Reporters Certification Board is reviewing the figures and will recommend revisions for the Supreme Court’s approval at a later date.**

The table below contains a side-by-side comparison of the 2010 and 2003 versions to facilitate the reader’s review of the revised manual. The table immediately following the table below shows the disposition of the current manual’s provisions.

**Comparison of Text in Revised and Current Versions of Manual**

<b>New Text (2010 Version of the UFM)</b>	<b>Old Text (2003 Version of the UFM)</b>
<p style="text-align: center;"><i>Uniform Format Manual for Texas Reporters’ Records</i></p> <p style="text-align: center;"><i>Approved by Supreme Court: May 25, 2010</i></p>	<p style="text-align: center;"><i>Uniform Format Manual for Texas Court Reporters</i></p> <p style="text-align: center;"><i>The manual applies to any reporter’s record or freelance transcription within the scope of the manual that is begun to be transcribed or prepared on or after May 1, 1999.</i></p> <p style="text-align: center;"><i>Approved by Supreme Court: July 15, 2003 Distribution Date: September 2, 2003 Pitch Change, Section 5.1: November 1, 2004</i></p>

<p style="text-align: center;"><b>PREFACE</b></p>	<p style="text-align: center;"><b>PREFACE</b></p>
<p>By Supreme Court Order dated May 25, 2010, in Misc. Docket No. 10-9077, the following <i>Uniform Format Manual for Texas Reporters' Records</i> governs the form of Official Reporters' Records and, unless otherwise stated, Freelance Reporters' Records, in paper and electronic format. This manual supersedes the manual in the Supreme Court Order dated July 8, 2003, in Misc. Docket No. 03-9070, which superseded the Supreme Court Order Directing the Form of the Appellate Record in Civil Cases and the Court of Criminal Appeals Order Directing the Form of the Appellate Record in Criminal Cases. The requirements of this edition of the manual apply to any Official Reporter's Record or Freelance Reporter's Record within the scope of the manual that is transcribed or prepared on or after July 1, 2010.</p>	<p>The following Uniform Format Manual for Texas Court Reporters governs the form of official reporters' records and, unless otherwise indicated herein, freelance transcriptions. This manual thus replaces the Order Directing the Form of the Appellate Record in Civil Cases issued by the Supreme Court and the Order Directing the Form of the Appellate Record in Criminal Cases issued by the Court of Criminal Appeals and, for the first time, regulates some aspects of the form of freelance transcriptions.</p>
<p>A court reporter and court recorder must prepare and file the Official Reporter's Record in accordance with this manual; Texas Rules of Appellate Procedure 13, 34.6, and 35; and any other applicable rules and law. Even if more than one notice of appeal or request for preparation of the record is filed, the court reporter or court recorder should prepare only one Official Reporter's Record in a case. In the event of a flagrant violation of the requirements in the manual, on motion of a party or on the court's own initiative, the appellate court or presiding judge may require the court reporter or court recorder to amend or prepare a new record in proper form — and provide it to any party who has been provided a copy of the defective record — at the preparer's expense. Additionally, failure to comply with mandatory provisions of this manual by either official or freelance court reporters may be grounds for discipline through the Court Reporters Certification Board.</p>	<p>A court reporter must prepare and file the Reporter's Record in accordance with Rules of Appellate Procedure 34.6 and 35 and this manual. Even if more than one notice of appeal or request for preparation of the record is filed, the reporter should prepare only one record in a case. In the event of a flagrant violation of the guidelines set out in the manual, on motion of a party or on the court's own initiative, the appellate court or presiding judge may require the court recorder, transcriber or court reporter to amend or prepare a new Reporter's Record in proper form — and provide it to any party who has been provided a copy of the defective record — at the preparer's expense. Additionally, failure to comply with mandatory provisions of this manual by either official or freelance court reporters may be grounds for discipline through the Court Reporters Certification Board.</p>
<p>This manual was originally prepared primarily through a joint effort of the Court Reporters Certification Board, through its Ad Hoc Uniform Format Manual Committee, and the Uniform Format Manual Task Force. In 2010, this manual was revised primarily through a joint effort of the Court Reporters Certification Board, through its Certification/Uniform Format Manual Committee, the Office of Court Administration, and the Texas Appeals Management and E-Filing System (TAMES) Task Force. Questions or comments regarding the manual should be directed to the Court Reporters Certification Board.</p>	<p>This manual was prepared primarily through a joint effort of the Court Reporters Certification Board, through its Ad Hoc Format Manual Committee, and the Uniform Format Manual Task Force. Questions or comments regarding the manual should be directed to the Certification Board.</p>

<p>The 2010 revision of the manual is intended to provide the new instructions needed for court reporters and court recorders to file the Official Reporter's Record electronically, while still providing the necessary guidance for paper filing. Because the prior version of the manual provides limited guidance for court recorders who prepare the Official Reporter's Record, the revised manual also contains new and enhanced provisions relating to these court recorders. The provisions are modeled after applicable rules, such as Texas Rules of Appellate Procedure 13.2 and 34.6(a)(2) and local rules governing the electronic recording of court proceedings. Also as part of the revision process, the content of the manual has been reorganized extensively to clearly delineate requirements for paper versus electronic filing and, to the extent possible, to group related requirements in the same section of the manual.</p> <p>The editors of this manual have placed certain text in boxes with a smaller font. Such commentary does not prescribe the format or content of the record, but instead provides explanation and reference to applicable statutes and court rules.</p>	<p>Where applicable, the manual includes commentary concerning certain of the 1999 civil discovery rule revisions that impact court reporters.</p>
<p><i>Unless otherwise indicated herein, all requirements in this manual apply to both Official Reporters' Records and Freelance Reporters' Records.</i></p>	<p><i>Unless otherwise indicated herein, all requirements in this manual will apply to both official reporter's records and freelance transcriptions.</i></p>
<p style="text-align: center;"><b>Uniform Format Manual for Texas Reporters' Records</b></p>	<p>[Title is not restated]</p>
<p><b>Section 1 - Uniform Terminology</b> <b>1.1 Definitions.</b></p>	<p><b>Section 1 - Uniform Terminology</b> <b>1.1 Definitions.</b></p>
<p>a) <i>Administrative pages</i> include the title, appearance, index, correction, and certificate page(s) in an Official Reporter's Record or Freelance Reporter's Record.</p> <p>(b) <i>ASCII format</i> means the format of the American Standard Code for Information Interchange.</p> <p>(c) <i>Compressed</i> means a format that has been reduced and printed to accommodate two or four normal sized pages on one printed 8 1/2- x 11-inch page.</p> <p>(d) <i>Court recorder</i> means a designated court employee who creates an electronic recording of court proceedings. See Tex. Gov't Code § 52.021(e); Tex. R. App. 3.1 (g).</p> <p>(e) <i>CRCB</i> means the Court Reporters Certification Board.</p>	<p>(a) <i>Administrative pages</i> means the title, appearance, index, correction, and certificate page(s) in a Reporter's Record or Freelance transcription.</p> <p>(b) <i>ASCII format</i> means in the format of the American Standard Code for Information Interchange.</p> <p>(c) <i>Compressed</i> means a format which has been reduced and printed to accommodate at least four normal sized pages on one printed page.</p> <p>(cc) <i>Computer Diskette</i> means a disk or compact disc (CD) or any other device upon which data for a computer can be stored.</p> <p>(d) <i>Court recorder/audio operator</i> means an official court reporter or court recorder. See Tex. R. App. 3.1 (g).</p> <p>(e) <i>CRCB</i> means the Court Reporters Certification Board.</p>

<p>(f) <i>CSR</i> means a Certified Shorthand Reporter certified by the Supreme Court of Texas.</p> <p>(g) <i>Duplex</i> means printed on both sides of a page.</p> <p>(h) <i>Footer</i> means the bottom line(s) on an Official Reporter's Record or Freelance Reporter's Record, which appears below line 25.</p> <p>(i) <i>Freelance court reporter</i> means a CSR who practices shorthand reporting other than in the capacity of an Official Court Reporter or Deputy Official Court Reporter.</p> <p>(j) <i>Freelance Reporter's Record</i> means all transcriptions by a Freelance Court Reporter other than Official Reporter's Records.</p>	<p>(f) <i>CSR</i> means a Certified Shorthand Reporter certified by the Supreme Court of Texas.</p> <p>(g) <i>Duplex</i> means printed on both sides of the paper.</p> <p>(h) <i>Footer</i> means the bottom line(s) on a Reporter's Record or Freelance transcription which appears below line 25.</p> <p>(i) <i>Freelance court reporter</i> means a CSR who practices shorthand reporting other than in the capacity of an Official Court Reporter or Deputy Official Court Reporter.</p> <p>(j) <i>Freelance Transcription</i> means all transcriptions other than official Reporter's Records.</p>
<p>(k) <i>Header</i> means the top line(s) on a page of an Official Reporter's Record or Freelance Reporter's Record that briefly describes the testimony of witnesses and/or events.</p> <p>(l) <i>Index</i> means a listing of the contents of an Official Reporter's Record or a Freelance Reporter's Record.</p> <p>(m) <i>Log</i> means a detailed, legible description of proceedings being recorded by a court recorder. <i>See</i> Tex. R. App. P. 13.2(b).</p> <p>(n) <i>Margin</i> means the space around the text on a page.</p> <p>(o) <i>Master index</i> means the compilation of multiple indexes in an Official Reporter's Record, which is required only for records with more than one volume and will always be labeled "Volume 1."</p> <p>(p) <i>Non-stenographic record</i> means an audio or visual recording.</p> <p>(q) <i>Official court reporter</i> or <i>deputy official court reporter</i> means a CSR appointed by a judge as the official court reporter. <i>See</i> Tex. Gov't Code § 52.001(3); Tex. R. App. P. 13.5.</p>	<p>(k) <i>Header</i> means the top line(s) on a page of a Reporter's Record or Freelance transcription that briefly describes the testimony of witnesses and/or events.</p> <p>(l) <i>Index</i> means a listing of the contents of a Reporter's Record or Freelance transcription.</p> <p>(m) <i>Margin</i> means the space around printed matter on a page.</p> <p>(n) <i>Master index</i> means the merging of multiple indexes in a Reporter's Record which is only required in cases of more than one volume and will always be numbered "Volume 1."</p> <p>(o) <i>Official Court Reporter</i> or <i>Deputy Official Court Reporter</i> means a certified shorthand reporter appointed by a judge as the official reporter. <i>See</i> Government Code § 52.001(4).</p>

<p>(r) <i>Official Reporter's Record</i> means the transcription of so much of the proceedings and any of the exhibits that the parties to the appeal designate or, if the proceedings were electronically recorded, certified copies of all tapes or other audio-storage devices on which the proceedings were recorded, any exhibits that the parties to the appeal designate, and certified copies of the logs prepared by the court recorder. <i>See</i> Tex. R. App. 34.6(a).</p> <p>(s) <i>Proceedings</i> means events or happenings in the courts, legislature, state agencies, depositions, grand juries, referees, and court commissions.</p> <p>(t) <i>Shorthand reporter</i> means a person who engages in shorthand reporting.</p>	<p>(p) <i>Proceedings</i> means events or happenings in the courts, legislature, state agencies, depositions, grand juries, referees and court commissions.</p> <p>(q) <i>Reporter's Record</i> means the transcription of the proceedings and the exhibits designated on appeal, <i>see</i> Tex. R. App. 34.6(a), or all proceedings produced by the official or deputy official reporter/ recorder.</p> <p>(r) <i>Shorthand reporter</i> means a person who engages in shorthand reporting.</p>
<p>(u) <i>Shorthand reporting</i> means the practice of shorthand reporting for use in litigation in the courts of this state by making a verbatim record of any court proceeding, deposition, or proceeding before a grand jury, referee or court commissioner using written symbols in shorthand, machine shorthand or oral stenography. <i>See</i> Tex. Gov't Code § 52.001(5).</p> <p>(v) <i>Sic</i> means "as spoken."</p> <p>(w) <i>Sotto voce</i> means "soft voice."</p> <p>(x) <i>Style</i> means the name of the lawsuit or matter pending before a court or an agency of the state.</p> <p>(y) <i>Text</i> means the main body of matter in a transcript.</p> <p>(z) <i>Title page</i> means the first page of the Official Reporter's Record or Freelance Reporter's Record, listing pertinent information included within the record.</p>	<p>(s) <i>Shorthand reporting</i> means the practice of shorthand reporting for use in litigation in the courts of this state by making a verbatim record of any court proceeding, deposition, or proceeding before a grand jury, referee or court commissioner using written symbols in shorthand, machine shorthand or oral stenography. <i>See</i> Government Code § 52.001(5).</p> <p>(t) <i>Sic</i> means "as spoken."</p> <p>(u) <i>Sotto voce</i> means "soft voice."</p> <p>(v) <i>Style</i> means the name of the lawsuit or matter pending before an agency of the state.</p> <p>(w) <i>Text</i> means the main body of matter in a manuscript.</p> <p>(x) <i>Title page</i> means the first page of the Reporter's Record listing pertinent information included within the record.</p>
<p>(aa) <i>Transcription</i> means the act or process of transcribing, or something transcribed (<i>i.e.</i>, a transcript).</p> <p>(bb) <i>Venire</i> means an entire panel from which a jury is drawn.</p> <p>(cc) <i>Venireperson</i> means a member of venire.</p>	<p>(y) <i>Transcriber</i> means one who engages in transcription.</p> <p>(z) <i>Transcription</i> means the act or process of transcribing.</p> <p>(aa) <i>Venire</i> means an entire panel from which a jury is drawn.</p> <p>(bb) <i>Venireperson</i> means a member of venire</p>

<b>Section 2 - Page Formatting</b>	
Unless otherwise specifically provided in this manual, rules, or law, the following requirements apply equally to Official Reporters' Records and Freelance Reporters' Records.	
<b>2.1 Page Size.</b> Each page must be formatted as 8½ x 11 inches.	<b>2.1 Paper Size.</b> Paper size is to be 8-1/2 x 11 inches.
<b>2.2 Text/Page Color.</b> Solid black text on an opaque, white background page must be used, except with Realtime unedited rough drafts. <i>See also</i> Section 4.3, <i>infra</i> .	<b>2.3 Toner/Ink Color.</b> Black ink on white paper is to be used for both originals and copies, except realtime unedited rough draft. <i>See</i> Section 23, <i>infra</i> .
<b>2.3 Character Spacing.</b> The pitch (characters per inch) must be 9 or 10.	<b>5.1 Character Spacing.</b> The pitch (characters per inch) to be used is 9 or 10.
<b>2.4 Legibility and Font.</b> The font must be mixed uppercase and lowercase and clearly legible. Interlineations are not permitted. The use of any product limiting the reproduction of a record is prohibited.	<b>2.4 Printing.</b> The original Reporter's Record and each copy are to be legible without any handwritten interlineations. Mixed uppercase/lowercase with a clearly readable font is required. REFER TO THE SECTION ON COMPRESSED FORMAT FOR PRINTING COMPRESSED RECORDS. <i>SEE</i> SECTION 22, <i>INFRA</i> . The use of any paper product limiting the reproduction of a record ( <i>e.g.</i> , Mylar strip/seal or copy-prohibitive paper) is prohibited. Bold Font for Official Reporter's Records will not be accepted on the text for compressed / condensed records.)
<b>2.5 Margins.</b> The distance between the left and right marginal lines must be no less than six and one-half (6 ½") inches or between fifty-six (56) and sixty-three (63) spaces or characters per line. The left margin text must be set one character from the left marginal line, and the right margin text, except for automatic word-wrapping, must be set one character from the right marginal line (not justified).	<b>3.3 Margins.</b> The distance between the left and right marginal lines will be no less than six and one-half (6 ½ ") inches. The left margin text will be set one character from the left marginal line, and the right margin text will be set one character from the right marginal line (not justified).
<b>2.6 Format Box.</b> A format box consisting of solid top, bottom, left, and right marginal lines is required to mark the margins of a transcription.	<b>3.1 Format Box.</b> The use of solid top, bottom, left, and right marginal lines (format box) is required to mark the margins.
<b>2.7 Questions and Answers (Q. &amp; A.).</b> "Q." and "A." must be used to signify questions and answers. The period following the "Q" and "A" designation is optional.	<b>16.3 Questions and Answers (Q. &amp; A.).</b> "Q." and "A." will begin at the first tab setting with the text following at the second tab setting. A period following the "Q" and "A" designation is optional. All subsequent lines will return to the left margin. <i>See</i> Figure 18.
<b>2.8 Quotations.</b> Quoted material must follow the general format guidelines in this manual with respect to marginal and tab settings. The use of quotation marks is optional. <i>See</i> Figure 18.	<b>16.6 Quotations.</b> Quoted material will follow the general format guidelines as set forth in this manual with respect to marginal and tab settings. The use of quotation marks is optional. <i>See</i> Figure 19.
<b>2.9 Dashes.</b> Interruptions of speech must be denoted by the use of dashes ( -- ) at the point of interruption, and again at the point the speaker resumes speaking. <i>See</i> Figure 19.	<b>16.7 Dashes.</b> Interruptions of speech will be denoted by the use of dashes ( -- ) at the point of interruption, and again at the point the speaker resumes speaking. <i>See</i> Figure 20.

<p><b>2.10 Position of Tab Settings.</b> Three tab settings are required for use on all transcriptions. The first tab setting must be on the fifth space from the left text margin. The second tab setting must be on the tenth space from the left text margin. The third tab setting must be the fifteenth space from the left text margin. These tabulations should be sufficient for all indentations that need to be made in any transcript.</p>	<p><b>9.1 Position of Tab Settings.</b> Three tab settings are required for use on all transcriptions. The first tab setting will be on the fifth space from the left text margin. The second tab setting will be on the tenth space from the left text margin. The third tab setting will be the fifteenth space from the left text margin. These tabulations should be sufficient for all indentations that need to be made in any transcript. Refer to section on quotations for setting out quoted material. <i>See</i> Section 16.6.</p>
<p><b>2.11 Use of Tab Settings.</b> The first tab setting must be used for “Q.” or “A.” The second tab setting must be used for the beginning of text after the “Q.” or “A.” All subsequent lines must return to the left margin. <i>See</i> Figure 17.</p> <p>The third tab setting must be used for speaker identification, followed directly by a colon and two spaces. The third tab setting must also be used for a new paragraph or parenthetical. All subsequent lines must return to the left margin. <i>See</i> Figure 18. But when more than one line is necessary for a parenthetical, each subsequent line must also begin at the third tab setting.</p>	<p><b>9.2 Use of Tab Settings.</b> The first tab will be “Q” or “A.” The second tab will be the beginning of text after the “Q.” or “A.” The third tab will be the beginning of colloquy, for parentheticals and for the first line of all paragraphs.</p> <p><b>16.4 Colloquy.</b> Speaker identification will begin at the third tab from the left margin, followed directly by a colon and two spaces. All subsequent lines will return to the left margin.</p> <p><b>16.5 Paragraphs.</b> Any new paragraph starts at the third tab from the left margin. All subsequent lines are returned to the left margin.</p>
<p><b>2.12 Line Numbers.</b> The line numbers 1-25 must be placed to the left of the format box.</p>	<p><b>3.2 Line Numbers.</b> The line numbers, 1-25, will be placed to the left of the format box.</p>
<p><b>2.13 Lines of Text.</b> Each page of transcription must contain 25 lines of text, numbered 1 through 25, double spaced, except where appropriate on administrative pages. Page numbers or headers and footers are not considered part of the 25 lines of text. The last page may contain fewer lines if it is less than a full page of transcription.</p>	<p><b>8.1 Lines of Text.</b> Each page of transcription is to contain 25 lines of text, lined 1 through 25, double spaced, except where appropriate on administrative pages. <i>See</i> examples. Page numbers or headers and footers cannot be considered part of the 25 lines of text. The last page may contain fewer lines if it is less than a full page of transcription.</p>
<p><b>2.14 Blank Lines.</b> No blank lines will be permitted except when a witness setup carries over to the next page, for administrative pages, or when counsel requests blank lines.</p>	<p><b>8.2 Blank Lines.</b> No blank lines will be permitted (except when witness setup(s) carry over to the next page, for administrative pages, or where blank lines are requested by counsel.)</p>
<p><b>2.15 Placement of Time Stamping.</b> The use of time stamping is optional. When time stamping is utilized, it must be placed to the left of the line numbers or to the right of the right marginal line. It may be in a smaller pitch than the specified 9 or 10 pitch required for the text.</p>	<p><b>4.1 Placement of Time Stamping.</b> The use of time stamping is optional. When time stamping is utilized with the Reporter’s Record, it will be placed to the left of the line numbers or to the right of the right marginal line. It may be printed using a smaller font / pitch than the specified 9 or 10 pitch for the text.</p>
<p><i>The requirement that deposition officers keep time in oral depositions, imposed by the 1999 civil discovery rules revisions, is discussed below in the comment following Section 3.3.</i></p>	<p><i>The new requirement that deposition officers keep time in oral depositions, imposed by the 1999 civil discovery rules revisions, is discussed below in the comment following Section 12.</i></p>
<p><b>2.16 Placement of Page Number.</b> The page number must be placed at the top right corner of the page — flush with the right margin — inside or outside the format box. The page number does not count as a line.</p>	<p><b>6.1 Location of Page Numbers.</b> The page number will be located at the top right corner of the page — flush with the right margin — inside or outside the format box. The page number does not count as a line of the Reporter's Record.</p>



<p><b>2.17 Page Numbering.</b> The pages of the Official Reporter’s Record must be numbered consecutively beginning with page “1” for each volume. Except when specifically provided otherwise in this manual, each volume of the record must begin with page “1”. Index pages may not be numbered with Roman numerals.</p>	<p><b>6.2(b) Page numbering.</b> The pages of the Reporter’s Record are to be numbered consecutively beginning with page “1” for each volume. Each volume of the Reporter’s Record will begin with page “1”. Index pages may be numbered with lowercase Roman numerals.</p>
<p><b>2.18 Page Headings.</b> The use of page headings (also known as headers) as brief descriptions to aid in locating the testimony of witnesses or events is optional.</p>	<p><b>10.1 Purpose of Page Headings.</b> Page headings (also known as headers) are brief descriptions noted to aid in locating the testimony of witnesses, and/or events in a Reporter’s Record. Using page headings is optional.</p>
<p><b>2.19 Placement of Page Heading.</b> If used, a page heading must appear above line 1 outside the format box. A page heading does not count as a line.</p>	<p><b>10.2 Placement of Page Headings.</b> Page headings will appear above line one outside the format box. This information is not to be counted as a line of the Reporter’s Record.</p>
<p><b>Section 3 – Content</b> Unless otherwise specifically provided in this manual, rules, or law, the following requirements apply equally to Official Reporters’ Records and Freelance Reporters’ Records.</p>	
<p><b>3.1 Title Pages.</b> Each record shall include the following information:</p> <ul style="list-style-type: none"> <li>(a) court name and number;</li> <li>(b) county and state of jurisdiction;</li> <li>(c) case style;</li> <li>(d) civil or criminal docket case number and appellate court cause number, if known and applicable;</li> <li>(e) name and title of judge or other judicial officer presiding (in Official Reporter’s Record only);</li> <li>(f) type of proceedings;</li> <li>(g) date and location of proceedings for Official Reporter’s Record, and time, date, and location for Freelance Reporter’s Record;</li> <li>(h) volume number (no Roman numerals: Volume 1 of 1, Volume 1 of 2);</li> <li>(i) method by which the proceedings were recorded — e.g., machine shorthand, manual shorthand, or oral stenography (stenomask); and</li> <li>(j) name, address, State Bar number (in Official Reporter’s Record only), and phone number of each attorney (in Official Reporter’s Record only) and party represented.</li> </ul> <p>If the above information is too lengthy to fit on one page, additional pages may be used immediately following the title page. Columnar format on appearances is optional.</p> <p>See Figures 1-4.</p>	<p><b>11.1 Beginning Page.</b> The beginning page of each volume will be a style / title page (s) with the following information:</p> <p><b>11.2 REPORTER’S RECORD AND FREELANCE TRANSCRIPTIONS.</b> Each Reporter’s the following. See Figures 1-4:</p> <ul style="list-style-type: none"> <li>(a) Court name and number.</li> <li>(b) County and State of jurisdiction.</li> <li>(c) Case style.</li> <li>(d) Civil or criminal docket case number.</li> <li>(e) Name and title of judge or other judicial officer presiding.*</li> <li>(f) Type of proceedings.</li> <li>(g) Date and location of proceedings for Official Reporter’s Records. Time, date and location for Freelance Transcriptions. See Tex. R. Civ. P. 203.2(e).</li> <li>(h) Volume number. (No Roman numerals: Volume 1 of 1, Volume 1 of 2*).</li> <li>(i) Method by which the proceedings were reported / recorded; e.g., machine shorthand, manual shorthand, oral stenography (stenomask), audio/video recording.</li> <li>(j) Name, address, State Bar number* and phone number* of each attorney and party represented (will begin on page 2 unless it will fit on one page). See Figures 2 and 4. (If the above information is too lengthy to fit on one page, additional pages may be used immediately following the style / title page.) (Columnar format on appearances is optional.)</li> </ul> <p>* Official Reporter’s Record only.</p>

<p><b>3.2 Logs.</b> Each log of a proceeding being recorded must be indexed by the date and location of each event being recorded and must include the following information:</p> <ul style="list-style-type: none"> <li>(a) the number and style of the case before the court;</li> <li>(b) the name of each person speaking;</li> <li>(c) the event being recorded such as the voir dire, the opening statement, direct and cross-examinations, and bench conferences;</li> <li>(d) the time of day of each event; and</li> <li>(e) each exhibit offered, admitted, or excluded.</li> </ul> <p><i>See</i> Tex. R. App. P. 13.2(b). A court recorder must also comply with applicable local rules governing the log of a recorded proceeding.</p>	
<p><b>3.3 Certification of Official Reporter's Record.</b></p> <p><b>(a) Court Reporter.</b> The court reporter must authenticate the original Official Reporter's Record and each copy thereof with a certification page on the last page of each volume. If more than one court reporter is involved in the production of the Official Reporter's Record being certified, then each court reporter involved must certify each volume that he or she produced. The party responsible for the costs must be identified in the certification page contained in the final volume. (Note: The contents of the title page should not be repeated as part of the certification page). See Figures 5 and 6 for examples of the Official Reporter's Record Certification Page for Texas CSRs and for Exhibits.</p> <p>If the court reporter is working for a freelance firm, the court reporter must provide the firm registration number issued by the CRCB.</p> <p><b>(b) Court Recorder.</b> The court recorder must authenticate each copy of an audio-storage device on which proceedings are recorded with a certification page that identifies clearly the subject audio-storage device. The court recorder must also authenticate each copy of a log with a certification page on the last page of the log. If more than one court recorder is involved in the production of the Official Reporter's Record being certified, then each court recorder must certify each audio-storage device or log that he or she produced. The party responsible for the costs must be identified in the final certification page contained in the Official Reporter's Record.</p> <p>See Section 8 for certification requirements for electronically-filed records.</p>	<p><b>12.1 OFFICIAL REPORTER'S RECORD.</b> The court reporter or court recorder/transcriber is to authenticate the original Reporter's Record and each copy thereof with a certification page on the last page of each volume. If more than one court reporter or court recorder / transcriber is involved in the production of the Reporter's Record being certified, then the certifications of each court reporter or transcriber involved will be required at the end of each volume. The party responsible for the costs must be a part of the certificate contained in the final volume. (Note: The contents of the style / title page should not be repeated as part of the certification page). See Figures 5 and 6 for examples of Certification page of Official Reporter's Record and Official Reporter's Certification page for Exhibits.</p> <p>If the Reporter is working for a freelance firm he/she shall provide the firm registration number issued by the Court Reporters Certification Board.</p>

<p><b>3.4 Certification of Freelance Reporter’s Record.</b> The court reporter must authenticate the original transcription with a certification page on the last page(s) of the record. The party responsible for the costs must be identified on the certification page. See Figures 7-9 for examples of Changes/Signature Page and Certification Pages.</p> <p>The certification page must include the firm registration number issued by CRCB, if applicable, pursuant to Section 52.013(a)(7) of the Texas Government Code.</p>	<p><b>Section 12 CERTIFICATION PAGE OF REPORTER’S RECORD</b></p> <p>...</p> <p><b>12.2 FREELANCE TRANSCRIPTION.</b> The court reporter or court recorder / transcriber is to authenticate the original transcription with a certification page on the last page of the record. The party responsible for the costs must be a part of the certificate page. <i>See</i> Figures 7, 8, 9, and 10 for examples of Correction/Signature Page and Certification Pages. Pursuant to Section 52.001, Government Code, subdivisions (6) and (7), a firm registration number issued by the Court Reporters Certification Board shall be included on the certification page.</p>
<p><b><i>Comment Concerning Certification of Depositions, Timekeeping, and Other Duties of Deposition Officers</i></b></p> <p>Texas Rule of Civil Procedure 203 sets forth the requirements governing presentment, signature, certification, and delivery of oral and written depositions. These requirements apply to any “deposition officer,” who, for purposes of the discovery rules, is defined as any person responsible for recording a deposition. There may be more than one “deposition officer” in an oral deposition. For example, if a party notices an oral deposition to be recorded non-stenographically, another party may notice the deposition to be recorded stenographically by a CSR. <i>See</i> Tex. R. Civ. P. 199.1(c), 199.2(b)(3). In such a case, both the person responsible for recording the deposition non-stenographically and the person responsible for recording the deposition stenographically would be a “deposition officer” required to comply with Rule 203 with respect to the form of recording for which that person was responsible.</p> <p>A deposition officer responsible for a stenographic recording of an oral deposition must present the transcript for signature in accordance with Rule 203.1, although this requirement does not apply to non-stenographic recordings or depositions on written questions. <i>See</i> Tex. R. Civ. P. 203.1(c). Each deposition officer must also certify a deposition in accordance with Rule 203.2(a)-(g), although subparts (b), (c), and (e) obviously do not apply to depositions on written questions and subparts (b), (c), and (f) do not apply to non-stenographic recordings of oral depositions.</p> <p>An important certification requirement applicable to oral depositions, however recorded, is that deposition officers</p>	<p><b><i>Comment Concerning Certification of Depositions, Timekeeping, and Other Duties of Deposition Officers</i></b></p> <p>New Rule of Civil Procedure 203 sets forth the requirements governing presentment, signature, certification, and delivery of oral and written depositions. These requirements apply to any “deposition officer,” who, for purposes of the discovery rules, is defined as any person responsible for recording a deposition. There may be more than one “deposition officer” in an oral deposition. For example, if a party notices an oral deposition to be recorded non-stenographically, another party may notice the deposition to be recorded stenographically by a CSR. <i>See</i> Tex. R. Civ. P. 199.1(c), 199.2(b)(3). In such a case, both the person responsible for recording the deposition non-stenographically and the person responsible for recording the deposition stenographically would be a “deposition officer” required to comply with Rule 203 with respect to the form of recording for which that person was responsible. Who may record a deposition non-stenographically is discussed above in the Comment Concerning Non-Stenographic Depositions following Section 11.</p> <p>A deposition officer responsible for a stenographic recording of an oral deposition must present the transcript for signature in accordance with Rule 203.1, although this requirement does not apply to non-stenographic recordings or depositions on written questions. <i>See</i> Tex. R. Civ. P. 203.1(c). Each deposition officer must also certify a deposition in accordance with Rule 203.2(a)-(g), although subparts (b), (c) and (e) obviously do not apply to depositions on written questions and subparts (b), (c) and (f) do not apply to non-stenographic recordings of oral depositions.</p> <p>An important new certification requirement applicable to oral depositions, however recorded, is that</p>

<p>must certify the amount of time used by each party at the deposition. <i>See</i> Tex. R. Civ. P. 203.2(e). This requirement is intended to aid enforcement of time limits on the examination and cross-examination of witnesses. <i>See</i> Tex. R. Civ. P. 190.2(c), 190.3(b)(2), 199.5(c). Although time-stamping may facilitate the completion of this task, it is not required; rather, the deposition officer may simply use a stopwatch or other time-keeping device. The time credited to a party obviously should not include recesses or off-the-record discussion, and it should not include protracted lapses, such as when a witness is reviewing a stack of documents. But the time would include ordinary pauses by the interrogator or the witness.</p> <p>Nothing in the timekeeping requirement provisions requires or even permits a deposition officer to referee attorney disagreements at depositions. If a dispute develops among counsel about how time is to be kept, the officer should not attempt to resolve it but should simply make a record of the disagreement so that it can be taken to the court if necessary. If an officer makes a mistake in keeping or certifying time, the court will treat it as any other mistake made by the officer and order any adjustments in discovery considered appropriate. Nothing in the rules requires an officer to keep track of the time remaining to an attorney during a deposition, nor should an officer cease recording the deposition if the officer or a party determines that the time limits have been exceeded. An officer’s responsibility is to make an accurate record, not to police counsel or witnesses. Deposition officers should not allow themselves to be injected into counsel’s disputes. If lawyers cannot agree on the peculiar details of counting time in a particular situation, they should make a record of their respective positions and let a judge sort it out.</p>	<p>deposition officers must certify the amount of time used by each party at the deposition. <i>See</i> Tex. R. Civ. P. 203.2(e). This requirement is intended to aid enforcement of new time limits on the examination and cross-examination of witnesses. <i>See</i> Tex. R. Civ. P. 190.2(c), 190.3(b)(2), 199.5(c). Although time-stamping (<i>see</i> Section 4) may facilitate the completion of this task, it is not required; rather, the deposition officer may simply use a stopwatch or other time-keeping device. The time credited to a party obviously should not include recesses or off-the-record discussion, and it should not include protracted lapses, such as when a witness is reviewing a stack of documents. But the time would include ordinary pauses by the interrogator or the witness.</p> <p>Nothing in the timekeeping requirement requires or even permits a deposition officer to referee attorney disagreements at depositions. If a dispute develops among counsel about how time is to be kept, the officer should not attempt to resolve it but should simply make a record of the disagreement so that it can be taken to the court if necessary. If an officer makes a mistake in keeping or certifying time, the court would treat it as any other mistake made by the officer and order any adjustments in discovery considered appropriate. Nothing in the rules requires an officer to keep track of the time remaining to an attorney during a deposition, nor should an officer cease recording the deposition if the officer or a party determines that the time limits have been exceeded. An officer’s responsibility is to make an accurate record, not to police counsel or witnesses. Deposition officers should not allow themselves to be injected into counsel’s disputes. If lawyers cannot agree on the peculiar details of counting time in a particular situation, they should make a record of their respective positions and let a judge sort it out.</p>
<p><b>3.5 Certified Questions.</b> A certified question is a question that the witness has refused to answer or has been instructed by his or her counsel not to answer during the course of the deposition. The attorney may want to argue that particular question in front of the judge. The attorney will generally say, “Certify that question,” on the record. The court reporter must type the testimony and any colloquy in the record in the usual manner. If the attorney has requested a separate booklet, then the court reporter must excerpt a copy of the pertinent testimony from the final transcript into a separate booklet. All certified questions must be listed in the index.</p>	<p><b>Section 15 CERTIFIED QUESTIONS - DEPOSITIONS AND SWORN STATEMENTS.</b> A certified question is a question(s) that the witness has refused to answer or has been instructed by his counsel not to answer during the course of the deposition. The attorney may want to argue that particular question(s) in front of the judge. The attorney will generally say, “Certify that question,” on the record. You should type the testimony and any colloquy in the record in the usual manner. If the attorney has requested a separate booklet, then excerpt a copy of the pertinent testimony from your final transcript into a separate booklet. Certified questions will be listed in the index.</p>

<p><b>3.6 CSR's Certification of Another's Notes.</b> When a court reporter prepares a record from the notes of another, the court reporter must include a certification page to that effect – in the form in Figure 12 – and a statement of the amount and payor of the transcription fee.</p>	<p><b>Section 13 TRANSCRIBER'S CERTIFICATION OF ANOTHER'S NOTES*</b> <i>See</i> Figure 30 E. &amp; F.</p>
<p><b>3.7 CSR's Certification of Non-stenographic Record.</b> When a court reporter prepares a transcription from a non-stenographic record, the court reporter must include a certification page to that effect and a statement of the amount and payor of the transcription fee. <i>See</i> Figure 13 for an example of the form. A freelance court reporter must include, to the extent known, a cover page for a transcription of a non-stenographic record giving the names of the parties, the court of record, the date of the testimony, the method of recording, and the names of the witnesses for each party. <i>See</i> Figures 30 through 30F for examples of cover pages for transcriptions of non-stenographic recordings.</p>	<p><b>Section 14 CERTIFICATION PAGE FOR TAPE RECORDING</b> (for transcriber or non CSR). <i>See</i> Figure 13. Example of cover pages for transcribing tapes. <i>See</i> Figure 30. Example of Reporter's (CSRs) Certification of Tape Transcription. <i>See</i> Figures 30E &amp; F.</p>
<p><b>Comment Concerning Non-Stenographic Depositions</b></p> <p>Whether and when an oral deposition may be recorded non-stenographically is governed primarily by statute. Section 52.021(f) of the Government Code generally requires that all depositions taken in this state must be recorded stenographically by a CSR. Exceptions to this requirement, however, include depositions on written questions (which are governed by Section 20.001 of the Civil Practice and Remedies Code) and depositions recorded by a party to the action, their lawyer, or a full-time employee of either. <i>See</i> Tex. Govt. Code § 52.021(f), 52.033; Tex. Civ. Prac. &amp; Rem. Code § 20.001. Thus, for example, a litigant or lawyer in a case may notice an oral deposition to be recorded non-stenographically and have their secretary record the proceeding by audiotape or videotape. <i>See Burr v. Shannon</i>, 593 S.W.2d 677, 677-78 (Tex. 1980) (orig. proceeding) (predecessor statute). But so long as some party has an oral deposition recorded stenographically by a CSR, another party may have any person record the deposition non-stenographically. <i>See Op. Tex. Att'y Gen. No. DM-339</i> (1995), at 2.</p>	<p><b>Comment Concerning Non-Stenographic Depositions</b></p> <p>Whether and when an oral deposition can be recorded non-stenographically is governed primarily by statute. Section 52.021(f) of the Government Code generally requires that all depositions taken in this state must be recorded stenographically by a CSR. Exceptions to this requirement, however, include depositions on written questions (which are governed by Section 21.001 of the Civil Practice and Remedies Code) and depositions recorded by a party to the action, their lawyer, or a full-time employee of either. <i>See</i> Tex. Govt. Code §§ 52.021(f), 52.033; Tex. Civ. Prac. &amp; Rem. Code § 20.001. Thus, for example, a litigant or lawyer in a case may notice an oral deposition to be recorded non-stenographically and have their secretary record the proceeding by audiotape or videotape. <i>See Burr v. Shannon</i>, 593 S.W.2d 677, 677-78 (Tex. 1980) (orig. proceeding) (predecessor statute). But so long as some party has an oral deposition recorded stenographically by a CSR, another party may have any person record the deposition non-stenographically. <i>See Op. Tex. Att'y Gen. No. DM-339</i> (1995), at 2.</p>

<p>If a party arranges to have an oral deposition recorded non-stenographically by someone other than a CSR, the party must arrange to have the witness sworn by a notary or other person competent to administer oaths. <i>See</i> Tex. R. Civ. P. 199.5(b); <i>see also</i> Tex. Govt. Code § 52.025(b) (CSR is competent to administer oaths).</p> <p>A non-stenographic recording of an oral deposition may be used in a hearing or trial to the same extent as a traditional stenographic recording. <i>See</i> Tex. R. Civ. P. 203.6(a). Unlike the case under the former discovery rules, a party need not obtain a written transcription of a non-stenographic recording in order to use the deposition unless ordered by the court. <i>Id.</i>; <i>compare</i> Former Rule 202.1.e.</p>	<p>If a party arranges to have an oral deposition recorded non-stenographically by someone other than a CSR, the party must arrange to have the witness sworn by a notary or other person competent to administer oaths. <i>See</i> Tex. R. Civ. P. 199.5(b); <i>see also</i> Tex. Govt. Code § 52.025(b) (CSR is competent to administer oaths).</p> <p>A non-stenographic recording of an oral deposition may be used in hearing or trial to the same extent as a traditional stenographic recording. <i>See</i> Tex. R. Civ. P. 203.6(a). Unlike the case under the former discovery rules, a party need not obtain a written transcription of a non-stenographic recording in order to use the deposition unless ordered by the court. <i>Id.</i>; <i>compare</i> Former Rule 202.1.e.</p>
<p><b>3.8 Language and Verbal Expressions.</b> Except as noted below, a transcription must contain all English words and other verbal expressions uttered during the course of the proceedings.</p>	<p><b>Section 16 CONTENT OF REPORTER'S RECORD.</b> Except as noted below, the Reporter's Record will contain all English words and other verbal expressions uttered during the course of the proceedings.</p>
<p><b>3.9 Verbal and Nonverbal Expressions.</b> Expressions such as "Uh-huh" and "Huh-uh" should be transcribed accordingly. "Uh-huh" is used when the speaker is answering affirmatively. "Huh-uh" is used when the speaker is answering negatively. In the instance where there is no verbal response to a query (<i>i.e.</i>, person nodding or shaking head), the court reporter may indicate in the transcription that the person is indicating either affirmatively or negatively.</p>	<p><b>16.15 Verbal and Nonverbal Expressions.</b> Expressions such as "Uh-huh" and "Huh-uh" should be transcribed accordingly. "Uh-huh" is used when the speaker is answering affirmatively. "Huh-uh" is used when the speaker is answering negatively. In the instance where there is no verbal response to a query (<i>i.e.</i>, person nodding or shaking head) the reporter/transcriber may indicate in the transcription that the person is indicating either affirmatively or negatively.</p>
<p><b>3.10 Witness and Examination Setup Examples.</b></p> <p><b>(a) Official Reporter's Record.</b> At the beginning of a witness's testimony, the record must, consistent with Figure 14, include the name of the witness and the person conducting the examination and indicate that the witness was sworn in and the type of examination conducted.</p> <p><b>(b) Freelance Reporter's Record.</b> At the beginning of a witness's testimony, the record must, consistent with Figure 15, include the name of the witness and the person conducting the examination and indicate that the witness was sworn in and the type of examination conducted.</p>	<p><b>16.1 WITNESS AND EXAMINATION SETUP EXAMPLES</b></p> <p><b>(a) Official Reporter's Record:</b> <i>See</i> Figure 15.</p> <p><b>(b) Freelance Transcriptions:</b> <i>See</i> Figure 16.</p>

<p><b>3.11 Witness Sworn Through Interpreter.</b> When a witness testifies through an interpreter, at the beginning of a witness’ testimony, the transcription must, consistent with Figure 16, include the witness’s name and indicate that the witness was sworn in.</p> <p><b>Suggested Oath to the Interpreter:</b> COURT REPORTER: “Do you solemnly swear or affirm that the interpretation you will give in this deposition will be from English to Spanish/Vietnamese/etc. and from Spanish/Vietnamese/etc. to English to the best of your ability?”</p> <p><b>Suggested Oath to Sign Interpreter:</b> COURT REPORTER: “do you solemnly swear or affirm that the interpretation you will give in this deposition will be from English to American Sign Language/Signed English and American Sign Language/Signed English to English to the best of your ability?”</p>	<p><b>16.2 Witness Sworn Through Interpreter and Suggested Oath to the Interpreter:</b> <i>See Figure 17.</i></p> <p><b>SUGGESTED OATH TO THE INTERPRETER</b> COURT REPORTER: "Do you solemnly swear or affirm that the interpretation you will give in this deposition will be from English to Spanish/Vietnamese/etc. and from Spanish/Vietnamese/etc. to English to the best of your ability?" INTERPRETER: "I do." <b>SUGGESTED OATH TO SIGN INTERPRETER</b> COURT REPORTER: “ Do you solemnly swear or affirm that the interpretation you will give in this deposition will be from English to American Sign Language and American Sign Language to English to the best of your ability?”</p>
<p><b>3.12 Testimony Through Interpreter.</b> In interpreted testimony, court reporters must use Q&amp;A sequencing to reflect the question asked in English by the attorney and the answer of the witness given in English through the interpretation process. When interpreters are used, it will be assumed, unless otherwise stated, that answers are made in a foreign language and interpreted.</p> <p>Sometimes a witness testifying through an interpreter will answer some questions in English. If part of the translation is given by the interpreter and the rest is in English by the witness, the parenthetical “(In English)” may precede the portion of the witness’s remarks in English.</p> <p>Sometimes attorney(s) are fluent in the native tongue of the witness and may speak to the witness directly without the interpreter. A parenthetical should be used in this situation. <i>See Figure 22.</i></p>	<p><b>16.19 Testimony Through Interpreter.</b> In Interpreted depositions court reporters use Q&amp;A sequencing in order to reflect the question asked in English by the attorney and the answer of the witness given through the interpretation process in English. When interpreters are used, it will be assumed that answers are made in a foreign language and interpreted unless stated otherwise.</p> <p>Sometimes a witness testifying through an interpreter will answer some questions in English. If part of the translation is given by the interpreter and the rest is in English by the witness, the parenthetical "(In English)" may precede the portion of the witness's remarks given in English.</p> <p>Experienced interpreters will speak in the first person. Inexperienced interpreters may at times speak in the third person. Interpreters should be cautioned by the attorney and court reporter to give verbatim translation in the first person if it is not their normal practice to do so. Sometimes attorney(s) are fluent in the native tongue of the witness and may speak to the witness directly without the interpreter. A parenthetical should be used in this situation. <i>See Figure 22 and Section 16.2.</i></p>
<p><b>3.13 Punctuation and Spelling.</b> Punctuation and spelling must be consistent with generally accepted standards. See, for example, the standards in <i>The Elements of Style</i> by William Strunk, Jr. and E.B. White; <i>The Gregg Reference</i> by William Sabin, 10<sup>th</sup> edition or later; and <i>The Merriam-Webster Dictionary</i>, 11<sup>th</sup> Edition or later.</p>	<p><b>16.8 Punctuation and Spelling.</b> Punctuation and spelling will be appropriate standard usage.</p>

<p><b>3.14 Striking from the Record.</b> No portion of any proceeding may be omitted by a request or an order to strike. The material ordered stricken, as well as the order to strike, must all appear in any transcription.</p>	<p><b>16.9 Striking from the Record.</b> No portion of any proceeding will be omitted by a request or an order to strike. The material ordered stricken, as well as the order to strike, must all appear in any transcription.</p>
<p><b>3.15 Editing of Speech.</b> Any transcription should provide an accurate record of words spoken in the course of proceedings. All grammatical errors, changes of thought, contractions, misstatements, and poorly-constructed sentences must be transcribed as spoken.</p>	<p><b>16.10 Editing of Speech.</b> Any transcription should provide an accurate record of words spoken in the course of proceedings. All grammatical errors, changes of thought, contractions, misstatements, and poorly-constructed sentences should be transcribed as spoken.</p>
<p><b>3.16 Parentheticals.</b> Parenthetical notations in any transcription are a court reporter's own words, enclosed in parentheses, recording some action or event. Parenthetical notations should be as short as possible and consistent with clarity and standard word usage. Blank lines before or after parenthetical notations are prohibited.</p> <p>It is the responsibility of the attorneys, as well as the judge in some instances, to note for the record any significant nonverbal behavior (e.g., physical gestures and lengthy pauses on the part of a witness). If counsel or the court fails to refer to the witness's affirmative or negative gesture or other things occurring during the proceedings that may assist the reader, parenthetical notations may be used.</p> <p><b>(a) Recommended Parentheticals.</b> The following are recommended parenthetical notations to be used where appropriate:</p> <ul style="list-style-type: none"> <li>• (Call to order of the court)</li> <li>• (Jury not present)</li> <li>• (Jury present)</li> <li>• (The witness was sworn)</li> <li>• (Interpreter sworn)</li> <li>• (Recess from ^ to ^)</li> <li>• (Lunch recess from ^ to ^)</li> <li>• (At the Bench, on the record)</li> <li>• (At the Bench, off the record)</li> <li>• (Discussion off the record)</li> <li>• (Moving head up and down)</li> <li>• (Moving head side to side)</li> <li>• (Indicating)</li> <li>• (Descriptive sound)</li> <li>• (Snapping fingers)</li> <li>• (Writing)</li> <li>• (Weeping)</li> <li>• (No verbal response)</li> <li>• (Interruption)</li> <li>• (Witness complies)</li> <li>• (Sotto voce discussion between ^ and ^)</li> </ul>	<p><b>16.11 Parentheticals.</b> Parenthetical notations in any transcription are a court reporter's or transcriber's own words, enclosed in parentheses, recording some action or event. Parenthetical notations should be as short as possible consistent with clarity and standard word usage. Parenthetical notations will begin at the third tab setting. In the event more than one line is necessary for a parenthetical each subsequent line will begin also at the third tab setting. Blank lines before or after parenthetical notations are prohibited. It is the responsibility of the attorneys, as well as the judge in some instances, to note for the record any significant nonverbal behavior (e.g., physical gestures and lengthy pauses on the part of a witness). If counsel or the court fail to refer to the witness's affirmative or negative gesture or other things occurring during the proceedings that may assist the reader, parenthetical notations may be used.</p> <p><b>(a) Recommended Parentheticals.</b> The following are recommended parenthetical notations to be used where appropriate:</p> <ul style="list-style-type: none"> <li>• (Call to order of the court)</li> <li>• (Jury not present)</li> <li>• (The witness was sworn)</li> <li>• (Interpreter sworn)</li> <li>• (Recess from ^ to ^)</li> <li>• (At the Bench, on the record)</li> <li>• (Moving head up and down)</li> <li>• (Indicating)</li> <li>• (Snapping fingers)</li> <li>• (Writing)</li> <li>• (Weeping)</li> <li>• (No verbal response)</li> <li>• (Discussion off the record)</li> <li>• (Interruption)</li> <li>• (Witness complies)</li> <li>• (Sotto voce discussion between ^ and ^)</li> <li>• or (^ and ^ whispering)</li> <li>• (The jury was sworn) or (The jury panel was sworn)</li> <li>• (Jury present)</li> <li>• (The witness was affirmed)</li> </ul>



<ul style="list-style-type: none"> <li>• or (^ and ^ whispering)</li> <li>• (Sotto voce discussion)</li> <li>• (Sotto voce discussion off the record)</li> <li>• (The jury was sworn) or (The jury panel was sworn)</li> <li>• (The witness was affirmed)</li> <li>• (Discussion between interpreter and witness)</li> <li>• (Pointing)</li> <li>• (Drawing)</li> <li>• (Pausing)</li> <li>• (Exhibit ^ marked)</li> <li>• (Proceedings concluded / recessed at ^)</li> <li>• (Requested portion was read)</li> </ul> <p><b>(b) Parentheticals for Criminal Trials.</b> In criminal trials, the defendant's presence or absence must be noted on the record. If a jury is involved, it is essential to indicate by the proper parenthetical notation whether the proceedings occurred in the presence of the jury, out of the presence of the jury, prior to the jury entering the courtroom, or after the jury left the courtroom.</p> <ul style="list-style-type: none"> <li>• (Open court, defendant and jury panel present)</li> <li>• (Open court, defendant present, no panel)</li> <li>• (Open court, defendant present, no jury)</li> <li>• (Open court, defendant and jury present)</li> <li>• (Chambers, defendant present, no jury)</li> <li>• (Discussion off the record)</li> <li>• (Discussion off the record in chambers, defendant not present)</li> <li>• (Discussion on the record in chambers, defendant present)</li> <li>• (Crime scene, defendant and jury present)</li> </ul>	<ul style="list-style-type: none"> <li>• (Discussion between interpreter and witness)</li> <li>• (Lunch recess from ^ to ^)</li> <li>• (At the Bench, off the record)</li> <li>• (Moving head side to side)</li> <li>• (Pointing)</li> <li>• (Drawing)</li> <li>• (Pausing)</li> <li>• (Descriptive sound)</li> <li>• (Exhibit ^ marked)</li> <li>• (Proceedings concluded / recessed at ^)</li> <li>• (Sotto voce discussion)</li> </ul> <p><b>(b) Parentheticals for Criminal Trials.</b> In criminal trials, the defendant's presence or absence should be noted on the record. If a jury is involved, it is essential to indicate by the proper parenthetical notation whether the proceedings occurred in the presence of the jury, out of the presence of the jury, prior to the jury entering the courtroom, or after the jury left the courtroom.</p> <ul style="list-style-type: none"> <li>• (Open court, defendant and prospective jury panel present)</li> <li>• (Open court, defendant present, no panel)</li> <li>• (Open court, defendant present, no jury)</li> <li>• (Open court, defendant and jury present)</li> <li>• (Chambers, defendant present, no jury)</li> <li>• (Discussion off the record)</li> <li>• (Discussion off the record in chambers, defendant not present)</li> <li>• (Discussion on the record in chambers, defendant present)</li> <li>• (Crime scene, defendant and jury present)</li> </ul>
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<p><b>3.17 Headings.</b> The following headings may be used where appropriate in the body of the record and in the index:</p> <ul style="list-style-type: none"> <li>• FINAL PRETRIAL HEARING</li> <li>• JURY VOIR DIRE BY THE COURT</li> <li>• JURY VOIR DIRE BY THE STATE</li> <li>• JURY VOIR DIRE BY THE PLAINTIFF</li> <li>• JURY VOIR DIRE BY THE DEFENDANT</li> <li>• STATE’S OPENING STATEMENT</li> <li>• PLAINTIFF’S OPENING STATEMENT</li> <li>• DEFENDANT’S OPENING STATEMENT</li> <li>• DIRECT EXAMINATION</li> <li>• FURTHER DIRECT EXAMINATION</li> <li>• VOIR DIRE EXAMINATION</li> <li>• FURTHER VOIR DIRE EXAMINATION</li> <li>• CROSS-EXAMINATION</li> <li>• REDIRECT EXAMINATION</li> <li>• RECROSS-EXAMINATION</li> <li>• FURTHER REDIRECT EXAMINATION</li> <li>• FURTHER RECROSS-EXAMINATION</li> <li>• CONFERENCE ON JURY INSTRUCTIONS</li> <li>• STATE’S CLOSING STATEMENT</li> <li>• PLAINTIFF’S CLOSING STATEMENT</li> <li>• DEFENDANT’S CLOSING STATEMENT</li> <li>• JURY INSTRUCTIONS</li> <li>• COURT’S FINDINGS</li> <li>• JURY VERDICT</li> <li>• PUNISHMENT PHASE</li> <li>• SENTENCING</li> </ul>	<p><b>16.12 Headings.</b> The following headings may be used where appropriate in the body of the Reporter’s Record and in the index:</p> <p>FINAL PRETRIAL HEARING  JURY VOIR DIRE BY THE COURT  JURY VOIR DIRE BY THE STATE  JURY VOIR DIRE BY THE PLAINTIFF  JURY VOIR DIRE BY THE DEFENDANT  STATE’S OPENING STATEMENT  PLAINTIFF’S OPENING STATEMENT  DEFENDANT’S OPENING STATEMENT  DIRECT EXAMINATION  FURTHER DIRECT EXAMINATION  VOIR DIRE EXAMINATION</p> <p>FURTHER VOIR DIRE EXAMINATION  CROSS-EXAMINATION  REDIRECT EXAMINATION  RECROSS-EXAMINATION  FURTHER REDIRECT EXAMINATION  FURTHER RECROSS-EXAMINATION  CONFERENCE ON JURY INSTRUCTIONS  STATE’S CLOSING STATEMENT  PLAINTIFF’S CLOSING STATEMENT</p> <p>DEFENDANT’S CLOSING STATEMENT  JURY INSTRUCTIONS  COURT’S FINDINGS  JURY VERDICT  PUNISHMENT PHASE  SENTENCING</p>
<p><b>3.18 Readback - Official Reporter’s Record.</b> For clarity of the record, readback during proceedings must, consistent with Figure 20, be quoted in the transcription at the point read.</p> <p>If readback of testimony is requested during jury deliberations, the Official Reporter’s Record must reflect the judicially approved excerpted testimony in at least one of the following ways:</p> <ol style="list-style-type: none"> <li>1. a parenthetical note reflecting the volume, page(s) and line number(s) read to the jury;</li> <li>2. a transcription of the excerpted testimony requested by the jury will be attached to the jury’s note and the court’s response and will become part of the Clerk’s Record; or</li> <li>3. a transcription of the excerpted testimony requested by the jury will be inserted into the Official Reporter’s Record.</li> </ol>	<p><b>16.13 Readback - Official Reporter’s Record.</b> For clarity of the record, readback during proceedings will be quoted in the transcription at the point read. <i>See</i> Figure 21.</p> <p><b>(a) Readback of Official Reporter’s Record during Jury Deliberations.</b> If readback of testimony is requested during jury deliberations, the Reporter’s Record will reflect the judicially approved excerpted testimony in the following manner:</p> <ol style="list-style-type: none"> <li>(1) a parenthetical note reflecting the Volume, page(s) and line number(s) read to the jury; and/or</li> <li>(2) a transcription of the excerpted testimony requested by the jury will be attached to the jury’s note and Court’s response and will become part of the Clerk’s Record.</li> </ol>

<p><b>3.19 Readback of Freelance Reporter’s Record.</b> Readback of Freelance Reporter’s Record may be addressed as set out in 3.18 for clarity purposes or in the following manner: (Requested portion was read).</p>	<p><b>16.14 Readback - Freelance Transcriptions.</b> May be set out as described in 16.13 for clarity purposes or in the following manner: <b>(a) EXAMPLE:</b> (Requested portion was read)</p>																																																																																														
<p><b>3.20 Audio and Audio-Video Recordings.</b> Generally, audio and audio-visual recordings played in court are entered as an exhibit in the proceedings. When the audio or audio-visual recordings are played in court, a contemporaneous verbatim record of the proceedings will not be made unless the court so orders.</p>	<p><b>16.16 Audio / Video Recordings.</b> Generally, audio/video recordings played in court are entered as an exhibit in the proceedings. When the exhibits are played in court, a contemporaneous record of the proceedings will not be made unless the Court so orders.</p>																																																																																														
<p><b>3.21 Private or Off-the-Record Communications.</b> Private or off-the-record communications may be noted as follows: (Discussion off the record) or (Sotto voce discussion off the record).</p>	<p><b>16.17 Private Communications / Off-the-Record.</b> Private or off-the-record communications may be noted as follows: (<i>Discussion off the record</i>) or (<i>Sotto voce discussion off the record</i>).</p>																																																																																														
<p><b>3.22 Identification of Speakers.</b> All speakers must be properly identified throughout a transcription in capital letters. Speakers must be identified using their last name only unless there are attorneys of the same gender and last name involved in the proceedings. In that event only will it be necessary to use both first and last name. After colloquy interruptions and “Q.” and “A.” designations are resumed, the “Q.” may be followed by speaker identification on the same line to remind the reader who is conducting the examination. This designation may also be used after a parenthetical notation and colloquy. If a by-line is used, it must be as shown in Figure 21.</p> <table border="0" data-bbox="185 1108 747 1898"> <thead> <tr> <th style="text-align: left;"><u>SPEAKER</u></th> <th style="text-align: left;"><u>PROPER IDENTIFICATION</u></th> </tr> </thead> <tbody> <tr><td>court reporter</td><td>THE REPORTER</td></tr> <tr><td>unidentified juror</td><td>JUROR</td></tr> <tr><td>identified juror</td><td>JUROR ^LAST NAME</td></tr> <tr><td>unidentified</td><td>VENIREPERSON</td></tr> <tr><td>prospective juror</td><td></td></tr> <tr><td>foreman</td><td>THE FOREMAN</td></tr> <tr><td>(FOREPERSON, PRESIDING JUROR)</td><td></td></tr> <tr><td>the judge</td><td>THE COURT</td></tr> <tr><td>attorney</td><td>MR., MRS., MS., OR MISS</td></tr> <tr><td>(^LAST NAME)</td><td></td></tr> <tr><td>witness (in colloquy)</td><td>THE WITNESS</td></tr> <tr><td>interpreter</td><td>THE INTERPRETER</td></tr> <tr><td>plaintiff</td><td>THE PLAINTIFF</td></tr> <tr><td>defendant</td><td>THE DEFENDANT</td></tr> <tr><td>bailiff</td><td>THE BAILIFF</td></tr> <tr><td>probation officer</td><td>PROBATION OFFICER</td></tr> <tr><td>(SUPERVISION OFFICER)</td><td></td></tr> <tr><td>sheriff</td><td>THE SHERIFF</td></tr> <tr><td>deputy sheriff</td><td>DEPUTY SHERIFF</td></tr> <tr><td>clerk</td><td>THE CLERK</td></tr> <tr><td>law clerk</td><td>LAW CLERK</td></tr> <tr><td>court coordinator</td><td>THE COORDINATOR</td></tr> <tr><td>secretary</td><td>THE SECRETARY</td></tr> </tbody> </table>	<u>SPEAKER</u>	<u>PROPER IDENTIFICATION</u>	court reporter	THE REPORTER	unidentified juror	JUROR	identified juror	JUROR ^LAST NAME	unidentified	VENIREPERSON	prospective juror		foreman	THE FOREMAN	(FOREPERSON, PRESIDING JUROR)		the judge	THE COURT	attorney	MR., MRS., MS., OR MISS	(^LAST NAME)		witness (in colloquy)	THE WITNESS	interpreter	THE INTERPRETER	plaintiff	THE PLAINTIFF	defendant	THE DEFENDANT	bailiff	THE BAILIFF	probation officer	PROBATION OFFICER	(SUPERVISION OFFICER)		sheriff	THE SHERIFF	deputy sheriff	DEPUTY SHERIFF	clerk	THE CLERK	law clerk	LAW CLERK	court coordinator	THE COORDINATOR	secretary	THE SECRETARY	<p><b>16.18 Identification of Speakers.</b> All speakers must be properly identified throughout the Reporter’s Record in capital letters at the third tab setting. Speakers will be identified using their last name only unless there are attorneys of the same gender and last name involved in the proceedings. In that event only will it be necessary to use both first and last name. After colloquy interruptions and “Q.” and “A.” designations are resumed, the “Q.” may be followed by speaker identification on the same line to remind the reader who is conducting the examination. This designation may also be used after a parenthetical notation and colloquy. 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<p><b>3.23 Index for Official Reporter’s Record.</b> Each volume of a transcription must contain a chronological index, an alphabetical index, and an exhibit index, which must appear immediately following the administrative pages. See Figure 10.</p>		<p><b>16.20 Index for Official Reporter’s Record.</b> An index is required. Each volume is to contain an index which will appear immediately following the title / administrative pages. See Figure 10 and Sections 16.20(d) and (e) for examples.</p>	
<p><b>(a) Chronological Index.</b> The chronological index must include a listing of all witnesses in the order of their appearance at trial. Follow the form in Figure 28 when preparing an index listing multiple attorneys conducting the examination. The chronological index must also include a listing of all events that occur.</p> <p><b>(b) Alphabetical Index.</b> Consistent with Figure 23, the alphabetical index must include an alphabetical listing of the witnesses.</p> <p><b>(c) Exhibit Index.</b> The exhibit index must include a complete description of the exhibits and the page at which the exhibit was offered and received into evidence. Note that local rules also govern the format of the exhibit index for a non-stenographic recording.</p> <p><b>(d) Master Index.</b> When the Official Reporter’s Record consists of more than one volume, in addition to the individual indexes, there must be a master index in a separate volume labeled “Volume 1,” consisting of a compilation of all of the individual indexes (listing all chronological occurrences, witnesses in the order of their appearance and alphabetically, and the exhibits). A column for the volume number must be included for each entry in the master index. Follow Figures 24 and 26 when preparing the Master Index.</p>		<p><b>(a) Content of Index.</b> The index will include a chronological index, an alphabetical index and an exhibit index. The chronological must also include a listing of all witnesses in the order of their appearance at trial, and a separate listing of the witnesses alphabetically. See Figure 28 for example index where there are multiple attorneys conducting the examination. The chronological index shall include a listing of all events that occur. The Master Index shall also include this information.</p> <p>...</p> <p><b>[Note to Reviewers: Section 16.20(a) is continued after Section 17.1 below.]</b></p> <p><b>17.1 Content of Master Index.</b> In a protracted case (more than one volume), in addition to the individual indexes, there must be a master index set forth in its own separate volume labeled volume 1, consisting of a compilation of all of the individual indexes (listing all chronological occurrences), witnesses in the order of their trial and alphabetical, and the exhibits). A column for volume number shall be included for each entry in the master index. See Figure 10 and Section 16.20 for examples.</p>	
<p>A listing of the volume numbers and type of proceeding for each volume is NOT sufficient for the master index.</p>		<p><b>[Section 16.20(a) continued:]</b> A listing of volume numbers and type of proceedings for that volume is NOT sufficient.</p>	
<p><b>EXAMPLE OF MASTER INDEX THAT IS NOT ACCEPTABLE FOR FILING:</b> Volume Two-----Jury Selection Volume Three-----Case-in-Chief on Guilt/Innocence Volume Four-----Punishment Phase Volume Five-----Exhibits</p>		<p><b>EXAMPLE OF MASTER INDEX THAT IS NOT ACCEPTABLE FOR FILING:</b> Volume Two-----Jury Selection Volume Three-----Case-in-Chief on Guilt/Innocence Volume Four-----Punishment Phase Volume Five-----Exhibits <b>(See 16.20 (b) and 17.1 and Figure 26)</b></p>	
<p><b>(e) Index Format.</b> A columnar format is required for listing the exhibits and alphabetical listing of witnesses or venirepersons. (See Section 3.26 for further details on capital murder transcriptions and indexes.) The index must be single-spaced for the direct, cross-examination, etc. of the witnesses; however, it must be double-spaced between</p>		<p><b>(b) Index Format.</b> A columnar format is required for listing the exhibits and alphabetical listing of witnesses and/or venirepersons. See Section 16.20. (See Section 24 for further details on capital murder transcriptions and indexes.) The index is to be single-spaced for the direct, cross-examination, etc. of the witnesses;</p>	

<p>topic changes (<i>i.e.</i>, arraignment, opening statements, plaintiff rests, defendant rests, etc.). When the chronological index is complete, the alphabetical index must begin immediately on that same page, if space allows. Then the exhibit index must begin immediately on that same page, if space allows. The index must indicate the pages at which each of the following, if applicable, occurred:</p> <ol style="list-style-type: none"> <li>(1) jury voir dire examination;</li> <li>(2) opening/preliminary instructions by the court;</li> <li>(3) motions in limine and other hearings on written motions occurring throughout the hearing, and rulings thereon;</li> <li>(4) opening statements by counsel representing all parties;</li> <li>(5) witnesses for both sides, listing direct, cross, redirect, recross, rebuttal, surrebuttal examinations, and witness voir dire;</li> <li>(6) motions for directed verdict;</li> <li>(7) summations of counsel;</li> <li>(8) charge to the jury;</li> <li>(9) objections to the court’s charge;</li> <li>(10) verdict;</li> <li>(11) polling of the jury;</li> <li>(12) punishment phase;</li> <li>(13) sentencing;</li> <li>(14) adjournment; and</li> <li>(15) court reporter’s certificates.</li> </ol>	<p>however, it is to be double-spaced between topic changes (<i>i.e.</i>, arraignment, opening statements, plaintiff rests, defendant rests, etc.). When the chronological index is complete, the alphabetical index will begin immediately on that same page, if space allows, as will the exhibit index. The index will indicate the pages at which each of the following, if applicable, occurred:</p> <ol style="list-style-type: none"> <li>(1) jury voir dire examination;</li> <li>(2) opening/preliminary instructions by the court;</li> <li>(3) motions in limine and other hearings on written motions occurring throughout the hearing, and rulings thereon;</li> <li>(4) opening statements by counsel representing all parties;</li> <li>(5) witnesses for both sides, listing direct, cross, redirect, recross, rebuttal, surrebuttal examinations and witness voir dire;</li> <li>(6) motions for directed verdict;</li> <li>(7) summations of counsel;</li> <li>(8) charge to the jury;</li> <li>(9) objections to the court’s charge;</li> <li>(10) verdict;</li> <li>(11) polling of the jury;</li> <li>(12) punishment phase;</li> <li>(13) sentencing;</li> <li>(14) adjournment; and</li> <li>(15) court reporter’s certificates. <i>See</i> Figures 5 and 6.</li> </ol> <p><b>(c) Index of Exhibits.</b> An index of the exhibits must be included. The exhibit index is to include a complete description of the exhibits and the page at which the exhibit was offered and received into evidence. The volume number must also be included in the Master Index. <i>See</i> Section 16.20(d) and (e); Section 17.</p> <p><b>(d) Alphabetical Index.</b> The alphabetical witness index will include a column for the volume number in the Master Index. <i>See</i> Figure 23.</p> <p><b>(e) Column for Volume Number in Master Index.</b> The exhibit index will include a column for the volume number in the Master Index. <i>See</i> Figures 24 and 26.</p>
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<p><b>3.24 Index for Freelance Reporter’s Record.</b> All major portions of a Freelance Reporter’s Record must be indexed. Consistent with Figure 11, indexes for depositions may appear at the beginning of the transcription after the administrative pages or at the end.</p> <p><b>(a) Content of Index.</b> The index for a Freelance Reporter’s Record must, if applicable, include the following:</p> <ol style="list-style-type: none"> <li>(1) appearances;</li> <li>(2) stipulations;</li> <li>(3) examinations;</li> <li>(4) reporter’s certification page;</li> <li>(5) signature and correction page(s);</li> <li>(6) exhibits numbered with a description and page where formally referenced or marked;</li> <li>(7) certified questions; and</li> <li>(8) requested information.</li> </ol> <p><b>(b) Format of Freelance Reporter’s Record Index.</b> There is no required format for a Freelance Reporter’s Record index.</p>	<p><b>16.21 Index for Freelance Transcriptions.</b> All major portions of a deposition/freelance transcription will be indexed. Indexes for depositions may appear at the beginning of the transcription after the title / administrative pages or at the end. <i>See</i> Figure 11.</p> <p><b>(a) Content of Index</b> may include the following:</p> <ol style="list-style-type: none"> <li>(1) appearances;</li> <li>(2) stipulations;</li> <li>(3) examinations;</li> <li>(4) certificate of completion of the deposition;</li> <li>(5) signature and correction page (s);</li> <li>(6) exhibits numbered with a description and page where formally referenced or marked;</li> <li>(7) certified questions; and</li> <li>(8) requested information.</li> </ol> <p>(b) The format for the Deposition/Freelance index is optional.</p>
<p><b>3.25 Special Venire Cases.</b> In cases involving special venire (<i>i.e.</i>, individual voir dire for death penalty cases), the index must include a listing of the venirepersons, in the order of their appearance at trial, and an alphabetical index, which shall include a column containing the volume number for each entry. <i>See</i> Section 3.26. The Master Index shall also include a detailed listing when the special venire commences, the jury is qualified and statutory excuses and claims for exemption or challenges for cause are heard. <i>See</i> Section 3.26 for further details on capital murder cases.</p>	<p><b>17.2 Special Venire Cases.</b> In cases involving special venire (<i>i.e.</i>, individual voir dire for death penalty cases) the index will include a listing of the venirepersons, in the order of their appearance at trial, and an alphabetical index, which shall include a column for volume number for each entry. <i>See</i> Sections 16.20(d) and (e). The Master Index shall also include a detailed listing when the special venire commences, the jury is qualified and statutory excuses, claims for exemption or challenges for cause are heard. <i>See</i> Section 24 for further details on capital murder cases.</p>
<p><b>3.26 Capital Murder Official Reporter’s Record.</b> Consistent with Figure 27, the Official Reporter’s Record in a capital murder case must include an index in columnar format for the general voir dire of the proceedings wherein the court hears statutory excuses, claims for exemption or challenges for cause from the prospective jurors. Consistent with Figure 26, the Master Index shall include a column containing the volume number for each entry.</p>	<p><b>Section 24 Capital Murder Reporter’s Record</b> The Reporter’s Record for capital murder cases shall be prepared in accordance with this Manual. Special / Individual Venire is also addressed in Section 17.2. Additionally, the Reporter’s Record in these cases shall include an index in columnar format for the general voir dire of the proceedings wherein the Court hears statutory excuses, claims for exemption or challenges for cause from the prospective jurors. <i>See</i> Figure 27. The Master Index shall include a column for volume number for each entry. <i>See</i> in Figure 26.</p>
<p><b>Section 4 – Unedited Rough Draft</b> Unless otherwise specifically provided in this manual, rules, or law, the following requirements apply equally to Official Reporters’ Records and Freelance Reporters’ Records.</p>	<p><b>Section 23 (REAL-TIME*) UNEDITED ROUGH DRAFT TRANSCRIPTION OR UNEDITED ASCII OR UNEDITED ELECTRONIC TRANSCRIPT</b></p>

<p><b>4.1 Unedited Rough Draft Not Certified.</b> When preparing a rough draft transcription or unedited electronic transcript, the transcript of the proceedings must not be certified and must not be used, cited, or transcribed as a certified transcription of the proceedings. The rough draft transcription may not be cited or used in any way or at any time to rebut or contradict the certified transcription of proceedings.</p>	<p><b>23.1 Unedited Rough Draft Not Certified.</b> When preparing a rough draft transcription or unedited ASCII disk or unedited electronic transcript, the transcript of the proceedings may not be certified and may not be used, cited or transcribed as a certified transcript of the proceedings. The rough draft transcript may not be cited or used in any way or at any time to rebut or contradict the certified transcription of proceedings.</p>
<p><b>4.2 Page Labeling of Rough Draft.</b> The unedited rough draft must be labeled or watermarked with the words, “UNEDITED ROUGH DRAFT ONLY”, or with a header or footer on each page as follows: “UNEDITED, UNPROOFREAD, UNCORRECTED, UNCERTIFIED ROUGH DRAFT”.</p>	<p><b>23.3 Labeling of Rough Draft.</b> The transcription or ASCII disk or electronic transcript will be labeled with the words, “UNEDITED ROUGH DRAFT ONLY,” and/or with a header and/or footer as follows: “UNEDITED, UNPROOFREAD, UNCORRECTED, UNCERTIFIED ROUGH DRAFT.”</p>
<p><b>4.3 Printed on Color Paper.</b> A CSR may provide an unedited rough draft if it is printed on colored paper.</p>	<p><b>23.2 Printed on Colored Paper.</b> Any Texas Certified Shorthand Reporter may provide unedited rough draft if it is printed on colored paper.</p>
<p><b>4.4 Content of Unedited Rough Draft.</b> Realtime unedited rough drafts must not include a format box, title page, an appearance page, a certification, or an index.</p>	<p><b>23.4 Content of Unedited Rough Draft.</b> (Real-time*) unedited rough draft will not include a format box, title page, an appearance page, line numbers, a certification, or an index.</p>
<p><b>4.5 Suggested Disclaimer for Unedited Rough Draft.</b> The following suggested disclaimer may appear at the beginning of the unedited transcription.</p> <p><b>WARNING!</b> This unedited rough draft of the proceedings was produced in Realtime and is not certified. The rough draft transcription may not be cited or used in any way or at any time to rebut or contradict the certified transcription of proceedings. There will be discrepancies in this form and the final form, because this Realtime transcription has not been edited, proofread, corrected, finalized, indexed, or certified. There will also be a discrepancy in page numbers appearing on the unedited rough draft and the edited, proofread, corrected and certified final.</p>	<p><b>23.5 Disclaimer for Unedited Transcription.</b></p> <p><b>WARNING!</b> This unedited rough draft of the proceedings was produced in (instant form*) and is not certified. The rough draft transcript may not be cited or used in any way or at any time to rebut or contradict the certified transcription of proceedings. There will be discrepancies in this form and the final form, because this (instant form*) has not been edited, proofread, corrected, finalized, indexed, bound or certified. There will also be a discrepancy in page numbers appearing on the unedited rough draft and the edited, proofread, corrected and certified final.</p>
<p><b>4.6 Acknowledgment to Parties of Unedited Transcript.</b> It is recommended that each court reporter request that parties acknowledge that receipt of a Realtime unedited transcript is not an official record of the court proceedings. See Figure 25.</p>	<p><b>23.6 Acknowledgment to Parties of Unedited Transcript.</b> It is recommended that each court reporter request that parties acknowledge that receipt of a (real-time*) unedited transcript is not an official record of the court proceedings. See Figure 25.</p>
<p><b>Section 5 – Exhibits in Official Reporter’s Record</b></p>	<p><b>Section 18 EXHIBITS - OFFICIAL REPORTER’S RECORD</b></p>
<p><b>5.1 Exhibit Items Not Included in the Official Reporter’s Record.</b> Unless ordered otherwise, neither physical evidence nor original exhibits may be included in the Official Reporter’s Record. Instead, to the extent possible, the Official Reporter’s Record must include a clear 8½ x 11” rendering of each photograph or document exhibit.</p>	<p><b>18.1 Exhibit Items not Included in the Reporter’s Record.</b> Unless ordered otherwise, neither physical evidence nor original exhibits are to be included in the Reporter’s Record.</p>

<p><b>5.2 Original Exhibit Included Only Under Order of Court.</b> When a legible copy of a photograph or any other exhibit cannot be made, the original exhibit may be included in the Official Reporter’s Record under order of the court. <i>See</i> Tex. R. App. 34.6(g).</p>	<p><b>18.2 Original Exhibit Included Only Under Order of Trial Court.</b> When a legible copy of a photograph or any other exhibit cannot be made, the original exhibit will be included in the Reporter’s Record under order of the trial court made pursuant to Rule of Appellate Procedure 34.6(g).</p>
<p><b>5.3 Description of Physical Evidence.</b> Each item of physical evidence must be described on a separate page in such a manner that it may be identified, including the exhibit number, unless a photocopy is included.</p> <p>EXAMPLE: STATE’S EXHIBIT NO. 1 9mm Glock semi-automatic pistol, Model P280, Serial No. 665543</p>	<p><b>18.3 Description of Physical Evidence.</b> Each item of physical evidence must be described on a separate sheet of paper in such a manner that it may be identified, including the exhibit number, unless a photocopy is included.</p> <p>(a) <b>EXAMPLE:</b> STATE’S EXHIBIT NO. 1 9mm Glock semi-automatic pistol, Model P280, Serial No. 665543</p>
<p><b>5.4 Sequence of Exhibit Items.</b> Copies of the exhibits and the descriptions of physical evidence received in each separate proceeding must be placed in numerical order at the end of the Official Reporter’s Record.</p>	<p><b>18.4 Format of Exhibit Items.</b> Copies of the exhibits and the descriptions of physical evidence received in each separate proceeding or hearing must be placed in numerical order at the end of the Reporter’s Record in a separate volume or volumes which are numbered sequentially following the last volume of the transcription of the proceedings and the indexes. If possible, copies of the exhibits will be on letter size (8½ x 11") paper and separated by numbered index tabs. Copies of exhibits may be bound together at the end of the Reporter’s Record as long as they are a separately tabbed volume(s) and the binding together does not exceed the maximum thickness of 2".</p>
<p><b>Section 6 – Volumes and Volume Numbering in Official Reporter’s Record</b></p>	<p><b>Section 7 VOLUME NUMBERS</b></p>
<p><b>6.1 Arabic Numerals.</b> Arabic numerals must be used. Do not use Roman numerals for volume numbering.</p>	<p><b>7.1 Arabic Numerals.</b> Arabic numerals will be used. Do not use Roman numerals for volume numbering.</p>
<p><b>6.2 Official Reporter’s Record - Transcription.</b></p> <p>(a) <b>Multiple volumes for same day’s record.</b> If there is more than one volume for the same day, the volumes should be divided in a logical place, such as at the beginning of a new witness, at the end of one type of examination and the beginning of another, a recess, or at the beginning or end of motions, arguments, or court instructions.</p>	<p><b>7.2 OFFICIAL REPORTER’S RECORD</b></p> <p>(a) <b>Multiple volumes for same day’s record.</b> If there is to be more than one volume for the same day, the volumes should be divided in a logical place, such as at the beginning of a new witness, at the end of one type of examination and the beginning of another, a recess, or at the beginning or end of motions, arguments, or court instructions.</p>



<p><b>(b) Multiple volumes for record of different days.</b> For each day of the trial, there must be a new volume, starting with page 1, unless there are multiple pretrial hearings that can be incorporated into one volume that complies with the size requirements in Section 6.3. A hearing after the commencement of jury selection or the trial on the merits relating to a pretrial motion must appear in sequence.</p> <p><b>(c) Master Index Volume Numbering.</b> Volume “1” will always be the master index when the record consists of more than one volume.</p>	<p><b>(b) Thickness of volumes.</b> A volume of the Reporter’s Record will be no more than two inches (2”) thick. Each day of the trial will be a new volume, starting with page 1, unless there are multiple pretrial hearings that can be incorporated into one volume of less than two inches (2”). A hearing after the commencement of jury selection or the trial on the merits relating to a pretrial motion will appear in sequence.</p> <p><b>(c) Master Index Volume Numbering.</b> Volume “1” will always be the master index when the record consists of more than one volume.</p>
<p><b>6.3 Size of Volumes.</b> A volume – in a regular or compressed record – must be no more than 300 8 ½ x 11 pages.</p>	<p><b>7.2(b) Thickness of volumes.</b> A volume of the Reporter’s Record will be no more than two inches (2”) thick. Each day of the trial will be a new volume, starting with page 1, unless there are multiple pretrial hearings that can be incorporated into one volume of less than two inches (2”). A hearing after the commencement of jury selection or the trial on the merits relating to a pretrial motion will appear in sequence.</p>
<p><b>6.4 Exhibits.</b> The exhibits must be in a separate volume or volumes.</p>	<p><b>18.4 Format of Exhibit Items.</b> Copies of the exhibits and the descriptions of physical evidence received in each separate proceeding or hearing must be placed in numerical order at the end of the Reporter’s Record in a separate volume or volumes which are numbered sequentially following the last volume of the transcription of the proceedings and the indexes. If possible, copies of the exhibits will be on letter size (8½ x 11”) paper and separated by numbered index tabs. Copies of exhibits may be bound together at the end of the Reporter’s Record as long as they are a separately tabbed volume(s) and the binding together does not exceed the maximum thickness of 2”.</p>
<p><b>Section 7 – Official Reporter’s Record in Paper Format for Appellate Court</b></p>	
<p><b>7.1 Paper Volumes – Transcriptions.</b> Compressed records may be bound together as long as they do not exceed the size limitations in 6.3. In the event they are bound together, the volumes shall be separated by tabs labeling the volume numbers and the record must also be provided electronically, as prescribed in Section 8 of this manual.</p> <p>Otherwise, each volume must be bound separately.</p>	

<p><b>7.2 Paper.</b> Paper size must be 8 ½ x 11 inches, with a weight of at least 13 pounds.</p>	<p><b>2.1 Paper Size.</b> Paper size is to be 8-1/2 x 11 inches.  <b>2.2 Paper Weight.</b> The weight of the paper is to be at least 13 pounds for both originals and copies.</p>
<p><b>7.3 Tabs.</b> Except as described in Section 7.1, there must be no tabs.</p>	
<p><b>7.4 Cover.</b> The court reporter must cover the original and each copy of the Official Reporter’s Record with front and back covers of good quality, consisting of white or colored 140-pound, No. 1 sulfite paper, heavyweight transparent plastic, or other similar material approved by the court.</p>	<p><b>Section 19 COVER.</b> The court reporter or transcriber is to cover the original and each copy of Reporter’s Record with front and back covers of good quality, consisting of white or colored 140-pound, No. 1 sulfite paper, heavyweight transparent plastic, or other similar material approved by the court. (These specifications apply to official Reporter’s Records only.)</p>
<p><b>7.5 Binding.</b> The Official Reporter’s Record must be bound using flexible prongs that can be opened and that are passed through holes punched in the left side of the paper. No glued, spiral, or locking bindings are allowed.</p>	<p><b>Section 20 BINDING.</b> The court reporter is to secure the Reporter’s Record for each session separately, binding the Reporter’s Record along the left edge. Do not use three-ring binders for official Reporter’s Records. <i>See</i> Section 22. (Compressed records may be bound together as long as they do not exceed the maximum thickness (2”). In the event they are bound together, the volumes shall be separated by tabs labeling the volume numbers.)</p>
<p><b>Section 8 – Official Reporter’s Record in Electronic Format for Appellate Court</b></p>	
<p><b>8.1 Electronic Format.</b> An Official Reporter’s Record filed in electronic format must duplicate, page by page, the record provided in paper format. In addition, the portion of the Official Reporter’s Record filed in electronic format that consists of a non-stenographic record must duplicate the content of each audio-storage device on which the proceedings were recorded and the content of each audio- or video-file exhibit.</p>	
<p><b>8.2 Computer File Size.</b> A computer file must contain only one volume as defined in Section 6 or, for a non-stenographic record, the content of one audio-storage device. Each computer file must not exceed 100 MB or, if a video file, 5 GB.</p>	
<p><b>8.3 Computer File Type for Text Document.</b> Each computer file of a text document, such as a transcription, must be prepared in text-searchable Portable Document Format (PDF), compatible with the latest version of Adobe Reader. The computer file must not be password-protected, encrypted, or protected by rights management. Because scanning creates larger file sizes with images of lesser quality, scanning must be avoided when possible. To the extent possible, each text document must be converted directly into a PDF file using Adobe Acrobat, the word processing program’s PDF conversion utility, or another software program. Exhibits, however, may be scanned if necessary. Any scanned materials must be made searchable using optical-character-recognition software, such as Adobe Acrobat.</p>	

**8.4 Computer File Name.** The computer file name must include the following elements:

- (1) county name without spaces between words;
- (2) a hyphen;
- (3) the trial-court cause number in the format the trial court uses for cause numbers;
- (4) a hyphen;
- (5) one of the following:
  - a. for a text document, “RR-Vol”; or
  - b. for an audio-storage device or other audio or video file, “RR-Part”;
- (6) the volume number of the text document or the part number of an audio-storage-device or other audio or video file as three digits with leading zeroes for numbers below 100;
- (7) a period; and
- (8) the computer-file extension, as follows:
  - a. “pdf” for a text document in PDF;
  - b. “mp3” for an audio file; or
  - c. “mp4” for a video file.

**EXAMPLE:** JimHogg-DC-09-29-RR-Vol003.pdf;  
JimHogg-DC-09-29-RR-Part010.mp3; JimHogg-DC-09-29-RR-Part011.mp4.

If there are multiple volumes in the Official Reporter’s Record, the computer file name must identify the sequential order of the volumes or parts (e.g., JimHogg-DC-09-29-RR-Vol001.pdf, JimHogg-DC-09-29-RR-Vol002.pdf, etc.).

If filing a supplement to the Official Reporter’s Record, the computer file name must contain a hyphen, the number of the supplement, the term “Supp”, and another hyphen after the term “RR” (e.g., JimHogg-DC-09-29-RR-1Supp-Part003.mp3; JimHogg-DC-09-29-RR-2Supp-Part003.mp3).

If filing an amendment to the Official Reporter’s Record, the computer file name must contain a hyphen, the term “Amend”, and another hyphen after the phrase “RR” (e.g., JimHogg-DC-09-29-RR-Amend-Vol003.pdf).

**8.5 Scanned Documents.** Images of documents, such as exhibits or signed certification pages, must be included within the computer file as images scanned in black and white with a resolution of 300 dots per inch (dpi).

<p><b>8.6 Photographs.</b> Photographic images other than documents (e.g., photos of physical exhibits) must be included within the computer file as images with a resolution of not less than 2,048 x 1,536 pixels (approximately 3 megapixels). Higher resolutions are not encouraged. If a full color rendition is necessary, color depth should be between 12-bit and 18-bit. Otherwise, grayscale images are encouraged. Photographs may be captured directly with a digital camera or scanned from a photographic print.</p>	
<p><b>8.7 Sealed Records.</b> Any sealed documents that are filed electronically must be in a separate computer file. If the sealed portion of a transcription is part of a larger volume, an indicator page must be placed where the sealed file logically belongs. The computer file name for a sealed document must contain the applicable elements listed in Section 8.4 and a hyphen, the number of the sealed document, and the term “Sealed” after the phrase “RR” (e.g., JimHogg-DC-09-29-RR-1Sealed.pdf, JimHogg-DC-09-29-RR-2Sealed.pdf).</p>	
<p><b>8.8 Separator Pages.</b> If an exhibit number is not on the exhibit image, there must be a page preceding the image to show the exhibit number.</p>	
<p><b>8.9 Audio Files.</b> If a court reporter or court recorder electronically files an audio recording that is part of the record, the audio file must be included as an MPEG-1 Audio-Layer 3 file (usually referred to as .mp3). The preferred sampling rate for the file shall be 44.1 kHz and the preferred bit rate for the audio file is 64 kbits/second, though a court may request bit rates as high as 128kbits/second. The Mp3 audio files must use a constant bit rate. The files must not be password-protected, encrypted, or protected by rights management. Each audio file must not exceed 100 MB. If the recording is too long to fit in one file, it may be broken into multiple files. For an exhibit, each file name must include the applicable elements listed in Section 8.4 and, before the .mp3 designation, a hyphen, the word “Exhibit”, the exhibit number, and, if there are multiple audio files, a hyphen and the file sequence number (e.g., JimHogg-DC-09-29-RR-Part003-Exhibit1-1.mp3, JimHogg-DC-09-29-RR-Part003-Exhibit1-2.mp3).</p> <p>Otherwise, physical media (e.g., cassettes or other audio-storage devices) may be sent to the appellate court if ordered by the court.</p>	

<p><b>8.10 Video Files.</b> If a court reporter or court recorder electronically files a video that is part of the record, the video file must be included as an MPEG-4 Part 14 file (usually referred to as.mp4). Data compression is encouraged, though the submitter must assure that the video and audio content have sufficient quality. The files should not be password-protected, encrypted, or protected by rights management. Each video file must not exceed 5 GB. If the recording is too long to fit in one file, it may be broken into multiple files. For an exhibit, each file name must include the applicable elements listed in Section 8.4 and, before the .mp4 designation, a hyphen, the word “Exhibit”, the exhibit number, and, if there are multiple videos, the file sequence number. See the examples in Section 8.9.</p> <p>Otherwise, physical media (e.g., VHS, DVD, etc.) may be sent to the appellate court if ordered by the court.</p>	
<p><b>8.11 Certification.</b> When electronically filing an Official Reporter’s Record in a court that has implemented the Texas Appeals Management and E-filing System Records Submission Portal (TAMES RSP), the court reporter’s or court recorder’s login and password will serve as the court reporter’s or court recorder’s signature on a certification page. The court reporter or court recorder must also include one of the following three things: (1) a scanned image of the court reporter’s or court recorder’s signature; (2) a public key-based digital signature; or (3) “/s/” and the court reporter’s or court recorder’s name typed in the space where the signature would otherwise appear.</p> <p>When electronically filing an Official Reporter’s Record in a court that has not implemented the TAMES RSP, the court reporter or court recorder must sign a certification page with a: (1) scanned image of the court reporter’s or court recorder’s signature; or (2) public key-based digital signature.</p> <p><i>The implementation date of the TAMES RSP will vary from court to court. To determine whether a court has implemented the TAMES RSP, check the court’s official website.</i></p>	
<p><b>Section 9 – Official Reporter’s Record and Freelance Reporter’s Record Provided to Parties</b></p>	

<p><b>9.1 Electronic Format for Party.</b> The court reporter or court recorder may provide the ordering party an electronic copy of the Official Reporter’s Record or the Freelance Reporter’s Record in any agreed-upon electronic format. If the court reporter or court recorder and the ordering party cannot reach agreement, the means for provision to the appellate court must be used.</p>	<p><b>Section 21 REPORTER'S RECORD ON COMPUTER DISKETTE OR COMPACT DISC.</b> The Reporter’s Record may be prepared in computer diskette form, compact disc form or electronic transcript form, ASCII format or other format requested by the ordering party and agreed to by the court reporter or transcriber, whether they represent originals, first copies, or additional copies. Each page of Reporter’s Record on diskette or compact disc must be formatted consistent with the approved Reporter’s Record format guidelines.</p>
<p><b>9.2 Paper Format for Parties.</b> The court reporter or court recorder may provide the ordering party a paper copy of the Official Reporter’s Record or the Freelance Reporter’s Record in any agreed-upon format. If the court reporter or court recorder and the ordering party cannot reach agreement, the means for provision to the appellate court must be used.</p>	<p><b>22.1 Official Reporter’s Records.</b> The Reporter’s Record may be prepared in a compressed, single-sided or duplex format, with four pages of proceedings printed on each page. The four format boxes shall be adjoined utilizing the full page with no spaces allowed between the boxes. Bold or boldface font on text is not permissible and will not be accepted. The title and index pages shall be printed in full page (not compressed or condensed). The volumes need not be bound separately if the volumes of the record are separated by index tabs. (See Section 20.) Each printed copy of such a record must be accompanied by a computer diskette(s) containing the entire Reporter’s Record in ASCII format or electronic transcript format.</p> <p><b>22.2 Freelance Transcriptions.</b> The Reporter’s Record may be prepared in a compressed, single-sided or duplex format, with four or more pages of the proceedings printed as specified by the parties.</p>

<p><b>Section 10 – Miscellaneous</b></p>	
<p><b>10.1 Preparation and Compilation of Appellate Record.</b> The court reporter or court recorder must compile, format, and file each appellate record in his or her assigned court, unless the appeal at issue is generated from an ancillary court (e.g., drug courts, impact courts). A court reporter or court recorder assigned to an ancillary court must coordinate the compilation, formatting, and filing of each appellate record following this manual and in a timely manner as provided in rules and law.</p>	<p><b>6.2 OFFICIAL REPORTER’S RECORDS</b>  <b>(a) Preparation and compilation.</b> The court reporter or the court recorder /transcriber will coordinate the compilation and filing of each appellate record in their assigned court. The exception to that would be those appeals generated from the ancillary courts (e.g., drug courts, impact courts). The court reporter or court recorder/ transcriber assigned to those courts will be required to coordinate their appeals following this manual and in a timely manner as set out in the statutes, rules, and codes of the State of Texas.</p>
<p><b>10.2 Case Document For Deputy Officials.</b> Pursuant to Rule 13.5 of the Texas Rules of Appellate Procedure, deputy official reporters (substitute reporters) must file a separate case document for each case reported with the clerk of the trial court. See Figure 31.</p>	<p><b>Section 25 Case Log For Deputy Officials</b>  Deputy Official Reporters (substitute reporters) shall file a separate form for each case reported with the Clerk of the Court to be included in the case file, which includes the following (See Fig. 33):  Style and number of case reported;  Name;  CSR # and certification expiration date;  Firm registration #  Address and contact information, including phone, fax and if available, email address; and  Date(s) reported.</p>

## Disposition of Provisions in Current Manual

Section No. in Current (2003) UFM	Section No. in Revised (2010) UFM
1	1
2.1	2.1, 7.2
2.2	7.2
2.3	2.2
2.4	2.4
3.1	2.6
3.2	2.12
3.3	2.5
4.1	2.15
Box preceding Section 5	Now follows Section 2.15
5.1	2.3
6.1	2.16
6.2(a)	10.1
6.2(b)	2.17
6.3	Deleted
7.1	6.1
7.2	6.2
7.2(b)	6.3
7.3	Deleted
8.1	2.13
8.2	2.14
9.1	2.10
9.2	2.11
10.1	2.18
10.2	2.19
11.1	3.1
11.2	3.1
Box following Section 11	Now follows Section 3.7
12.1	3.3
12.2	3.4
13	3.6
Box following Section 13	Now follows Section 3.4
14	3.7
15	3.5
16	3.8



<b>2003 UFM</b>	<b>2010 UFM</b>
16.1	3.10
16.2	3.11
16.3	2.7
16.4	2.11
16.5	2.11
16.6	2.8
16.7	2.9
16.8	3.13
16.9	3.14
16.10	3.15
16.11	3.16
16.12	3.17
16.13	3.18
16.14	3.19
16.15	3.9
16.16	3.20
16.17	3.21
16.18	3.22
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16.20	3.23
16.21	3.24
17.1	3.23(d)
17.2	3.25
18.1	5.1
18.2	5.2
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18.4	5.4, 6.4
19	7.4
20	7.5
21	9.1
22.1	9.2
22.2	9.2
23.1	4.1
23.2	4.3
23.3	4.2
23.4	4.4
23.5	4.5
23.6	4.6
24	3.26
25	10.2