

REQUESTS FOR TRANSCRIPTS

It is the sense of the Judicial Conference that a substantial number of criminal cases, including appeals, can be fairly conducted without a full transcript of all testimony and proceedings. It is suggested that counsel exhaust all efforts to perfect representation without full trial transcripts, by use of such traditional devices as preparation of limited transcripts, and preparation of an agreed statement or other summary of the evidence.

Statutory authority allows for the transcription and certification of such parts of the record of proceedings as may be required by any rule or order of court, including all arraignments, pleas, and proceedings in connection with the imposition of sentence in criminal cases.

In the absence of prior special written authorization, trial transcripts shall **exclude**:

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| a. | Prosecution opening statements; | e. | Prosecution rebuttal; |
| b. | Defense opening statements; | f. | Voir dire; and |
| c. | Prosecution argument; | g. | Jury instructions |
| d. | Defense argument; | | |

In the event an attorney wishes to seek approval for an “excludable” proceeding, **a detailed justification must be provided in the form of an Affidavit for the presiding Judge’s review.**

The following instructions are prescribed for this District:

1. **Authorization For Payment:**
When a transcript is being requested, a CJA-24 form may be obtained from the Clerk’s Office. The requesting party will complete the upper section of the form identifying the case particulars, as well as the specific proceeding(s) to be transcribed, and **must then be submitted to the presiding Judge for prior authorization.**

2. **Special Requests:**
It is at this point that the requestor must also identify any special requests such as expedited, daily or hourly transcripts, in addition to the necessity for anything other than an original paper transcript (meaning ascii or condensed format). Please be advised, however, that according to Judicial Conference policy, **the furnishing of accelerated transcript services is strongly discouraged.** The Court may grant an exception to this policy based upon a finding that application of the policy will unreasonably impede the delivery of transcripts to persons proceeding under the CJA. Additionally, **a written justification for anything other than the ordinary transcript must be attached** to the CJA-24 for the presiding Judge’s consideration.

3. **Deposition Transcripts:**
With the permission of the Court, depositions may be recorded in cases where a party is proceeding under the CJA. The cost of transcribing depositions in criminal cases is the responsibility of the Department of Justice, except for depositions of expert witnesses on behalf of financially eligible defendants which will be paid out of CJA funds.