

Superior Court of California County of Santa Clara



CONTACT

BENJAMIN T. RADA
Executive Assistant / Media Relations
brada@scscourt.org
(408) 882-2709 desk
(408) 334-9236 cell

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Privately Retained Court Reporters

*Superior Court policy change regarding court reporters
in Civil and Probate Divisions*

SAN JOSÉ, California (July 21, 2017): Beginning July 24, 2017, parties in certain non-criminal matters in the Santa Clara Superior Court may arrange, at their own expense, for services of a court reporter.

This new policy applies only to hearings and trials in the Civil Division and the Probate Division in unlimited civil matters, and limited civil matters to the extent not electronically recorded. Courts are not required by law to provide court reporters in such cases, but until the implementation of this policy, parties were not allowed to retain their own reporter. Thus, the policy will provide more certainty for parties in cases to which it applies.

The Court will continue to provide court reporters where required by law, and will also provide court reporters in additional categories of cases in which, though not required, the Court believes that the public is best served by having court reporters provided by the Court. Specifically, the case types in which court reporters will be provided by the Court include: felony criminal, family, dependency, Lanterman-Petris-Short (LPS) Act, guardianships of the person or estate, civil harassment and civil contempt. For any case in these categories assigned for trial or hearing in the Civil Division, or to be heard by a Judge assigned to the Civil Division, the Court will also provide a court reporter.

The policy is necessary at this time because the Court has experienced a critical shortage of court reporters and has faced difficulty ensuring that criminal, juvenile and family cases are able to proceed on time. This change also will allow parties in civil and probate cases to avoid the expense and delay of continuing a hearing when they wish the proceedings to be transcribed but a court reporter is not available.

Please review the attached policy for details about its application.

http://www.scscourt.org/general_info/rules/pdfs/Policy_re_PrivatelyRetainedCourtReporters.pdf

http://www.scscourt.org/forms_and_filing/forms/CV-5063.pdf

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