

**PROPOSED REVISIONS TO THE RULES GOVERNING THE RECORDING OF
JUDICIAL PROCEEDINGS
PROPOSAL 2023-026**

June 30, 2023

The Board Governing the Recording of Judicial Proceedings has recommended amendments to Rule 22-207 NMRA for the Supreme Court's consideration.

If you would like to comment on the proposed amendments set forth below before the Court takes final action, you may do so by either submitting a comment electronically through the Supreme Court's website at <http://supremecourt.nmcourts.gov/open-for-comment.aspx> or sending your written comments by mail, email, or fax to:

Elizabeth A. Garcia, Chief Clerk of Court
New Mexico Supreme Court
P.O. Box 848
Santa Fe, New Mexico 87504-0848
rules.supremecourt@nmcourts.gov
505-827-4837 (fax)

Your comments must be received by the Clerk on or before July 31, 2023, to be considered by the Court. Please note that any submitted comments may be posted on the Supreme Court's website for public viewing.

22-207. Compensation.

Except as may otherwise be provided by Supreme Court rule or order:

A. **Rates.** Official court reporters shall be entitled to receive no more than:

(1) in civil cases:

(a) if there is an appeal, [~~three dollars fifty cents (\$3.50)~~] five dollars sixty cents (\$5.60) per 25-line page for transcribing proceedings for the original and two (2) copies to be filed with the appellate court; and

(b) if there is no appeal, [~~three dollars twenty five cents (\$3.25)~~] five dollars twenty cents (\$5.20) per 25-line page for the original and one (1) copy;

(2) in criminal cases:

(a) if there is an appeal, [~~two dollars fifty cents (\$2.50)~~] four dollars (\$4.00) per 25-line page for transcribing proceedings in free process appeals for the original and two (2) copies to be filed with the appellate court; and

(b) if there is no appeal, [~~two dollars (\$2.00)~~] three dollars twenty cents (\$3.20) per 25-line page; and

(3) for a copy of a previously transcribed proceeding, [~~one dollar twenty five cents (\$1.25)~~] two dollars (\$2.00) per 25-line page.

B. **Additional compensation prohibited.** When the court reporter is required by the district judge to transcribe portions of the record of proceedings for court use only, such

transcription shall be performed during the salaried hours for which the court reporter is compensated, and no additional compensation shall be charged the state for such services.

C. **Other court personnel.** It shall be a violation of these rules for an official court reporter to compensate any court employee to perform services for the court reporter if such services are to be performed during salaried working hours.

D. **Use of duplicating machine.** In cases where free process has not been granted, the certified court reporter may make the required number of copies of a transcript on the district court's duplicating machine. The district court clerk shall charge the court reporter no more than [~~ten cents (\$.10)~~] fifteen cents (\$.15) for each copy made pursuant to this paragraph. Certified court reporters shall be billed by the district court clerk upon completion of the preparation of the transcript.

E. **Special expedited transcript charges.**

- (1) expedited copy: delivery in four (4) days;
- (2) overnight copy: delivery by 9:00 a.m. of the day following the proceedings;
- (3) daily copy: delivery by 7:00 p.m. of the day of the proceedings;
- (4) split-rush copy: delivery of the morning session by 1:30 p.m. and the afternoon session by 7:00 p.m. of the day of the proceedings;
- (5) hourly copy: delivery of the transcript produced each hour;
- (6) rough real-time copy: immediate computer-screen visualization and instantaneous transcription of testimony. Rough real-time transcripts are to be used as attorney work-product only and may not be quoted in court for impeachment purposes. Certified realtime transcripts may be used in court proceedings.

Arrangements for expedited services shall be made in writing between the managing court reporter and the requesting parties on a case-by-case basis. In judicial districts that do not employ a managing reporter, arrangements shall be between the individual reporters and the requesting parties.

[Adopted, effective January 1, 1983; as amended effective May 1, 1983; April 1, 1989; December 1, 1993; March 15, 1995; February 16, 2004; as amended by Supreme Court Order No. _____, effective for all cases pending or filed on or after _____.]

**No Comments
Received**