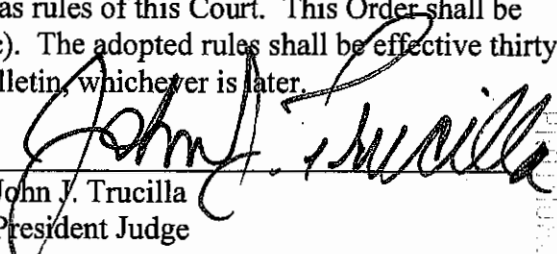


**ERIE COUNTY
RULES OF JUDICIAL ADMINISTRATION**

Adopting Order

AND NOW, to wit, this 15th day of Dec, 2016 it is hereby **ORDERED** that Erie County Rules of Judicial Administration 4001, 4007 and 4008, governing court reporting and transcripts, are hereby adopted as rules of this Court. This Order shall be processed in accordance with Pa.R.J.A. 103(c). The adopted rules shall be effective thirty (30) days after publication in the Pennsylvania Bulletin, whichever is later.


John J. Trucilla
President Judge

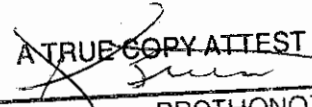
COMMON PLEAS COURT
2016 DEC 29 AM 10:04
CLERK OF SUPERIOR COURT
PROthonotary

Rule 4001. Scope of Rules

These rules shall govern the process for the request, payment and receipt of transcripts of record proceedings before the Erie County Court of Common Pleas. These rules shall be read in conjunction with and supplement the Uniform Rules Governing Court Reporting and Transcripts, as set forth in the Pennsylvania Rules of Judicial Administration, Nos. 4001 – 4016. In the event of any conflict between these rules and the state rules, the Pennsylvania Rules shall control.

Rule 4007. Requests for Transcripts

- (A) The original transcript request shall be on a standardized form (“Transcript Request Form”) provided by the Administrative Office of Pennsylvania Courts and shall be filed with the appropriate filing office for the case docket. The form is available on The Unified Judicial System’s Web Portal, the website for the Erie County Court of Common Pleas or by contacting the District Court Administrator for the Erie County Court of Common Pleas. In order for the request to be processed, a copy of the request must be served on the District Court Administrator, as well as on all other individuals designated by Pa.R.J.A. 4007. For purposes of service on the District Court Administrator, the request may be hand delivered to Room 210 of the Erie County Courthouse, e-mailed to the District Court Administrator, or mailed to: District Court Administrator, Erie County Courthouse, 140 West 6th Street, Room 210, Erie, PA 16501.
- (B) The District Court Administrator will not direct the court reporter to proceed with transcription until either (1) receipt of partial payment in the amount of one-half of the estimated cost of the transcript; or (2) receipt of an order granting permission to proceed *in forma pauperis* or waiving costs in accordance with

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Pa.R.J.A. 4008(B) and Erie County Rule of Judicial Administration 4008(B). The party ordering the transcript is responsible for contacting the court reporter to determine the amount of deposit required. Deposit checks shall be made payable to the County of Erie and delivered to the District Court Administrator.

- (C) Upon receipt of notification from the court reporter of the completion of the transcript and the amount of the balance owed, the party ordering the transcript shall forward to the District Court Administrator a check in the amount of the balance due. The check shall be made payable to the County of Erie. Upon receipt of final payment, the District Court Administrator will direct the court reporter to file and deliver the transcript in accordance with Pa.R.J.A. 4007(D)(4).

Rule 4008. Transcript Costs Payable by a Requesting Party Other than Than the Commonwealth or a Subdivision Thereof.

(A) The per page cost for a transcript in electronic format shall be as follows:

- (1) \$2.50 per page for an ordinary transcript;
- (2) \$3.50 per page for an expedited transcript;
- (3) \$4.50 per page for a daily transcript; and
- (4) \$6.50 per page for same day delivery.
- (5) If the transcript is requested in bound paper format, the costs shall be as stated above, plus a surcharge of \$0.25 per page.
- (6) The trial judge may impose a reasonable surcharge in cases such as mass tort, medical malpractice or other unusually complex litigation where the judge determines that the surcharge is necessary because of the need for the court reporter to significantly expand his/her dictionary.
- (7) Costs for a copy of any transcript previously ordered, transcribed and filed of record shall be in accordance with Pa.R.J.A 4008(D). Copy requests may be directed to the District Court Administrator in person in Room 210 of the Erie County Courthouse, e-mailed to the District Court Administrator, or mailed to: District Court Administrator, Erie County Courthouse, 140 West 6th Street, Room 210, Erie, PA 16501. The District Court Administrator will inform the requesting individual of the total amount due for copying. The full copying fee shall be paid prior to receipt of the copy. Checks shall be made payable to the County of Erie and delivered to the District Court Administrator.

(B) Economic hardship

- (1) In accordance with Pa.R.J.A. 4008(B)(1), a litigant who has already been permitted to proceed with the commencement of the underlying action or with the taking of the appeal *in forma pauperis* will, in matters under appeal or where the transcript is necessary to advance the litigation, receive waiver of transcript costs. The order granting the litigant *in forma pauperis* status shall be attached to the Transcript Request Form which is filed and served in accordance with Pa.R.J.A. 4007 and Erie County Rule of Judicial Administration 4007. In addition to attaching the order to the request, the litigant should also attach a verified statement indicating that the party is aware of his or her continuing obligation to inform the court of improvement in his or her financial circumstances and that no such improvement has occurred since entry of the order granting permission to proceed *in forma pauperis*. A litigant's failure to attach the *in forma pauperis* order to the transcript request may result in delayed transcription.

- (2) Any litigant who has not already been granted *in forma pauperis* status, but who wishes to pursue waiver of or reduction in transcript costs, shall file a petition requesting waiver of or reduction in transcript costs under the docket of the case. The petition must include:
 - (a) the caption and docket number of the case;
 - (b) a statement indicating whether or not the transcript is in a matter which is currently under appeal;
 - (c) a statement indicating whether or not the transcript is necessary to advance pending litigation; and
 - (d) a fully completed and executed affidavit substantially in the form required by Pennsylvania Rule of Civil Procedure 240(h).

Upon filing the petition and affidavit, the party requesting waiver of or reduction in transcript costs shall also serve a copy of the same on the judge assigned to the case for disposition. The petitioner shall be responsible for forwarding a copy of the resulting order to the District Court Administrator. Failure to serve the order may result in delayed transcription.