

RULE 607

COURT REPORTER TRANSCRIPTS AND RECORDINGS

(a) Applicability. This rule is applicable to court reporter transcripts and recordings relating to proceedings before the family and circuit court, to include proceedings before masters-in-equity. A court reporter or transcriptionist for such a proceeding, regardless whether the court reporter or transcriptionist is a Judicial Branch employee or contractor, or is a private court reporter retained by the parties, shall comply with the requirements of this rule.

(b) Ordering Transcripts. Transcripts of proceedings which are needed for an appeal or appellate review of a post-conviction relief action before the Supreme Court or Court of Appeals shall be ordered as provided by Rules 207(a) or 243(b), SCACR. In all other cases, the request for the transcript shall be made, in writing, to the court reporter, and a copy of the request shall be served as provided by Rule 262(b), SCACR, on all parties to the proceeding which is to be transcribed and, if the transcript is requested for use in another case, on all parties in that case. A copy of the request shall also be provided to the Office of Court Administration. If the request is made by an attorney, the attorney shall provide copies of all correspondence via electronic means as specified in Rule 207(a)(7) and by Order of the Supreme Court.¹ The names and addresses of all persons who are to be served with a copy shall be included on the request for the transcript. The court reporter must acknowledge receipt of the request by responding to the person making the request within five business days, and provide a copy to the Office of Court Administration as specified in Rule 207(a)(7) and by Order of the Supreme Court.

(c) Preparation of Transcript. The transcript shall be prepared in the manner prescribed by the Court Reporters Manual published by the Office of Court Administration.

(d) Delivery of Transcripts. A court reporter shall transcribe and deliver the transcript no later than sixty (60) days after the date of the request. Records shall be transcribed by the court reporter in the order in which the requests for transcripts are made; provided, however, that requests to transcribe post-conviction relief proceedings challenging a sentence of death shall be given priority as provided by S.C. Code Ann. § 17-27-160(E).

(e) Extension of Time to Deliver. If a court reporter anticipates continuous engagement in the performance of other official duties which make it impossible to prepare a transcript within the time specified in (d) above, the reporter shall promptly notify the Office of Court Administration by submitting a Court-approved Notice of Request for Extension form. The Office of Court Administration may grant up to three extensions for a total of up to ninety (90) days. Extensions in excess of ninety days (90) days shall not be allowed except by order of the Chief Justice.

(f) Notice of Extension. Upon the granting of any extension of time for delivery of the transcript, the Office of Court Administration shall notify the parties and, if the

transcript has been requested for an appeal or other proceeding before the Supreme Court or the Court of Appeals, the Clerk of that Court.

(g) Failure to Receive Transcript. If the requesting party has not received the transcript within the allotted time nor received notification of an extension within ten (10) days after the allotted time, the requesting party shall notify, in writing, the Office of Court Administration, the court reporter and, if the transcript has been requested for an appeal or other proceeding before the Supreme Court or the Court of Appeals, the Clerk of that Court. If the request was made by an attorney, the attorney shall also provide notice via electronic means as provided in Rule 207(a)(7) and by Order of the Supreme Court.

(h) Fees for Transcription and Other Services.

(1) By Judicial Branch Court Reporter. A court reporter or transcriptionist employed by, contracted by, or otherwise acting on behalf of or at the direction of the Judicial Branch shall receive the following fees:

(A) A fee of Four Dollars and Twenty-Five Cents (\$4.25) per page for producing an original transcript.

(B) A fee of One Dollar (\$1.00) per page for furnishing a copy of a previously prepared transcript.

(C) A fee of Two Dollars (\$2.00) per page for each person receiving Real-time output when a Real-time Request is signed by the requestor.

(D) A fee of One Dollar and Fifty Cents (\$1.50) per page for condensed transcripts, which contain no more than four pages of text. This service is only available to a requestor who has requested an original or a copy of the transcript.

(E) A fee of One Dollar (\$1.00) per page for Keyword Indexing. This service is only available to a requestor who has requested an original or a copy of the transcript.

(F) A fee of Fifty Dollars (\$50) plus shipping costs for mailed transcripts. This service is only available to a requestor who has requested an original or a copy of the transcript.

(G) A fee of Two Dollars (\$2.00) per page for unedited (rough draft) transcripts.

(H) The following per page costs apply to requests to produce a transcript on an expedited basis:

(i) A fee of Five Dollars (\$5.00) for original transcripts delivered within seven days of the request and One Dollar (\$1.00) for a copy.

(ii) A fee of Six Dollars (\$6.00) for original transcripts delivered overnight and One Dollar and Twenty-Five Cents (\$1.25) for a copy.

(iii) A fee of Seven Dollars (\$7.00) for original transcripts delivered on a daily basis and One Dollar and Twenty-Five Cents (\$1.25) for a copy.

(2) By Private Court Reporter. In the event a court reporter is retained by the parties and is not a Judicial Branch court reporter, the fees to be charged shall be agreed upon by the private court reporter and the parties. Where a Judicial Branch court reporter or transcriptionist also produces a transcript for a proceeding, the transcript produced by the Judicial Branch court reporter or transcriptionist is the official transcript.

(i) Retention of Recordings.

(1) Five Years from Proceeding. A court reporter must retain the primary and backup recordings of a proceeding for at least five (5) years after the date of the proceeding before destroying or deleting any recordings. If the proceeding was a hearing or trial which lasted for more than one day, the time shall be computed from the last day of the hearing or trial.

(2) One year from Transcription. A court reporter must also retain the primary and backup recordings from a proceeding that has been transcribed for at least one (1) year after the original transcript is sent to the requesting party, even if this results in the reporter retaining the recordings longer than five (5) years, to allow a party to challenge the accuracy of the transcription.

(j) Failure to Comply. The willful failure of a court reporter to comply with the provisions of this Rule shall constitute contempt of court enforceable by order of the Supreme Court.

Last amended by Order dated March 15, 2023.

¹ The Supreme Court's May 1, 2018 Order specifying this procedure is available at: <https://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2018-05-01-04>.