

16-13-501. Court reporters made state employees.

The official court reporters of the circuit courts in this state are employees of the State of Arkansas.

HISTORY: Acts of 1981 (Ex. Sess.), Act 16, § 5; Acts of 2015, Act 268, § 4, eff. July 1, 2015.

16-13-502. [Repealed.]

16-13-503. Appointment--Salaries and compensation--Attendance and leave time--Regulation of court reporting

(a) Each judge of each circuit court may appoint one (1) or more court reporters as may be authorized by law.

(b)(1) The salaries of the court reporters shall:

(A) Be exempt from the provisions of the Uniform Classification and Compensation Act, § 21-5-201 et seq.;

(B) Not exceed the maximum annual salary rate authorized by the General Assembly in the applicable appropriation act; and

(C) Be determined by the Administrative Office of the Courts.

(2) The salaries, together with other expenses authorized by law for the court reporters to be paid from state funds, shall be paid with moneys appropriated for the salaries and other expenses by the General Assembly from the Court Reporter's Fund.

(3) The total amount of salaries paid to court reporters and other distributions of the Court Reporter's Fund shall not exceed:

(A) The total annual allocation authorized by the General Assembly to the Court Reporter's Fund from the State Administration of Justice Fund as supplemented, if necessary, by any real property transfer tax revenues under § 26-60-112(b)(2); and

(B) Any remaining balances in the Court Reporter's Fund.

(c)(1) Notwithstanding the exemption provided by § 21-4-203, the circuit judge of the circuit court served by a court reporter shall administer the attendance and leave policies for the court reporter in the manner prescribed for state employees by the Uniform Attendance and Leave Policy Act, § 21-4-201 et seq.

(2) The court reporter shall forward all approved requests for leave to the Administrative Office of the Courts on a regular and timely basis for payroll purposes.

(3) The Administrative Office of the Courts shall prescribe the procedures for obtaining all relevant leave information, including without limitation the forms, method of transmittal, and format for obtaining the leave information.

(d)(1) Rules for the regulation of the practice of court reporting in this state,

including, but not limited to, certification, discipline, and provisions for the retention of court reporter records, shall be the responsibility of the Supreme Court.

(2) Provided, however, that nothing in this subsection shall permit the Supreme Court to require that counties or county officials provide space for the storage of court reporter records.

HISTORY: Acts of 1981 (Ex. Sess.), Act 16, § 5; Acts of 1995, Act 743, § 1; Acts of 2003, Act 1363, § 1, eff. July 16, 2003; Acts of 2015, Act 268, § 5, eff. July 1, 2015.

16-13-504. Salary implementation procedures.

(a) If a court reporter was an official court reporter in the state on June 30, 1981, the increase eligibility date for purposes of salary implementation shall be July 1, 1982.

(b) If an official court reporter was appointed after June 30, 1981, the increase eligibility date for purposes of salary implementation shall be determined by the date of appointment.

HISTORY: Acts of 1981 (Ex. Sess.), Act 27, § 1; Acts of 1983, Act 868, § 1; Acts of 2003, Act 1185, § 89, eff. July 16, 2003; Acts of 2015, Act 268, § 6, eff. July 1, 2015.

16-13-505. Court reporters -- Reimbursement for expenses.

(a)(1) A court reporter for a circuit court is entitled to reimbursement for actual expenses incurred for meals, lodging, and transportation costs for attending court away from the court reporter's official station.

(2) Notwithstanding the exemption from state travel regulations provided by § 19-4-904, if a court reporter uses a personal vehicle for transportation, he or she is entitled to reimbursement for mileage at the same rate prescribed by the Department of Finance and Administration for executive branch employees.

(b) Reimbursements for actual expenses and mileage under subsection (a) of this section shall be made monthly by the Administrative Office of the Courts upon claims by the respective court reporters certified by the circuit judge.

HISTORY: Acts of 1981 (Ex. Sess.), Act 16, § 6; Acts of 1985, Act 63, § 1; Acts of 2003, Act 1185, § 89, eff. July 16, 2003; Acts of 2005, Act 461, § 2, eff. Aug. 12, 2005; Acts of 2015, Act 268, § 7, eff. July 1, 2015.

16-13-506. Court reporters -- Transcript fees.

(a)(1) When required to make a transcript of court proceedings, each court reporter of the circuit courts shall be entitled to compensation at the rate of four dollars and ten cents (\$4.10) per page for the original and two (2) copies and at the rate of fifty cents (50¢) per page for each additional copy.

(2) When required to prepare photocopied evidence as part of a transcript, each reporter shall be entitled to compensation at the rate of one dollar and fifty cents (\$1.50) per page, for an original and two (2) copies and at the rate of fifty cents

(50¢) per page for each additional copy thereafter, with the cost to be paid by the parties ordering transcripts.

(b)(1)(A) In indigent and in forma pauperis proceedings, the compensation to the court reporter for transcripts provided for in subsection (a) of this section shall be paid by the State of Arkansas.

(B) However, in such proceedings, the court reporters shall be entitled to compensation from the state only for the original and two (2) copies of the transcript.

(2) The payments shall be made only upon certification of the payments by the presiding circuit judge and shall be paid by the Administrative Office of the Courts from funds appropriated out of the Court Reporter's Fund.

HISTORY: Acts of 1981 (Ex. Sess.), Act 16, § 7; Acts of 1983, Act 868, § 2; Acts of 1987, Act 581, § 1; Acts of 2003, Act 1185, § 90, eff. July 16, 2003; Acts of 2005, Act 461, § 2, eff. Aug. 12, 2005; Acts of 2015, Act 268, § 8, eff. July 1, 2015.

16-13-507. Liability for loss of records.

Court reporters shall not be liable, criminally or civilly, for the unintentional loss, damage, or destruction of their official records which are more than five (5) years old.

HISTORY: Acts 1981, No. 154, § 1; A.S.A. 1947, § 22-366.2.

16-13-508. Court Reporter's Fund established.

There is created on the books of the Auditor of State, Treasurer of State, and Chief Fiscal Officer of the State a fund to be known as the Court Reporter's Fund which fund shall be used exclusively for paying such salaries, transcript fees, and expenses of court reporters as may be provided by law to be paid from state funds.

HISTORY: Acts 1981 (Ex. Sess.), No. 16, § 4; A.S.A. 1947, § 22-157.

16-13-509. Substitute court reporters.

(a)(1) In the absence or unavailability of the official court reporter, the circuit judge or circuit judge on assignment as authorized by § 16-10-101 may temporarily employ the services of a substitute court reporter if the temporary employment is essential to prevent a disruption of the business of the circuit court.

(2) The substitute court reporter shall be a court reporter certified by the Supreme Court Board of Certified Court Reporter Examiners.

(b)(1) When a circuit judge or circuit judge on assignment temporarily employs a substitute court reporter, the circuit judge shall certify to the Administrative Office of the Courts, upon forms prepared by the Administrative Office of the Courts, that he or she has temporarily employed the services of a substitute court reporter and that the temporary employment was essential to prevent a disruption of the business of the circuit court.

(2) The circuit judge or circuit judge on assignment shall further furnish to the Administrative Office of the Courts the name, address, and Social Security number of the substitute court reporter and the number of days the substitute court reporter was temporarily employed, plus any other information concerning the employment requested by the Administrative Office of the Courts.

(c)(1) The Administrative Office of the Courts may pay the substitute court reporter for the court reporting services furnished to the circuit judge from funds specifically appropriated for that purpose.

(2) The substitute court reporter shall be paid at the rate of one hundred seventy-five dollars (\$175) per day.

(3) The substitute court reporter is entitled to reimbursement for actual expenses incurred for meals, lodging, and transportation costs for attending court under § 16-13-505.

(d) If a trial court administrator employed under § 16-13-3302 and also certified under subsection (a) of this section is appointed to act temporarily as a substitute court reporter, he or she is not entitled to be paid an additional salary but is entitled to reimbursement for actual expenses incurred for meals, lodging, and transportation costs when attending court away from his or her official station, under § 16-13-505.

(e) In any one (1) fiscal year, however, the Administrative Office of the Courts shall not pay for the services of a substitute court reporter or substitute court reporters for any one (1) circuit judge or circuit judge on assignment in excess of thirty (30) working days, unless approved and ordered by the Chief Justice of the Supreme Court.

(f) This subchapter does not preclude or prohibit any circuit judge from obtaining payment for the services of a substitute court reporter from the county or counties composing the circuit judge's judicial district rather than from the Administrative Office of the Courts.

HISTORY: Acts of 1987, Act 373, §§ 1 to 4; Acts of 1989, Act 677, § 1; Acts of 1989, Act 762, § 1; Acts of 1997, Act 1169, § 1; Acts of 2001, Act 510, § 1, eff. Aug. 13, 2001; Acts of 2005, Act 461, § 3, eff. Aug. 12, 2005; Acts of 2015, Act 268, § 9, eff. July 1, 2015.

16-13-510. Complete record required -- Waiver.

(a) In all cases before a circuit court of this state, a complete record of the proceedings shall be made by the official court reporter, or other reporter designated by the court. Upon the request of either party or the circuit judge, said record shall be transcribed, certified by the reporter as true and correct, and filed with the clerk of the court in which the proceedings were had, not less than ten (10) days before the expiration of time allowed for appeal.

(b) Nothing contained in this section shall prevent the parties, with the permission of the circuit court, from waiving a complete record of the proceeding.

(c) The court reporter's duty to transcribe and certify the record may be conditioned upon the payment, when requested by the court reporter, of up to fifty percent (50%) of the estimated cost of the transcript.

HISTORY: Acts 1989, No. 844, §§ 1, 2; 1993, No. 812, § 1.

16-13-511. [Repealed.]

16-13-512. Funding of official court reporters.

(a) The state, rather than individual counties, shall bear the responsibility of funding the salaries and expenses of official state court reporters.

(b) Each county or counties within a judicial district shall continue to bear the responsibility of providing, at the county's expense, each official court reporter with appropriate office space and operating expenses, when approved in advance by the quorum court.

HISTORY: Acts 1997, No. 788, § 30; 1997, No. 1341, § 29.