

CHAPTER 486

COURT REPORTERS

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486.01 APPOINTMENT, DUTIES, BOND; SUBSTITUTES.

Each judge, by duplicate orders filed with the court administrator and county auditor of the several counties of the judge's district, may appoint a competent stenographer as reporter of the court, to hold office during the judge's pleasure, and to act as the judge's secretary in all matters pertaining to official duties. Such reporter shall give bond to the state in the sum of \$2,000, to be approved by the appointing judge, conditioned for the faithful and impartial discharge of all the reporter's duties, which bond, with the oath of office, shall be filed with the court administrator in the county in which the judge resides.

Whenever the official reporter so appointed, because of sickness or physical disability, is temporarily unable to perform duties, the judge of the court affected may, if another official court reporter is not available, secure for the temporary period of disability of the official court reporter, another competent reporter to perform such duties for not to exceed 60 days in any calendar year. The substitute court reporter so appointed shall receive as salary an amount equal to the salary of the official court reporter for the period of time involved and shall also receive in addition thereto expenses and fees provided by sections 486.05 and 486.06. The salary of such substitute reporter shall be paid in the manner now provided by law for the payment of the salary of the official court reporter. The substitute court reporter shall not be required to furnish bond, unless ordered by the judge to do so. The employment of and the compensation paid to such substitute reporter shall in no way affect or prejudice the employment of and the compensation paid to the official court reporter of said court.

History: (201) RL s 115; 1955 c 770 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82

486.02 STENOGRAPHIC RECORD.

Except as provided in section 484.72, a competent stenographer who meets minimum qualifications promulgated by the supreme court, shall make a complete stenographic record of all testimony given and all proceedings had before the judge upon the trial of issues of fact, with or without a jury, or before any referee appointed by such judge. In so doing the stenographer shall take down all questions in the exact language thereof, and all answers thereto precisely as given by the witness or by the sworn interpreter. The stenographer shall also record, verbatim, all objections made, and the grounds thereof as stated by counsel, all rulings thereon, all exceptions taken, all motions, orders, and admissions made and the charge to the jury. When directed so to do by the judge, the stenographer shall make a like record of any other matter or proceeding, and shall read to such judge or referee any record made by the stenographer, or transcribe the same, without charge, for any purpose in furtherance of justice.

History: (202) RL s 116; 1981 c 303 s 2; 1986 c 444

486.03 FURNISH TRANSCRIPT; FILE RECORD.

As soon as the trial is ended the reporter or operator of electronic recording equipment shall file a stenographic report, or tape recording, thereof with the court administrator, or elsewhere, if the judge shall so direct; and, upon request of any person interested and payment or tender of fees therefor, the reporter or operator shall furnish

a transcript of such record in the words and figures represented by the characters used in making the same and for that purpose may take and retain such record so long as may be necessary, when it shall be returned to the files.

History: (203) *RL s 117; 1981 c 303 s 3; 1986 c 444; 1Sp1986 c 3 art 1 s 82*

486.04 ACT WHEN ANOTHER JUDGE PRESIDES.

Unless otherwise directed by the appointing judge, the reporter shall serve as such in all matters heard by another judge when acting in place of the former and shall perform in relation to such matters all the duties required of the reporter by law.

History: (204) *RL s 118; 1986 c 444*

486.05 DISTRICT COURT; REPORTERS' SALARIES AND EXPENSES.

Subdivision 1. Salaries. The salary for each court reporter shall be set annually by the district administrator within the range established under section 480.181 as provided in the judicial branch personnel rules.

Subd. 1a. Expenses. A court reporter, in addition to a salary, shall be paid necessary mileage, traveling, and hotel expenses incurred in the discharge of official duties while absent from the home chambers where the judge the reporter serves is assigned. The expenses are to be paid by the state upon presentation of a verified itemized statement approved by the judge.

Subd. 2. [Repealed, 1957 c 701 s 3]

Subd. 3. [Repealed, 1957 c 701 s 3]

History: (205) *RL s 119; 1909 c 108 s 1; 1921 c 170; 1939 c 289; 1941 c 442; 1943 c 89 s 1; 1945 c 423 s 1-4; 1947 c 177 s 1; 1949 c 190 s 1; 1951 c 642 s 1; 1955 c 750 s 1; 1957 c 701 s 1,2; 1959 c 264 s 1; 1961 c 310 s 1; 1963 c 679 s 1; 1967 c 727 s 1; 1969 c 919 s 1; 1971 c 567 s 1; 1973 c 111 s 1; 1973 c 123 art 5 s 7; 1975 c 241 s 1; 1978 c 780 s 1; 1981 c 133 s 1; 1985 c 273 s 2; 1Sp1985 c 13 s 361; 1989 c 335 art 3 s 25,26*

NOTE: This section, as amended by Laws 1989, chapter 335, article 3, section 26, is effective January 1, 1992, in all judicial districts except the 8th, except that it is effective to make affected district administration staff, other than district administration staff in the second and fourth judicial districts, state employees on July 1, 1990, and law clerks state employees October 1, 1990. See Laws 1989, chapter 335, article 3, section 58, subdivision 1, as amended by Laws 1989, First Special Session chapter 1, article 5, section 48.

NOTE: Laws 1989, chapter 335, article 3, section 25, amended subdivision 1, to read as follows:

"486.05 *District court; reporters' salaries and expenses.*

The salary for each court reporter shall be set annually by the district administrator within the range established under section 480.181, as provided in the judicial branch personnel rules. The reporter, in addition to a salary, shall be paid necessary mileage, traveling, and hotel expenses incurred in the discharge of official duties while absent from the home chambers where the judge the reporter serves is assigned. The expenses are to be paid by the county for which the expenses were incurred upon presentation of a verified itemized statement approved by the judge; and the auditor of the county, upon presentation of the approved statement, shall issue a warrant for payment.

This subdivision supersedes all laws relating to the salary of district court reporters inconsistent with this subdivision, except the manner of setting salary in this subdivision does not apply to the second and fourth judicial districts."

486.055 COURT REPORTER TRANSCRIPT FEE CHARGES; REPORTING REQUIREMENTS.

Each court reporter who charges a fee for the preparation of transcripts shall by April 15 of each year file with the district administrator of the reporter's judicial district an accounting of gross receipts and net income from these receipts for the prior calendar year. The accounting report shall specify the amount received in payment for the sale of transcripts.

History: 1982 c 568 s 1; 1986 c 444; 1989 c 335 art 3 s 27

486.06 CHARGE FOR TRANSCRIPT.

In addition to the salary set in section 486.05, the court reporter may charge for a transcript of a record ordered by any person other than the judge 50 cents per original folio thereof and ten cents per folio for each manifold or other copy thereof when so ordered that it can be made with the original transcript. The chief judge of the judicial district may by order establish new transcript fee ceilings annually.

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A court reporter may impose a fee authorized under this section only if the transcript is delivered to the person who ordered it within a reasonable time after it was ordered.

History: (206, 206-1) *RL s 120; 1927 c 262 s 1,3; 1953 c 452 s 1; 1973 c 111 s 2; 1973 c 361 s 2; 1975 c 258 s 3; 1983 c 103 s 1; 1984 c 654 art 2 s 132; 1985 c 125 s 1; 1986 c 444; 1989 c 335 art 3 s 28*

486.07 CHANGE OF DISTRICT; SALARIES ADJUSTED.

When a new judicial district is created or the boundary lines of a judicial district are changed the judge or judges of such district or districts shall, within 30 days after the establishing of such new district or the changing of such boundary lines, file an order readjusting the salaries of court reporters and the proportions to be paid by the several counties with the several county auditors in each district to conform to such changes and the filing of such order shall vacate and set aside any and all orders then on file with such auditors.

History: (207) *1907 c 242 s 1*

NOTE: This section is repealed by Laws 1989, chapter 335, article 3, section 57, subdivision 3, effective January 1, 1992.

486.08 [Repealed, 1957 c 701 s 3]

486.09 [Repealed, 1961 c 561 s 17]