

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2022

In the Matter of Amendments to)
Rule 908 of the Uniform)
Rules for District Courts of the)
State of Wyoming)

**ORDER AMENDING RULE 908 OF THE UNIFORM RULES FOR
DISTRICT COURTS OF THE STATE OF WYOMING**

The District Court Conference has recommended the Court amend Rule 908 of the Uniform Rules for District Courts of the State of Wyoming. This Court finds the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to Rule 908 of the Uniform Rules for District Courts of the State of Wyoming, attached hereto, be and hereby are adopted by the Court to be effective August 1, 2022; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and that this order and the attached amendments be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>, on the “Rule Amendments” page. The amendments shall also be recorded in the journal of this Court.

DATED this 24th day of May, 2022.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice

Uniform Rules for District Courts of the State of Wyoming

Rule 908. Rules for court reporters; retention of stenographic notes; certification and continuing education of official court reporter; equipment and supplies; payment of fees.

I. Stenographic notes.

(a) All Official Court Reporters shall maintain or cause to be maintained a log of all stenographic notes of any District Court proceeding that is reported by them. This log shall list the name of the case, date of the proceeding, and an assigned reference number. If both paper notes and electronic notes are made at the time of the proceeding, then both shall be reflected on the log.

(1) All notes, paper and/or electronic, as well as the log shall be maintained in the offices of the District Court, in a location known to the District Court Judge.

(2) All notes, paper and/or electronic, shall be considered the property of the District Court.

(b) All Official Court Reporters who perform their official duties with the use of an electronic writing device shall maintain a current copy of their "Personal Dictionary" in electronic format in the offices of the District Court, in a location known to the District Court Judge, and such electronic copy of the "Personal Dictionary" shall be considered the property of the District Court.

(c) Each District Court shall create an individual "emergency" contingency plan regarding the production of transcripts that shall be implemented upon the death or incapacitation of the Official Court Reporter. Such plan shall include, but need not be limited to:

(1) The location of the Official Court Reporter's Case Log.

(2) The location of the disks (or other storage device) of the reporter's electronic notes.

(3) The location of the hardware/software used by the reporter to produce transcripts, including the name of the software and phone number of the software vendor.

(4) A list naming at least two individuals who are capable of reading the reporter's notes, if available.

(d) Court reporters shall use a uniform backup system for electronic notes, audio recordings of proceedings, dictionary, and emergency "contingency" plan as recommended by the Wyoming Professional Court Reporter's Association, and shall ensure and certify that all files are backed up monthly. In addition to the foregoing, the District Court Judge may require his/her Official Court Reporter to take further precautions to protect court transcripts.

(e) All court transcripts are the work-product of the Official Court Reporter. Arrangements shall be made through the Official Court Reporter regarding purchase of any and all transcripts, even though the original is contained in a court file.

(f) Unless otherwise provided for by statute, court reporters shall follow the federal maximum per page transcript rates for expedited transcripts.

II. Certification and continuing education of official court reporter.

(a) All persons performing the duties of Official Court Reporter shall be certified. The reporter may obtain Wyoming certification by:

(1) Passing the Registered Professional Reporter examination administered by the National Court Reporters Association; or

(2) Passing the United States Court Reporter Association examination; or Having graduated from an accredited court reporting school and passing a five-minute, two-voice

~~dictation test at 225 words per minute at 95% accuracy (65 errors). Such test will be taken from a National Court Reporters' Examination Tape and administered by a committee of no less than two persons appointed by the District Court Judge. (This tape is to be held by a designated member of the Wyoming Professional Court Reporters Association.)~~

(3) Passing a certification test from any other certifying state in which the requirements for certification are equivalent to the Registered Professional Reporter examination ~~meet the standards outlined in (a)(2) above; or~~

(4) Serving in the capacity as a full-time Official Court Reporter in a Wyoming District Court for a minimum of one year immediately prior to the adoption of this rule.

(b) Any noncertified reporter hired hereafter shall be given two (2) years from the date of hire in which to obtain certification per the requirements of (a)(1), (2) or (3) of this Rule.

(c) All Official Court Reporters shall be required hereafter to earn three (3) continuing education units during each consecutive three (3) year period as per the National Court Reporters Association. (The record of continuing education units are to be held by the Wyoming Supreme Court.) ~~a designated member of the Wyoming Professional Court Reporters Association.)~~

III. Equipment and supplies.

(a) All Official Court Reporters shall provide the equipment necessary to report and create transcripts of District Court proceedings. This equipment may include, but need not be limited to, stenographic writing machines, computers for transcription, and printers.

(b) All Official Court Reporters shall provide the software necessary for the production of transcripts.

(c) The State shall provide for the Official Court Reporter's use those other items necessary to report and create transcripts of District Court proceedings. These items may include, but need not be limited to, stenograph paper, printer paper and toner.

IV. Payment of fees; multi-defendant proceedings.

(a) All Official Court Reporters shall submit transcript invoices on a standard form ~~as appended to these rules.~~ The invoice form shall identify the title and number of the cause for which the transcript was required to be furnished, the nature of the proceedings transcribed, and the fee approved therefore.

(b) If the District Court conducts multi-defendant proceedings, such as arraignments, the Court Reporter shall be compensated by the District Court for one original transcript, and shall be compensated for copies of said transcript for each of the additional defendants' court files. If a court proceeding entails one defendant with multiple counts or cases, the Court Reporter shall be compensated by the District Court for one original transcript, and shall be compensated for copies of said transcript for each of the defendant's additional court files. The rates for original transcripts and copies shall be as set forth in W.S. 5-3-410(e).
