

1999 - 2000
Ventura County Grand Jury Report
Court Reporter Transcription Fees

Court Reporter Transcription Fees

Background

In 1998, budgeting authority for Superior Courts was transferred from County to State control. As a result, court reporter and services related to indictments were no longer allowable as a charge to the Superior Court. (Rule 810). In September 2000, the CAO office allocated these costs to the District Attorney. The District Attorney declined to accept the charges and the CAO then attempted to charge the Grand Jury for all court reporter transcript charges. The Grand Jury objected to this arbitrary decision and requested the CAO office to perform additional research. It was determined that the charges should be allocated to the Trial Court Funding (TCF) budget unit. The TCF provides county funding for a portion of Court operations in accordance with AB 233.

Methodology

- Researched AB 233 and Rule 810
- Researched historical background of court reporter charges
- Interviewed staff at the CAO's office, DA's office, and the County Counsel.

Findings

- F-1 The Court Reporter is a full-time county employee receiving salary and benefits in accordance with his/her job classification.
- F-2 State regulations specify that the Court Reporter owns and can copyright the transcripts of trials and indictments.
- F-3 All accused persons in criminal proceedings are entitled to County-funded copies of Court transcripts.
- F-4 During the 2000-2001 period, one Grand Jury indictment resulted in transcript fees in excess of \$200,000 to provide the transcripts to twenty-eight defendants and their lawyers.
- F-5 The transcript costs will be paid by the County and charged to the Trial Court Funding account.
- F-6 The Court Reporter and the County of Ventura are conforming to applicable law in the actions outlined in F-1 through F-5.

Conclusions

- C-1 The County of Ventura has had no defined procedure for allocating court transcript fees since the transfer of court funding to the State in 1998. It appears that in the past, charges have been assigned to the "account of least resistance".

- C-2 The Trial Court Funding (TCF) account has recently been designated as the most appropriate budget category for the transcript fee charges.
- C-3 There appears to be a lack of planning and budgetary projection of transcription costs that can result in significant dollar amounts in unanticipated costs to the county. F-4

Recommendations

- R-1 The CAO office should formally designate the Trial Court Funding (TCF) account as the budget account to be used for Court Reporter charges and associated expenses to eliminate the confusion and conflict that has existed in prior years. F-5
- R-2 The District Attorney should work closely with the CAO to provide the earliest possible notification of exceptionally large cases to allow time for sufficient budget adjustments and funding for the Trial Court Funding account. C-3

Responses Required:

- Chief Administrative Officer R-1
- District Attorney R-2