

## 6 Cir. I.O.P. 11      **Transmission of the Record on Appeal**

### (a)      **Obligations of District Court Clerk**

- (1)      **Electronic Record.** When there is an electronic record, the district clerk will not transmit the portions of the record that are filed electronically to the court of appeals. The court of appeals will electronically access the district court record.
- (2)      **Non-electronic Record.** The district clerk will transmit the non-electronic part(s) of the record on appeal when requested to do so by the circuit clerk.

### (b)      **Pre-Sentence Reports**

The circuit clerk will obtain the pre-sentence report and any objections thereto. The court will keep these materials confidential.

- (c)      **Duties of Court Reporters; Extension of Time; Reduction of Fees.** If the reporter cannot prepare the transcript within 30 days of the purchase order date, the reporter will be required to make a written request to the clerk of this Court for an extension of time. The clerk's office will monitor all outstanding transcripts and all situations in which there is a delay in transcript preparation. Counsel will be kept informed when extensions of time are allowed on request by the court reporters.

If the transcript cannot be completed within 45 days from the date of order, the reporter is obliged to reduce the transcript preparation fee by 10%; if transcript is not completed by the 60th day from the date of the order, a 20% reduction is to be applied by the reporter, who shall remove himself or herself from the courtroom until such time as the transcript has been completed and filed with the district court. These fee reductions may be waived by the clerk upon a showing of good cause by the court reporter.

Where necessary to ensure the timely resolution of an appeal in a criminal proceeding, this Court may direct the preparation of transcript out of the order otherwise prescribed by rule.

Requests by counsel that a court reporter suspend preparation of transcript which has been ordered cannot be given effect. Unless this Court directs otherwise, reporters will be expected to prepare transcript without interruption and will be held to the standards of timeliness outlined above.

- (d)      **Sealed Records.** Where a record has been transmitted to this Court which has been sealed, in whole or in part, by order or other direction of the district court, this Court will accord the record the same confidential treatment during the pendency of the appeal. The sealed item(s) will be unsealed and made a part of the public record only upon the order of the district court or this Court.

COMMITTEE NOTE: (a)(1) - former I.O.P. 14; (a)(2) - former I.O.P. 11; (c) - former I.O.P. 9; (d) - former I.O.P. 14.1.