

GENERAL INSTRUCTIONS

Coverage. All official staff, additional, temporary, and combined position court reporters with the exception of those serving on a contractual basis or intermittently on a "when-actually-employed" basis must complete a form AO 40A quarterly. This includes employment for a partial quarter. Grand jury proceedings and the taking of depositions are considered private reporting and should not be reported on this form.

Separation of Reporter. In the event a reporter retires, resigns, or is otherwise separated, a form AO 40A must be filed within 20 days from the date of separation.

Due Date. This form should be submitted so that it is received within 20 days after the end of each calendar year quarter, i.e., by April 20, July 20, October 20, and January 20 for the preceding quarter.

Mailing. This form should be mailed to: District Court Administration Division
Court Reporting Program Specialist
Administrative Office of the United States Courts
Washington, D.C. 20544

SPECIFIC

Items 1-5. These items should always be completed.

Item 6. Place an "x" in the appropriate box to indicate whether or not you are assigned a 40-hour per week tour of duty in the court.

Item 7a. List the cities at which either you or your paid substitute reporter was required to be present at the courthouse or other facilities where official proceedings of the court were held.

7b. The days of recording should include the days which either you or the substitute you paid was required to be present at the courthouse or in chambers of a scheduled trial, hearing, or other official proceedings and were actually engaged in recording such proceedings, regardless of the amount of time spent recording the proceedings, e.g., 5 minutes or 5 hours. If there was a scheduled trial and the case was settled after you reported for duty, you may count that day as a day of attendance provided you were required to make a record of the settlement. If you were required to be in the court on a standby basis and there was no scheduled trial, hearing, or official proceeding, you may not count that day as a day of attendance. Preparation or set-up time should not be included in recording time. Waiting time for the jury outside the courtroom should not be included in recording time.

7c. Add the amounts in 7b. and list the total here.

7d. In 7d., list the number of hours you, and in 7e., the number of hours substitute reporters, were in attendance recording official proceedings before judges, magistrates, or other judicial officials. Also in 7e., list the number of hours substitute reporters were employed by you for daily and hourly copy assistance in official proceedings as well as the number of hours your paid substitutes were employed for absences due to illnesses, vacations, or other reasons. Round all hours up to the next whole number.

7f. Add the amounts from 7d. and 7e. and list here.

7g. Add the amounts from 7f. and list here.

Item 8. List the number of hours you personally spent in the courthouse or while on an approved telework plan performing all administrative duties in connection with your official position, such as billing for transcripts ordered and prepared; delivery and/or mailing of transcripts; financial and other record keeping, preparation and filing of all required local and AO reports, answering telephone calls from other court personnel, attorneys, litigants; responding to official correspondence; reading notes to the court, counsel, or a jury; and such other official duties as may be required by the court.

Item 9. List the number of hours you personally spent in the courthouse or while on an approved telework plan transcribing official proceedings. This includes all time you personally spent typing, dictating, scoping, proofreading, checking, and verifying case citations, medical and technical terms, and all other aspects of transcribing official proceedings. You may not include the hours of transcribers, note readers, scopists, or other supporting personnel employed by you.

Item 10. Enter the number of hours (compute each trip to the nearest hour) spent traveling to and from places of holding court away from your official duty station. Do not include time spent commuting between your residence and official duty station.

Item 11a-d. According to the appropriate category, list the number of original pages in 11a. and the number of copies in 11b. for civil transcript; list the number of original pages in 11c. and the number of copies in 11d. for criminal transcript. Indicate all pages prepared for sale, regardless of whether payment has been made or delivery has been accomplished. Include any transcripts of proceedings which were recorded by substitute reporters employed by you. Do not include realtime transcripts in this section if you are a non-certified realtime reporter. Do not include realtime provided to a judge; report this data in block 12.c. Do not include in this section copies of transcripts delivered to the clerk for the records of the court or transcripts furnished to the judges at their request and without charge.

Ordinary, 14- Day, expedited, daily, hourly, and realtime categories are defined by the Judicial Conference as follows:

ORDINARY: A transcript to be delivered within thirty (30) calendar days after receipt of an order.

14-DAY: A transcript to be delivered within fourteen (14) calendar days after receipt of an order.

EXPEDITED: A transcript to be delivered within seven (7) calendar days after receipt of an order.

DAILY: A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually is a court day.

HOURLY: A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours.

REALTIME: A draft unedited transcript produced by a certified realtime reporter as a byproduct of realtime to be delivered electronically during proceedings or immediately following adjournment.

11e. Add the amounts in 11a., 11b., 11c., and 11d. and list the totals here.

11f. Add realtime pages only on this line (civil and criminal) for realtime certified reporters only.

11g. Enter the number of pages of certified transcript ordered by parties, both original and copy, that correspond to realtime transcript pages ordered by the same party.

Item 12a. Enter the number of pages of original certified transcripts of pleas and proceedings in connection with the imposition of sentences in criminal cases recorded by you and by substitute reporters when the transcript of such proceedings are required by the court. Do not include transcripts of arraignments, pleas, and sentences ordered by the parties which are to be included in 11c. above.

12b. Enter the number of pages of original certified transcripts prepared and furnished to judges at their request and without charge.

12c. Enter the number of realtime pages provided to the court for non-certified and certified reporters.

Item 13a. Enter separately for civil in 13a. and criminal in 13b., an estimate of the number of transcript pages on order for more than 30 days, but not transcribed and delivered as of the end of the quarter.

13c. Enter date of the oldest unfilled civil transcript in 13c. and the date of the oldest unfilled criminal transcript in 13d.

Item 14. Certification by Court Reporter: Sign this form certifying under penalty of perjury pursuant to 28 U.S.C. § 1746 that the information reported is true and correct.

Item 15. Enter the date this form is signed by the court reporter.

Item 16. Review by Court Official. Sign this form indicating that the report has been reviewed.

Item 17. Enter the date this form is signed by the court official.