

REQUEST FOR CHANGES TO POLICY 206, FEES AND EXPENSES  
FOR PREPARATION OF TRANSCRIPTS

From  
Digital Recorders Workgroup

FILED  
IN THE OFFICE OF THE  
CLERK OF SUPREME COURT  
MARCH 25, 2014  
STATE OF NORTH DAKOTA

In mid-1997, Policy 206 set the per page fees for transcripts at \$1.90 for the original, \$.35 for the first copy, and \$.15 for subsequent copies.

In November, 2002, the fees were raised to \$2.50 for the original and \$.50 for copies. The increase was closely in line with the rate of inflation (see attachment A) but has not been increased since.

In March, 2005, Appellate Rule 10 was modified to decrease the number of copies of transcripts on appeal required by the Supreme Court from 3 to 2 which, in essence, decreased the amount of money received for preparing the transcripts for the same amount of work. The number of copies will again be reduced if the currently proposed changes to Appellate Rule 10 are approved resulting in a second loss of profit with no increase in allowable fees.

In performing a Google search of what other states/jurisdictions charge for transcript preparation, information was found on 18 different sites. (See Attachment B.) When you average the fees of these 18 jurisdictions, the fees charged per page are \$3.69 for the original, \$.72 for the first copy, and \$.47 for additional copies. The majority of these jurisdictions also provide a higher fee for expedited transcripts.

Attached is an inflation calculator showing what the 2002 fees allowed by our present policy would be in 2014. (See Attachment C.) The amounts are \$3.25 for the original and \$.65 for copies, which is lower than the averages shown in Attachment B.

In most appeal cases, we presently can charge \$4 per page for an appeal transcript (original and 1 copy for Supreme Court and copies for two attorneys). After applying inflation that rate that would be \$5.20 (see Attachment D). However, when considering the pending proposed change to Appellate Rule 10, we are also losing the ability to charge for one copy. Thus, even if we were able to charge fees shown in Attachment C, that amounts to \$4.55 per page (for an

electronic copy to the Supreme Court being charged at the original per page fee and one copy to each attorney), which is only \$.55 more than what we've been allowed to charge in the past 12 years. Fifty-five cents is hardly an adequate increase in compensation and does not keep up with the rate of inflation.

**We propose that Policy 206 be amended to allow transcribers to charge the following per page rates: \$3.70 for the original and \$.75 for copies. This amounts to \$5.20 per page for the most common appeals (with two attorneys involved) and is in line with the inflation calculations provided.**

**We further suggest that we be allowed to charge for electronic copies and that this be clear in any applicable rules/policies. An electronic copy is the work product, which is what people are paying for rather than the paper it is on. They are paying for the time and work put into transcribing, researching, training, and proofreading. They are just as useful to courts and attorneys as a copy in paper form.**

**It is also requested that Policy 206 provide for expedited fees if a transcript is requested to be completed in anything less than thirty days. We suggest the fee for the original be increased to a minimum of \$5 per page and that the copy fee remain \$.75.**

# US Inflation Calculator

Easily calculate how the buying power of the US dollar has changed from 1913-2014; get inflation rates, and inflation news.

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Search this website...

The US Inflation Calculator measures the buying power of the dollar over time. To begin, just enter any two dates between 1913 and 2014, an amount, and then click 'Calculate'.

## Inflation Calculator

If in  (enter year)

I purchased an item for \$

then in  (enter year\*)

that same **item would cost:** \$2.13

Cumulative rate of inflation: 12.1%

*\*Learn how this calculator works. This US Inflation Calculator uses the latest US government CPI data published on February 20, 2014 to adjust for inflation and calculate the cumulative inflation rate through January 2014. The Consumer Price Index (CPI) and inflation for February 2014 is scheduled for release by the United States government on March 18, 2014. (See [inflation rates since 2003.](#))*

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## Inflation Calculator

If in  (enter year)

I purchased an item for \$

then in  (enter year\*)

that same **item would cost:** \$0.56

Cumulative rate of inflation: 12.1%

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State	Original	Average	1 <sup>ST</sup> Copy	Add'l Copies	Expedited
Alabama	\$3.50	\$3.50	.50	.50	
California (Central District)	\$4.38	\$4.38	.90	.60	\$5.10 to \$5.82, plus same copy fees
Connecticut	3.00 to \$3.50	\$3.25			\$3.50 to \$4.75
Florida 6 <sup>th</sup> Judicial Circuit	5.00 (\$7/appeal)	\$6.00	\$1.00 to \$ 2.00 (Av. \$1.50)	\$1 to \$2 (Av. \$1.50)	\$5.25 to \$8.50
Indiana	\$2.50 to \$5.25	\$3.90	0 to \$2.85 (Av. \$1.40)		\$3.50 to \$10
Iowa	\$3.50	\$3.50	--	.50	\$4.50 + .75/pg. for more than 1 copy
Louisiana	\$3.65	\$3.65	.90	.60	\$4.25-\$4.85 plus same copy fees
Howard Co, Maryland	\$3.00	\$3.00	.50	.25	
Massachusetts	\$3.00	\$3.00	1.00	1.00	\$4.50 + \$1.50 copies
Montana	\$2.00 to \$2.50	\$2.25	.50	.25	\$4.00 + .50 copies
New Jersey	\$3.97	\$3.97	.66	.66	
New York	\$2.50 to \$3.15	\$2.80	1.00	--	\$3.15 to \$4.25 + \$1.10 copy fee
South Dakota	\$3.65	\$3.65	.90	.60	\$4.25 to \$ 4.85 plus same copy fees
Utah	\$3.50	\$3.50	.50	.25	
Washington	\$3.00 to \$12	\$5.00 ??			Included in prior info
Wyoming	\$3.65	\$3.65	.90	.60	\$4.25 to \$4.85 plus same copy fees
U.S. Bankruptcy Court	\$3.65	\$3.65	.90	.60	\$4.25 to \$4.85 plus same copy fees
U.S. District Court	\$3.65 to \$4.02	\$3.80	.90	.60	\$4.25 to \$4.85 plus same copy fees
<b>TOTALS</b>		<b>\$66.45</b>	<b>\$12.96</b>	<b>\$8.51</b>	
<b>% 18 = AVERAGE OF</b>		<b>\$3.69</b>	<b>.72</b>	<b>.47</b>	

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## Inflation Calculator

If in  (enter year)

I purchased an item for \$

then in  (enter year\*)

that same **item would cost:**      **\$3.25**

Cumulative rate of inflation:      **30.0%**

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## Inflation Calculator

If in  (enter year)

I purchased an item for \$

then in  (enter year\*)

that same **item would cost:** **\$0.65**

Cumulative rate of inflation: **30.0%**

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## Inflation Calculator

If in  (enter year)

I purchased an item for \$

then in  (enter year\*)

that same **item would cost:** **\$5.22**

Cumulative rate of inflation: **30.5%**

*\*Learn how this calculator works. This US Inflation Calculator uses the latest US government CPI data published on March 18, 2014 to adjust for inflation and calculate the cumulative inflation rate through February 2014. The Consumer Price Index (CPI) and inflation for March 2014 is scheduled for release by the United States government on April 15, 2014. (See [inflation rates since 2003.](#))*