



**Superior Court of California
County of Ventura**

CIVIL APPEAL GUIDE
FOR THE
PRO TEMPORE
REPORTER

Ventura Superior Court
Court Reporting Services
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The following information is being provided to Pro Tempore Reporters concerning appeal transcripts to be filed with Ventura Superior Court

This guide has been created to assist the pro tempore reporter with civil, probate and family law appeals.

1. Locations

Court Reporting Services:

Ventura Superior Court
Hall of Justice
800 S. Victoria Ave., Rm. 313 (3rd Floor)
Ventura, CA 93009
(805) 289-8989 E-mail: courtreporting@ventura.courts.ca.gov.

Appeals Department:

Ventura Superior Court
Hall of Justice
800 S. Victoria Ave, Rm. 210 (2nd Floor)
Ventura, CA 93009
(805) 289-8527 E-mail: appeals@ventura.courts.ca.gov

For forms, policies and samples, please go to the Ventura Superior Court website: www.ventura.courts.ca.gov. (Click Appeals or Court Reporting Services under the Divisions tab)

2. When You Receive Appellant's Notice Designating Record on Appeal:

1. When a party is filing an appeal, the ***Appellant's Notice Designating Record on Appeal*** is filed with the Appeals clerk. You may receive a copy of this designation from the appellant or appellant's attorney. Receipt of the ***Appellant's Notice Designating Record on Appeal*** does **not** start the appeal transcript due date timeline. Receipt is simply a notification to you that the appeal process has started for a case.
2. The appellant and respondent each have time allowed to:
 - a. Designate additional dates
 - b. Deposit funds with the Appeals Department to be (a) held in trust, (b) pay the reporter and get a waiver (c) deposit previously transcribed copies of the transcript

3. Payment for the Record on Appeal:

Payment for an appeal transcript is outlined in CRC 8.130(b). The appellant pays for the cost of an original for the Court of Appeal and their own copy

Note: You can only bill for an original one time. Re-paginating a transcript does not constitute a new original, per Court of Appeal decision Feb. 10, 2011 in *Hendrix vs. Superior Court of San Bernardino County*

Payment Options

1. Parties may deposit funds using:

a. An estimate from the reporter or agency

- i. **The estimate must be sent to the Appeals Department by the reporter or agency.** The Appeals clerk will not accept the estimate from the attorney or party. You may send a courtesy copy of your estimate to the attorney or party. The party then deposits the funds indicated on the estimate with the Court ~ or

b. **Deposit minimum per CRC 8.130 (b)(B)** at \$325 per fraction of a day's proceedings under 3 hours or \$650 per fraction of a day's proceedings over 3 hours

For dates requested that were **previously transcribed**, the deposit is \$80 per fraction of a day's proceedings under 3 hours or \$160 per fraction of a day's proceedings over 3 hours

2. In lieu of a deposit, the parties may submit:

a. **A reporter's written waiver of deposit.** A reporter may waive the deposit for a part of the designated proceedings, but such waiver replaces the deposit for only that part

- i. **A waiver must be sent to the Appeals clerk by the reporter or agency.** (The Appeals clerk will not accept a waiver from an attorney or party. You may send a courtesy copy to the attorney or party.) The waiver states that the cost of the transcript has been paid directly to the reporter or agency and waives the Court's responsibility to collect funds ~ or

b. **A copy of a filed Transcript Reimbursement Fund application** filed under CRC 8.130 (c) ~ or

c. **A certified transcript of all of the proceedings designated by the party** per CRC 8.130 (a)(5) and CRC 8.130 (b)(3)(C)

- i. The transcript must comply with the format requirements of CRC 8.144. CRC 8.144 requires the transcript dates to be chronological and consecutively paginated. If the transcripts are not

consecutively paginated or do not follow the code, the party may be required to pay for a revised copy

3. **Step 3:** A **Notice to Reporter(s) to Prepare Transcript on Appeal** is sent to the reporter(s) by the Appeals department. The Notice to Prepare officially starts the appeal due date timeline.

4. When you receive the Notice to Reporters to Prepare Transcript on Appeal :

Please note:

1. **The date due** to the Appeals Department (Court) and **the date due** to the Court of Appeal
2. **Primary reporter**
3. **Number of copies** (Original and 1? Original and 2? Electronic copies?)
4. **“Special Instructions:”** **If the funds deposited are inadequate, you must notify the Appeals clerk in writing within 15 days** after the clerk mailed the Notice to Prepare. Written notification to the Appeals clerk must include the amount deposited and the amount due. After 15 days, the court will no longer be responsible for the collection of funds
5. **Check dates assigned** to you and verify that you were the reporter on the dates listed on the Notice to Prepare
6. **Note the designation of parties**, (who is the appellant and who is the respondent and which attorneys represent them in the appeal)
7. **Note the Ventura Superior Court Case number and the Court of Appeal “B” Case number**

5. Primary or Coordinating Reporter’s responsibilities:

The primary or coordinating reporter is assigned by the Appeals clerk.

1. Contact all reporters on the appeal and notify them to pass a page number to the next chronological reporter. Inform the reporters where to send their portion of the transcript when it is completed
2. Prepare volume covers, master index and title pages according to **CRC 8.144** and samples on www.ventura.courts.ca.gov website
3. **Bind all dates together in volumes less than 300 pages**
4. The original must have a card stock cover with case information printed on the card stock and no vellum on top. White card stock is acceptable for the cover. Any color card stock may be used for the back
5. The copies do not require a card stock cover. Vellum is acceptable to use on the cover of copies

6. Bind all transcripts in any manner. If brads are used, they must be covered by a flap or tape.
7. Create a CD or electronic copy if requested
8. File transcripts with the Appeals Department at:

Ventura Superior Court
Hall of Justice
Appeals Department
800 S. Victoria Ave., Rm. 210
Ventura, CA 93009
(805) 289-8527
Hours open 8:00 a.m. to 4:00 p.m., M-F

9. Include a bill/invoice from each reporter with the transcript and deliver to the Appeals department if funds are held in trust with the Court

6. Non-Primary Reporter's responsibilities

1. Contact primary reporter
2. Pass page number to next chronological reporter
3. Complete transcript with correct start page number
4. Do not bind the transcript
5. Send unbound transcript with cover, index, certificate & electronic file (if necessary) to primary reporter
6. Primary Reporter will bind all transcripts, create the master index and outside covers and send final transcripts to the Appeals department. Include bill/invoice with the unbound transcript if funds are being held in trust with the Court. Primary reporter will send in the billing with the final transcript

7. Appeal Format for Ventura Superior Court

1. Follow format guidelines in CRC 8.144
2. Margin must be 1 ¼ inches from the left (bound) side of the transcript
3. Do not use all caps in body of transcript
4. 28 lines per page
5. No box on transcript
6. Page numbers in the upper right corner
7. Maximum 300 pages per volume, including cover and index
8. See sample cover pages, master index pages, transcript and daily header
9. Page numbers are passed from reporter to reporter consecutively

10. Dates are not blocked, unless a reporter is temporarily unavailable. If a reporter is unavailable, the primary or coordinating reporter may block out a reasonable estimate of the number of pages of the transcript to be completed by the unavailable reporter (i.e., Pages 50-100) and continue passing page numbers
 - i. If the transcript is less than the estimate, the unavailable reporter, when completing the transcript, may include at the end of their portion of the transcript a blurb to the effect (Pages 62-70 are intentionally left blank. Next page of transcript is Page 71)
 - ii. If the transcript is more than the estimate, the reporter is to paginate as follows – example, after page 70, 70-1, 70-2, 70-3, and so on

8. Sealed Proceedings on Appeal

1. Paginate the sealed hearing separately
2. Follow the proper confidential or sealed cover heading per **CRC 8.45** (See code and samples)
3. Put an appeal cover on the sealed hearing that includes the Ventura Superior Court case number and the Court of Appeals B number, include a certificate at the end and bind transcript before putting in the envelope
4. Place each transcript in a sealed envelope with an additional cover taped to the front of the envelope
5. Stamp each envelope “Original” or “Copy”
6. List sealed hearings in the index according to **CRC 8.45**

9. Master Index on Appeal (Follow CRC. 8.144)

1. Index to be bound at the beginning of the first volume
2. Include volume number on all items listed below
 - i. Chronological index of dates
 - ii. Chronological index of events (i and ii may be combined)
 - iii. Chronological index of witnesses, followed by alphabetical index of witnesses
 - iv. Chronological index of exhibits, including page marked for identification and page entered into evidence or withdrawn
3. No witnesses? Include index of dates, events and exhibits. May include a blurb (No Witnesses)
4. Sealed hearing index

10. Appeal Covers

No page number, box or line numbers on any cover

1. Outside Appeal Covers:

- i. List all dates in volume
- ii. Indicate Appellant and Respondent in caption
- iii. List Attorneys to represent clients for the appeal process
- iv. Use Court of Appeal header
- v. Include Ventura Superior Court case number and Court of Appeal B number
- vi. In lower left, indicate volumes and pages (See sample)
- vii. List primary reporter first and all other reporters on the appeal
- viii. Print original cover on card stock (may be white card stock) and use card stock to bind the back of the transcript.
- ix. Copy covers should be printed on standard white paper and bound in any transcript cover. Vellum is acceptable

2. Inside Appeal Covers:

- i. Each reporter should submit their transcript with a regular cover in front of each date listing case, date, attorneys present for the hearing and reporter (no volume or page numbers)

11. Certificates

1. Bind all non-sealed reporter certificates at the end of the last volume of the appeal
2. Sealed certificates bound with sealed hearing

12. Binding

1. Any binding method is acceptable.
2. The Court of Appeal prefers binding other than the use of brads. If brads are used to bind, covers **must** have a flap to cover the brads or brads must be taped
3. Covers for copy transcripts may be printed on plain white paper and bound in any regular cover with a clear vinyl or vellum front

13. Appeal Due Dates

1. Note the date the appeal transcript is due to the “Appeals Department” or “to Court.” This is the internal due date
2. An extension is required if you cannot file the transcript by the internal due date. Request an extension **10 days in advance of the internal due date** and send the request to the Ventura Superior Court Appeals department (Form for extension is available online)
3. If completion of the appeal transcript is further delayed and you cannot file by the “Court of Appeal” deadline, the coordinating reporter must complete an extension request. Send the extension request to the Ventura Superior Court Appeals department **10 days in advance of the “Court of Appeal” due date**. The extension will be forwarded to the Court of Appeal.
4. Extension requests must contain specific information regarding the progress on the appeal and the reason for the request.
Additionally, once a reporter’s transcript is late to the Court of Appeal, the reporter is declared incompetent to provide reporting services in court and cannot provide reporting services until the extension is granted by the Court of Appeal **or** the appeal is completed per GC 69944

If you have any questions please contact Court Reporting Services or Appeals:

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Amy Turner, Manager
Inez Robles, Supervisor
Hall of Justice
800 South Victoria Ave., Room 313 HOJ
Ventura, California 93003
(805) 289-8989
E-mail: courtreporting@ventura.courts.ca.gov

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Jennifer Oliva, Supervisor
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