

November 30, 2017

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## Introduction

This document includes recommendations for court reporter's transcript text/ASCII files such that they process more efficiently through the YesLaw software. The YesLaw software automatically reads the transcript caption and index pages and parses the case name, case or cause number, proceeding date and index contents. If the software does not auto-determine these values correctly, you may manually enter and override the software determined values. But manual entry takes additional time and is prone to typos. Some simple changes to your transcript will help the software correctly parse the transcript Meta data eliminating the need for manual entry. So one small change to your standard transcript format can make transcript processing more efficient.

In California, the multiple reporter volumes within a case are merged into a single "master volume" for appeals. The master volume includes comprehensive bookmarks, a hyperlinked word index and a single, hyperlinked "master index" including Sessions, Examinations (both chronological and alphabetical), and Exhibits combined from all of the individual volumes. To provide a more consistent look within the merged master volume, the different reporter transcript formats were standardized. The reporters preparing transcript volumes for a given case are not guaranteed to be on the same CAT software so the Fresno reporters prepared matching software templates or layouts for the different CAT softwares (Case Catalyst, Eclipse and StenoCat) for both 26 and 28 lines-per-page.

The Fresno reporters have been using the YesLaw software for over several years and have helped to improve the automation algorithms. But the algorithms are based on their standardized transcript format. Although use of these CAT software templates is not necessarily required, use may make transcript processing more efficient – less manual intervention will be required.

## **ASCII (Text) File Export Format from CAT Software**

Importing a transcript into the YesLaw software begins by exporting a transcript from the CAT software to a text or ASCII format. Export the transcript in a Summation/AMICUS format or "Page Formatted ASCII" format. Do include page numbers and line numbers. The page numbers should be located in the upper right of each and every page. No pages should be unnumbered. Do not include any other header or footer content – just the page number. Do not suspend the page numbering on your front matter pages of certificate page – the page number should be on each and every page.

## **Volume Numbering**

Each volume is typically produced by a single court reporter. That volume may comprise multiple days but only if the one court reporter covers all the proceedings during those days. If another court reporter covers a session, there must be a change in volumes with the change in reporters. If two reporters have teamed up to handle dailies for a trial where one reporter covers the morning session and another reporter handles the afternoon session, it is possible for these two transcripts to be merged into a single transcript volume for the day (a single Volume 1), however it may be easier to simply have separate volumes perhaps named Volume 1A and 1B.

If a Marsden motion is taken requiring the testimony to be sealed or treated differently (confidential and bound under separate cover), the testimony is separated into a different volume. If the testimony for that day was Volume 1, then the Marsden motion breakout would be named Volume 1A to indicate it was otherwise recorded within the same day as Volume 1. Multiple motions spread throughout the day might be named Volume 1A, 1B, 1C...

Reporters sometimes number their volumes with Roman numerals (I, II, III...), but a mix of Roman and Arabic numerals (1, 2, 3...) within a case would be awkward and not consistent. And Roman numerals for cases with many volumes is cumbersome. Volume XXXIV is simply not as intuitive as Volume 34. So standardize on numbering your volumes with Arabic numerals.

## Page Numbering

Consistent Arabic volume numbering is sometimes troubling for reporters, but page numbering has proven to be the most difficult hurdle.

Court transcripts might begin with any page number. When block numbering is used, second transcript volumes might begin on page 101 or 301. So even though it is the first page within the electronic file, the page label might be 101 or 301. And transcript volumes may have page ranges extracted to a separate file if requested to be sealed by the court (e.g. Marsden Motions). So the page label will be different from the number of the physical pages from the beginning of the file. But to allow quick and easy navigation to a particular page, users should be able to enter 321 and jump directly to the proper page 321 even if it is the just 21st page within a transcript file. So each page label must match the page number. See *Requirement 2* of the 5th DCA's *Electronic Reporter Transcript List of Requirements* dated March 21, 2016.

When viewing transcripts within Adobe Acrobat or Acrobat Reader, the pages are required be identified or labeled by the proper page number. Some PDF files are created such that the first page is always identified as 1. With page number gaps (e.g. Marsden Motions, confidential portions), if the pages are not identified with the correct page numbering, navigating to a page or printing a page range can be difficult. Page numbering is also important when printing a range of pages within a transcript. A transcript user trying to print pages 325 through 327 should be able to simply enter the page range 325 to 327.

The second page numbering requirement is that every page be numbered starting from the first, cover page (*Requirement 3*). Although it has been common practice in some courts to not number the first few pages – the caption and index pages – this makes printing of these few pages difficult. If a page does not have a page number label, one cannot simply enter the page number or page number range for printing. There is no page number to enter.

The page number should be shown on every page PDF page. Even though a page number is allocated for a page, for appearances of cover pages, the display of the page number is sometimes suspended. In their requirements, the court has asked that not only every page be

numbered, but the page number appear on every page.

## Pagination

The YesLaw software attempts to determine the page number of each page. If the transcript does not include a page number on each page of the imported text file, or if the pages simply do not have page number, the software may put the contents of what should be multiple pages onto a single page.

## 26 or 28 Lines per Page

The YesLaw software supports 25, 26, 28 and other lines-per-page. Most California deposition reporters produce transcripts with 25 lines-per-page whereas most California official reporters produce transcripts with 26 or 28 lines per page. The YesLaw software adapts to different lines per page within the imported ASCII file – no software configuration will be required. However, the software works better if line numbers are used on every page although this is not an absolute requirement. Also line numbers should be in the same column for consistency.

## Order of Transcript Content

An appeals court transcript should begin with page 1 as the appeals caption page – plaintiffs versus defendants set off within a “birdcage.” The superior court caption page should immediately follow the appeals court caption page. An appearances page may follow if not included at the bottom of the caption page. Next should be the index of examinations including the dates and sessions (e.g. morning and afternoon) covered with major milestones indicated beneath the date. An index of witness and examinations is next followed by an index of exhibits. The testimony follows the index of exhibits.

1. Appeals Court Caption Page
2. Superior Court Caption Page
3. Appearances Page (optional, often included on caption page)
4. Sessions Index (Date followed by morning and afternoon session and session events)
5. Examinations Index (Chronological Order)
6. Exhibits Index
7. Proceedings
8. Court Reporter’s Certificate Page

## Case Names

The case name is read from the court reporter's transcript and is typically shortened to either People vs John Garnett or Department vs John G. The software attempts to do this automatically, however manual corrections may be required. To correct, click in the case box and correct the existing text.

## Case or Cause Number

The case number should be included on the caption page preceded by "Case No." or just "No." But note the special suggestion about *Department Numbers* below.

The case or cause number can be placed at the top of the caption page. As there may be any number of "*People vs Smith*" cases, the case number is the best way to unambiguously identify a particular case. Consistently putting the case number at the top of the caption page saves the user from having search around the caption page to find the case number. In the example below, not the Superior Court case number is listed top left and the Appeals case number is added top right.

### Case Numbers Example

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1	No. F15902164	No. _____
2	THE APPELLATE COURT OF THE STATE OF CALIFORNIA	
3	FIFTH APPELLATE DISTRICT	
4	Appeal from the Superior Court of Fresno County	
5	Honorable Jonathan Skiles, Judge	
6	Department 70	
7	-o0o-	
8	THE PEOPLE OF THE STATE	)
9	OF CALIFORNIA,	)
10	Plaintiff and	)
11	Respondent,	)
12	vs.	)
13	JOHN GARNETT	)
14	Defendant and	)
	Appellant.	)
15	_____ Fresno, California	) REPORTER'S TRANSCRIPT ON APPEAL  VOLUME 2 (Pages 101 - 106)  August 22, 2016
16		

### Department Number

For larger court systems, transcripts often include a department number on the caption page. This department number identifies the individual courtroom. However, the YesLaw software may confuse the "Number" or "No." text for the case or cause number. So the case or cause number will be incorrectly parsed as the department number – the department number shows up in the Case/Cause No. box. The case or cause number would have to be manually corrected every time. But this is simply fixed by removing the "Number" or "No." text following "Department" so the transcript reads "Department 62" rather than "Department No. 62." Note in the example below how the department is identified as "Department 62."

## Separating the Court, Judge and Department from the Case Caption

Occasionally the YesLaw software is confused by the court reporter's caption page format and the judge's name shows up in the parsed Case Name. One quick way to correct this issue is to include a "-o0o-" decoration after the top of the caption page where the county, court, judge and department is identified. This will separate the court, judge, and department from the case caption or "birdcage." See example below.

### Case Numbers Example

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1 Case No. 15CEJ300097-1,2,3,4           No. _____
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3     IN THE APPELLATE COURT OF THE STATE OF CALIFORNIA
4
5         FIFTH APPELLATE DISTRICT
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7     Appeal from the Superior Court of Fresno County
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9         Honorable Gary L. Green, Judge
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11                Department 21
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15 IN THE MATTER OF                )
16 JOHNNIE G., et al,                )
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944                              )
945                              )
946                              )
947                              )
948                              )
949                              )
950                              )
951                              )
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953                              )
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957                              )
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961                              )
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963                              )
964                              )
965                              )
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967                              )
968                              )
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970                              )
971                              )
972                              )
973                              )
974                              )
975                              )
976                              )
977                              )
978                              )
979                              )
980                              )
981                              )
982                              )
983                              )
984                              )
985                              )
986                              )
987                              )
988                              )
989                              )
990                              )
991                              )
992                              )
993                              )
994                              )
995                              )
996                              )
997                              )
998                              )
999                              )
1000                             )

```

## General Index Rules

When creating your index, do not include fill dots between the index item and the page number.

Do not enter page ranges within the index. If you include the Marsden Motion within the Sessions index, indicate the last page before the Marsden Motion rather than the page range or pages within the Marsden Motion.

### **Sessions/Hearing Index**

A Sessions Index must include SESSIONS as the header (SESSION singular will not work). Even if the transcript includes only one session, the header must be the plural SESSIONS. Then each date is listed without a page number followed by the different morning and afternoon sessions with a page number. Sub items (hearings, etc.) may then be included beneath the morning and afternoon sessions with a page number.

### **Simple Sessions Index Sample**

This version is the simplest SESSIONS index. Each date is provided *without* page number followed by the Morning and Afternoon Sessions with page numbers. The date must be included even if the volume covers only one date. If there were no Morning Session, it would not be listed. Do not put the hearing date on the same line as the "Page" column header. If the software is not picking up the sessions, confirm the date is spelled correctly and the year is complete. The software will not recognize the year "201" – the year must be a complete four digits.



### Simple Sessions Example

---

1	INDEX - VOLUME 2 - (Pages 301 - 556)	
2	SESSIONS	
3		PAGE
4	OCTOBER 27, 2016	
	MORNING SESSION	306
5	AFTERNOON SESSION	389
6	OCTOBER 28, 2016	
	MORNING SESSION	421
7	AFTERNOON SESSION	465
8		

---

### Complex Sessions Index Sample

This version includes further details underneath the Morning and Afternoon sessions. The YesLaw software will provide bookmarks to each hearing or topic indented under each day's morning and afternoon session. The SESSIONS header is required. Each date should be provided without page number followed by the Morning or Afternoon Session with page numbers and optionally sub items under the Morning and Afternoon Sessions with page numbers.

### More Complex Sessions Example

---

1	INDEX - VOLUME 2 - (Pages 2701 - 3000)	
2	SESSIONS	
3		PAGE
4	DECEMBER 9, 2015	
	MORNING SESSION	2709
5	PEOPLE REST	2719
	AFTERNOON SESSION	2776
6	DEFENSE RESTS	2837
	PEOPLE'S REBUTTAL	2840
7		
	DECEMBER 10, 2015	
8	AFTERNOON SESSION	2844
	JURY INSTRUCTION CONFERENCE	2844
9		
	DECEMBER 11, 2015	
10	MORNING SESSION	2863
	JURY INSTRUCTION CONFERENCE CONTINUED	2863
11	JURY INSTRUCTIONS	2865
	OPENING ARGUMENT BY MR. HUTCHINS	2901
12	CLOSING ARGUMENT CONTINUED BY MR. HUTCHINS	2919
	AFTERNOON SESSION	2949
13	CLOSING ARGUMENT BY MR. SCIANDRA	2949
	REBUTTALL ARGUMENT BY MR. HUTCHINS	2971
14	CONCLUDING JURY INSTRUCTIONS	2986
15		
	DECEMBER 14, 2015	
	MORNING SESSION	2991
16	AFTERNOON SESSION	2992
	VERDICT	2993
17	POLLING OF THE JURY	2994
18		

---

### Marsden Motions

Marsden Motions should be listed under the appropriate session. However a page number cannot be provided for the first page of the Marsden Motion as it is in a different transcript volume. Rather list the Marsden Motion followed by the page range of the Marsden Motion and list the corresponding page for the bookmark as the last page before the Marsden Motion. This will be the page where the "blurb" indicating that page range of the Marsden Motion is not included and the page where the transcript resumes.

In the example below, the Marsden Motion begins on page 905 and continues through 913. The bookmark page number is page 904 – the last page before the Marsden Motion.

### *Sessions Index Sample – Marsden Motion*

---

1	INDEX - VOLUME 4 (Pages 901-904 & 914-918)	
2	SESSIONS	
3		PAGE
4	FEBRUARY 26, 2016	
	MORNING SESSION	904
5	HEARING ON DOCTOR'S REPORT	904
	CONFIDENTIAL MARSDEN MOTION (PP 905-913)	904
6	- MAY NOT BE EXAMINED WITHOUT COURT ORDER	
	CONTINUED HEARING ON DOCTOR'S REPORT	914
7		

---

Below is the “blurb” for the Marsden Motion on page 904 – the last page before the Marsden Motion begins. The Marsden Motion would be Volume 4A.

### *Marsden Motion “Blurb”*

---

18 (Whereupon, a Marsden Motion was held  
 19 and filed under separate cover, pages  
 20 905-913. The next page is 914.)  
 21

---

*Master Index Example with Marsden Motions 1A, 2A, and 4A*

---

**SESSIONS**

**VOLUME 1**

NOVEMBER 18, 2015

Morning Session	v1:4
Confidential Marsden Motion - 1a (pages 5 - 17)	v1:4
Public Portion Resumes	v1:18

**VOLUME 2**

JANUARY 22, 2016

Morning Session	v2:306
Confidential Marsden Motion 2a (pages 313-322)	v2:312
Opening Statement by Mr. Esraelian	v2:333
Opening Statement by Mr. Moss	v2:333

JANUARY 25, 2016

Morning Session	v2:350
-----------------	--------

**VOLUME 3**

FEBRUARY 23, 2016

Morning Session	v3:604
-----------------	--------

**VOLUME 4**

FEBRUARY 26, 2016

Morning Session	v4:904
Hearing On Doctor's Report	v4:904
Confidential Marsden Motion In 4a (905-913)	v4:904
Continued Hearing On Doctor's Report	v4:914

**VOLUME 5**

MARCH 24, 2016

Morning Session	v5:1204
Afternoon Session	v5:1211

## Common Sessions Error

In the example below, the date was not included before the MORNING SESSION entry so a bookmark would not be provided to the MORNING SESSION.

### *Common Problem - No Date Provided for Sessions Index*

---

```

1          INDEX - VOLUME 3 - (Page 601-606)
2                      SESSIONS
3                                  PAGE:
4  ██████████
   MORNING SESSION                      604
5
6
7                      -o0o-

```

---

Each SESSIONS entry should begin with the date followed by either MORNING SESSION or AFTERNOON SESSION (at a minimum). The date does not have a corresponding page number but the Morning and Afternoon Sessions do. Further events can be listed below the MORNING SESSION entry. The MORNING SESSION or AFTERNOON SESSION provides the bookmark for the beginning of the proceedings.

### *Corrected - No Date Provided for Sessions Index*

---

```

1          INDEX - VOLUME 3 - (Page 601-606)
2                      SESSIONS
3                                  PAGE
4  FEBRUARY 23, 2016
   MORNING SESSION                      604
5
6
7                      -o0o-

```

---

### Complex Sessions Index Sample - Motions

In the example below, the SESSIONS index includes list of motions and the corresponding page number where introduced. The SESSIONS index can include any events to be bookmarked. Each item should be listed with a page number. But note only the text on the line with the page number will show as the bookmark. One common mistake is to put the line number on the last line of the item description. The software will bookmark and include in the Master Index only the line with the line number – and the beginning of the item description is best.

### Complex Sessions Index Sample - Motions

---

1	People of the State of California vs. Samuels	
	SCD264065/DCA No. D070017	
2	Volume 3	
	Tuesday, January 12, 2016	
3		
4	SESSIONS	
5		PAGE
6	TUESDAY, JANUARY 12, 2016	
7	Peoples' Motions	212
8	People's 1 Motion to exclude all witnesses	212
9	pursuant to Evidence Code §777(a)	
	- granted	
10	People's 2 Motion to designate Detective Avera as	212
11	People's Investigating Officer - granted	
12	People's 3 Motion to prohibit defense counsel	212
13	from discussing or attempting to	
	introduce any evidence of the	
14	People's 4 Motion to impeach defendants with	212
15	their felony convictions and	
	conduct involving moral turpitude	
	should either testify - reserved.	
16	People's 5 Motion to admit defendant Samuels	212
17	spontaneous statement to Officer Tamagni	
18	while at Alvarado hospital - granted	
	as modified.	
19		

---

## Index of Examinations

The Index of Examinations page should be titled with "*Chronological Index of Witnesses*" or "*Witnesses in Chronological Order.*" The witness name can optionally be listed with "Witness for the People" or "Witness for the Defendant" added after the witness name. The line with the witness name should not have a page number to the right rather the first examination immediately below should have the page number where the examination begins. Several samples are provided, although they generally follow the same format with only small differences.

### Table Form Examinations Index is Not Supported

The older style table form of examinations where a column is provided for Direct, Cross, Redirect, and Recross is *not* supported. A sample of this unsupported format is shown below.

#### *Examinations Index Table Form is Not Supported*

---

1		I N D E X			
2					
3	WITNESS	DIRECT	CROSS	REDIRECT	REXCROSS
4	JOHN GARNETT	11	78	121, 154,	159, 165
5				171	

---

#### *Examinations Index Table Form is Not Supported*

---

1		VOLUME 3					
2		04/27/15					
3		CHRONOLOGICAL WITNESS INDEX					
4	WITNESS	D	X	RD	RX	FRD	FRX
5	WEST, JOHN BY MR. BRIDGE	361					
6	BY MR. COOPER		495				

---

## Witness Name Listing

When providing the witness name within the Examination Index do not include commas within the listing for witnesses with degrees or titles. List doctors as John Smith M.D. and not as John Smith, M.D. - note list without the comma. List as John Smith Jr. or John Smith III rather than John Smith, Jr. or John Smith, III. If you prefer to use the comma, the listing within the examination indices will have to be manually corrected.

Do not include a dash after the witness name followed by "Witness for the People" rather list the witness name and follow it with (Witness for the People) within parentheses. This will help differentiate a hyphenated last name from dashes to separate the witness from the witness description.

The supported format allows for the questioning attorney's name for each examination (e.g. By Mr. Wendricks). The table format does not support this option. In the example below, each witness is listed followed (as an option) by "(Witness for the People)" or "(Witness for the Defendant)."

### Supported Examinations Index Sample 1

---

1	CHRONOLOGICAL INDEX OF WITNESSES	
2	WITNESS	PAGE
3	BYRON MAXWELL (Witness for the People)	
4	CROSS (CONTINUED) BY MR. HAUGHTON	48
	REDIRECT BY MR. WENDRICKS	55
5	RECROSS BY MR. HAUGHTON	57
6	DANIEL DELGADO (Witness for the People)	
7	DIRECT BY MR. WENDRICKS	61
	CROSS BY MR. HAUGHTON	66
8		
9	JULIO PERALTA (Witness for the People)	
10	DIRECT BY MR. WENDRICKS	77
	CROSS BY MR. HAUGHTON	84
11		

---



In *Examinations Index Sample 2*, each witness is listed without page number followed by each examination with page number.

*Supported Examinations Index Sample 2*

---

1	MASTER INDEX - VOLUME 6 (PAGES 843 - 1068)	
2	WITNESSES IN CHRONOLOGICAL ORDER	
3	FOR THE PEOPLE:	PAGE
4	ANGELO ARREDONDO	
5	REDIRECT EXAMINATION BY MR. SANDERSON	850
	RE-CROSS-EXAMINATION BY MR. ASAMI	853
6	FURTHER REDIRECT EXAMINATION BY MR. SANDERSON	859
7	JERRY DUVALL	
8	DIRECT EXAMINATION BY MR. SANDERSON	861
	CROSS-EXAMINATION BY MR. ASAMI	869
9	FOR THE DEFENDANT:	
10	CHRISTOPHER GRIJALVA	
11	DIRECT EXAMINATION BY MR. ASAMI	876
12	CROSS-EXAMINATION BY MR. SANDERSON	911
	REDIRECT EXAMINATION BY MR. ASAMI	936
13	RE-CROSS-EXAMINATION BY MR. SANDERSON	948
	FURTHER REDIRECT EXAMINATION BY MR. ASAMI	949
14	FURTHER RE-CROSS-EXAMINATION BY MR. SANDERSON	951
15	ALBERT ALVARADO	
16	DIRECT EXAMINATION BY MR. ASAMI	952
	DIRECT EXAMINATION CONTINUED BY MR. ASAMI	965
17	CROSS-EXAMINATION BY MR. SANDERSON	975
	REDIRECT EXAMINATION BY MR. ASAMI	977
18	RE-CROSS-EXAMINATION BY MR. SANDERSON	978
	FURTHER REDIRECT EXAMINATION BY MR. ASAMI	979

---

In *Examinations Index Sample 3*, a tighter spacing is provided with no blank line between the witness and the examinations. Each examination is indented under the witness name.

*Supported Examinations Index Sample 3*

---

1	MASTER INDEX - VOLUME 11 - (Pages 2701 - 3000)	
2	WITNESSES IN CHRONOLOGICAL ORDER	
3	PLAINTIFF'S WITNESSES:	PAGE
4	JEFFREY KERTSON (Resumed)	
	DIRECT EXAMINATION BY MR. SCIANDRA	2720
5	CROSS-EXAMINATION BY MR. HUTCHINS	2721
6	JOSEPHINE HERNANDEZ (Pursuant to Evidence Code 776)	
	DIRECT EXAMINATION BY MR. SCIANDRA	2722
7	CROSS-EXAMINATION BY MR. HUTCHINS	2726
	REDIRECT EXAMINATION BY MR. SCIANDRA	2733
8	RE-CROSS EXAMINATION BY MR. HUTCHINS	2733
9	JESSE HERNANDEZ (Via Videotaped Deposition)	
	DIRECT EXAMINATION BY MR. SCIANDRA	2735
10	CROSS-EXAMINATION BY MR. HUTCHINS	2738
11	RICHARDO CASTANEDA Ph.D.	
	DIRECT EXAMINATION BY MR. SCIANDRA	2742
12	CROSS-EXAMINATION BY MR. HUTCHINS	2746
	REDIRECT EXAMINATION BY MR. SCIANDRA	2755
13		
	SYLVANNA CASTANEDA	
14	DIRECT EXAMINATION BY MR. SCIANDRA	2756
	CROSS-EXAMINATION BY MR. HUTCHINS	2761
15	REDIRECT EXAMINATION BY MR. SCIANDRA	2767
	RE-CROSS EXAMINATION BY MR. HUTCHINS	2768
16		
	ROBERT KRIDER	
17	DIRECT EXAMINATION BY MR. SCIANDRA	2784
	CROSS-EXAMINATION BY MR. HUTCHINS	2794
18		
	ROBERT MARTINEZ	
19	DIRECT EXAMINATION BY MR. SCIANDRA	2801
	CROSS-EXAMINATION BY MR. HUTCHINS	2805
20	REDIRECT EXAMINATION BY MR. SCIANDRA	2815
21	MARK A. EATON-SMITH	
	DIRECT EXAMINATION BY MR. SCIANDRA	2817
22	CROSS-EXAMINATION BY MR. HUTCHINS	2820
	RE-CROSS EXAMINATION BY MR. SCIANDRA	2824
23		
	SHAWN W. PEDDY	
24	DIRECT EXAMINATION BY MR. SCIANDRA	2834
25		

---

In *Examinations Index Sample 4*, the examination listings are provided in lowercase letters making the witness names in ALL CAPS stand out. Notes regarding the witness (e.g. Resumed, Pursuant to Evidence Code 776, and Via Videotaped Deposition) are shown in lowercase letters and within parentheses following the witness name. The "Ph.D." is shown in mixed case as it looks odd in ALL CAPS. This last example seems the most visually pleasing.

#### *Supported Examinations Index Sample 4*

---

1	MASTER INDEX - Volume 15 - (Pgs. 2485 - 2716)	
2	WITNESSES IN CHRONOLOGICAL ORDER	
3	PLAINTIFF'S WITNESSES	PAGE
4	WILLIAM SMITH (Resumed)	
	Direct Examination by Mr. Miller	2496
5	Cross-Examination by Ms. Jones	2528
	Redirect Examination by Mr. Miller	2531
6	Recross-Examination by Ms. Jones	2533
7	JAMES JONES (Pursuant to EC 776)	
	Direct Examination by Mr. Miller	2537
8	Cross-Examination by Ms. Read	2560
	Redirect Examination by Mr. Miller	2575
9	Recross-Examination by Ms. Read	2578
10	MICHAEL REILLY-WILSON	
	Direct Examination by Mr. Miller	2582
11	Cross-Examination by Ms. Jones	2617
12	VINCENT PRICE Ph.D.	
	Examination (Via Videotaped Deposition)	2627
13		

---

Parentheticals can be added after the examination to indicate 442 or voir dire examinations.

## Exhibits Index

An Exhibits Index must include EXHIBITS as the header. Then each exhibit is listed starting with the exhibit number/letter/number-letter combination followed by a description and the page where the exhibit was introduced. Should the description require more than one line to provide the description, the line number should be included on the first line (same as the exhibit number) and the abbreviated description contents of this line will be included as the bookmark – not the full description. So just the description on the same line as the exhibit and line number will be included in the bookmark listing.

### *Supported Exhibits Index Sample 1*

---

1		INDEX - VOLUME 2 (Pages 201 - 313)	
2		EXHIBITS	
3		FOR THE PLAINTIFF:	
4	NO.	DESCRIPTION	PAGE
5			
6	11	ENVELOPE WITH CONTENTS	230
7	11-A	METHAMPHETAMINE	230
8	11-B	MARIJUANA	230
9	11-C	VICODIN PILLS	231
10	11-D	PILLS	231
11	9	SCALE	232
12	9-A	CONTENTS	232
13	10	BOX	235
14	10-A	FIREARM	235
15	1	PHOTOGRAPH	240
16	3	PHOTOGRAPH	240
17	4	PHOTOGRAPH	240

---

*Supported Exhibits Index Sample 2 – Multi-line Descriptions*

---

EXHIBITS INDEX			
DEFENDANTS'			PAGE
Bravo 141	Document titled "Preliminary Investment Memorandum" bearing Bates Number ETTTCB00002487 through -496		25
Bravo 142	Document entitled "Press Release Embarcadero Technologies, Inc., to be Acquired by Thoma Cressey Equity Partners in a Transaction Valued at Approximately 234 million" Bates stamped EMBT0347998 through -8000		34
Bravo 143	Document titled "Embarcadero Technologies Board Meeting October 30th, 2006," Bates labeled EMBT0009110 through -9123		38
Bravo 144	E-mail with attached letter dated February 12, 2007 to members of the board of Embarcadero Technologies from Orlando Bravo, Bates stamped GP00015279 and -280		60

---

*Supported Exhibits Index Sample 3 – Identified/Marked, Received or Refused Table*

---

MASTER INDEX - VOLUME 12 - (Pages 1685 - 1956)					
EXHIBITS					
NO.	DESCRIPTION	ID.	EVD.	RFSD.	
32-40	PHOTOGRAPHS: description	1	1699		
41	LEAD PIPE (with description)	1	1700		
42-43	TRANSCRIPTS: Deposition of Dr. Jones	1	1700		
44-49	PHOTOGRAPHS: looking north to south	1	1700		
50-59	PHOTOGRAPHS: looking down the alley	1	1700		
60	PHOTOGRAPH: front yard	1	1700		
61	PHOTOGRAPH: side yard and fence		1701		
62	CD: Recording of Telephone Call		1702		
63	PHOTOGRAPH: Front/Back of Chair		1703		
64	DOCUMENTS: Billing Records		1704		
65	DOCUMENTS: Personnel Record			1704	
66	Newspaper Clipping			1705	
71	Received Photocopy Example 6	1704	1706		
71-A	Received Photocopy Example 7	1704	1706		
71-B	Refused Photocopy Example	1704		1706	
71-C	Received Photocopy Example 9	1704	1706		
72	KNIFE	1704	1706		

---

The following Exhibit Sample 4 format is not supported. Each exhibit listing must begin with the exhibit number followed by the exhibit description and the page number list last. In the example below, the page number is list second – before the exhibit description – and this is not supported.

#### *Exhibits Index Sample 4 – Not Supported*

---

1			E X H I B I T S
2			
3	NO.	PAGE	DESCRIPTION
4	EX. 1	10	DEFENDANT FEDEX FREIGHT, INC.'S
5			NOTICE OF TAKING DEPOSITION OF
6			PLAINTIFF'S EXPERT ALBERT BLACK,
			M.D. AND REQUEST FOR PRODUCTION
			OF DOCUMENTS
7	EX. 2	11	CURRICULUM VITAE OF
8			ALBERT M. BLACK, M.D., PH.D.
9	EX. 3	12	UPDATED CURRICULUM VITAE OF
			ALBERT M. BLACK, M.D., PH.D.
10	EX. 4	17	CASES REFERRED BY WALTER CLARK
11			TO ALBERT M. BLACK, M.D., PH.D.
12	EX. 5	36	APRIL 18, 2017 BILLING OF
			SERVICES RENDERED FOR SUBJECT
			CASE
13	EX. 6	50	WAHLER PHYSICAL SYMPTOMS
14			INVENTORY TEST; BECK
15			INVENTORY DEPRESSION TEST; BECK
			ANXIETY INVENTORY TEST
16	EX. 7	65	CORRESPONDENCE
17	EX. 8	66	JANUARY 19, 2017 DRAFT #1
			TREATMENT OPTIONS FOR PTSD
18			TREATMENT OPTIONS FOR PTSD

---

#### **Exhibits within the Master Index**

Within the Master Index, the exhibits will be listed in numerical followed by alphabetical order.

So number exhibits will be listed first followed by the lettered exhibits. Only the first line of the exhibit description will be included – this must be the line with the page number(s). The line numbers cannot be on a different line than the exhibit number. Also there must be at least two spaces between the exhibit number and the exhibit description. So leave more than just one column of white space between the exhibit number column and description column.

### Exhibits Index – Common Errors

1		EXHIBITS INDEX	
2			
3	DEFENDANTS'		PAGE
4			
5	141	Document titled "Preliminary Investment	
6		Memorandum" bearing Bates Number	
7		ETTTCB00002487 through -496	25
8			
9	142	Document entitled "Press Release	
10		Embarcadero Technologies, Inc., to be	
11		Acquired by Thoma Cressey Equity	
12		Partners in a Transaction Valued at	
13		Approximately 234 million" Bates stamped	
14		EMBT0347998 through -8000	34
15			
16	143	Document titled "Embarcadero	
17		Technologies, Inc. dated and filed October 30th,	
18		2006	
19		EMBT0347998 through -23	38
20			
21	144	E-mail dated 7/17/07 letter dated	
22		7/17/07 to members of	
23		the board of Embarcadero Technologies	
24		from Orlando Bravo, Bates stamped	
25		GP00015279 and -280	60

The above sample exhibit index shows some common errors within the exhibits index. There is only one space between the exhibit number and the description. There must be a minimum of two spaces between the exhibit number and the description.

The page number is not on the same line as the exhibit number. The page number must be on same line as the exhibit number and only the text between the exhibit number and the page number will be included within the Master Index.

## Sample Master Index Exhibits Listing

Below find a sample Master Index Exhibits Listing page produced by the YesLaw software. Note that each exhibit listing can include the exhibit number of letter, the exhibit description, and the volume and page where the exhibit was marked, received as evidence, or refused.

PEOPLE vs ENRIQUE ORONIA-CARRILLO		Vols 11-12		Master Index	
F16907669, F16903863, F14903114					
EXHIBIT 44-49 - PHOTOGRAPHS (looking north to south)	ID	v12:1	EXHIBIT 72 - Refused Photocopy Example 11	ID	v12:1704
EXHIBIT 44-49 - PHOTOGRAPHS (looking north to south)	EV	v12:1700	EXHIBIT 72 - Refused Photocopy Example 11	RF	v12:1706
EXHIBIT 50-59 - PHOTOGRAPHS: with a colon	EV	v12:1700	EXHIBIT C - PHOTOGRAPH	EV	v11:1667
EXHIBIT 60 - PHOTOGRAPH - with a dash T123	EV	v12:1700	EXHIBIT F - Documents	EV	v11:1646
EXHIBIT 61 - PHOTOGRAPH: colon and two spaces	EV	v12:1701			
EXHIBIT 62 - CD: Recording of Telephone Call	EV	v12:1702			
EXHIBIT 63 - PHOTOGRAPH: Front/Back of Chair	EV	v12:1703			
EXHIBIT 64 - DVD: Recording of Surveillance Camera	ID	v12:1704			
EXHIBIT 64 - DVD: "Twas the Night Before Christmas"	EV	v12:1704			
EXHIBIT 65 - Photocopy of Record	ID	v12:1704			
EXHIBIT 65 - Photocopy of Record	EV	v12:1705			
EXHIBIT 66 - Refused Photocopy	ID	v12:1704			

## Unsupported Exhibit Formats

Exhibits Index Sample 3 provides an unsupported exhibit index format. Multiple exhibits are provided on one line (e.g. A, G, H, I) so the software will provide one entry in the exhibit index for the set provided on a single line. There will be no entry for M, N, and Q as there is no page number provided for these exhibits on the line with the exhibit. Similarly there will be no listing for exhibits 120, 123, 124 and 125 as there is no page number provided on the line with the exhibit listing.



### Exhibits Index Sample 3 – Not Supported

---

1	MASTER INDEX - VOLUME 10 (PAGES 1598 - 1876)				
2	EXHIBITS				
3	NO.	DESCRIPTION	ID.	EVD.	RFSD.
4	A, G, H, I, M, N, Q	--		1729	
5	114, 115, 116	--		1729	
6	120, 123, 124, 125				
7	67	CD		1669	
8	67(a)	ORIGINAL CD		1686	
9					
10					

---

### Sample Master Index – Sessions, Examinations-Chronological, -Alphabetical, and Exhibits

Below find a sample Master Index page produced by the YesLaw software from the individual index pages of multiple transcript volumes produced by different reporters. The Master Index includes a list of Sessions, Examinations in Chronological Order, followed by Examinations in Alphabetical Order, and then Exhibits in numerical then alphabetical order.

The Master Index is added after the final transcript page but before the word index. Each entry in the index includes the volume number followed by page number and is hyperlinked to the corresponding page within the transcript – so a single click will take you to that page within the transcript.

Sample Master Index – Sessions and Examinations Chronological

PEOPLE vs FELICIANO APOLINAR JIMENEZ F14909100		Vols 1-3	Master Index
<b>SESSIONS</b>			
<b>VOLUME 1</b>			
FEBRUARY 19, 2015		MARCH 11, 2016	
Morning Session	v1:4	Morning Session	v3:644
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<b>VOLUME 2</b>		<b>EXAMINATIONS - CHRONOLOGICAL</b>	
FEBRUARY 2, 2016		<b>VOLUME 2</b>	
Morning Session	v2:107	<b>JOSE MONTES</b>	
Pretrial Matters	v2:107	Direct Examination by Ms. Marsh	v2:173
FEBRUARY 3, 2016		Direct Examination Continued by Ms. Marsh	v2:208
Morning Session	v2:136	Cross-Examination by Mr. Castellon	v2:228
Pretrial Matters	v2:136	Cross-Examination Continued by Mr. Castellon	v2:250
Afternoon Session	v2:143	Redirect Examination by Ms. Marsh	v2:255
FEBRUARY 4, 2016		Recross-Examination by Mr. Castellon	v2:263
Morning Session	v2:145	<b>CHRISTOPHER ARANAS</b>	
Court Pre-Instructs Jury	v2:156	Direct Examination by Ms. Marsh	v2:266
Afternoon Session	v2:172	Direct Examination Continued by Ms. Marsh	v2:306
FEBRUARY 5, 2016		Cross-Examination by Mr. Castellon	v2:327
Morning Session	v2:249	Redirect Examination by Ms. Marsh	v2:344
<b>VOLUME 3</b>		<b>VOLUME 3</b>	
FEBRUARY 8, 2016		<b>CHRISTOPHER ARANAS</b>	
Morning Session	v3:357	Recross-Examination by Mr. Castellon	v3:358
Jury Instruction Conference	v3:433	Further Redirect Examination by Ms. Marsh	v3:360
FEBRUARY 9, 2016		<b>KRISTOPHER GREGORY KEENE</b>	
Morning Session	v3:452	Direct Examination by Ms. Marsh	v3:365
1118.1 Motion	v3:462	Cross-Examination by Mr. Castellon	v3:380
Court Instructs Jury	v3:468	<b>RICHARD MORA</b>	
Ms. Marsh's Closing Argument	v3:489	Direct Examination by Ms. Marsh	v3:382
Afternoon Session	v3:523	Cross-Examination by Mr. Castellon	v3:400
Mr. Castellon's Closing Argument	v3:524	Redirect Examination by Ms. Marsh	v3:412
Ms. Marsh's Rebuttal Argument	v3:541	Recross-Examination by Mr. Castellon	v3:417
Court Gives Jury Concluding Instructions	v3:550	Further Redirect Examination by Ms. Marsh	v3:420
Verdict	v3:575	Further Recross-Examination by Mr. Castellon	v3:421
FEBRUARY 10, 2016		<b>RICHARD PALOMO</b>	
Morning Session	v3:580	Direct Examination by Ms. Marsh	v3:422
Court Pre-Instructs Jury	v3:587	Cross-Examination by Mr. Castellon	v3:425
Jury Instruction Conference	v3:606	<b>GER VANG</b>	
Court Instructs Jury	v3:610	Direct Examination by Ms. Marsh	v3:427
Ms. Marsh's Closing Argument	v3:621	Cross-Examination by Mr. Castellon	v3:430
Mr. Castellon's Closing Argument	v3:625	<b>JOSE MONTES</b>	
Court Gives Jury Concluding Instructions	v3:625	Direct Examination by Mr. Jimenez	v3:457
Verdict	v3:637		

## Sample Master Index – Examinations Alphabetical and Exhibits

PEOPLE vs FELICIANO APOLINAR JIMENEZ F14909100		Vols 1-3	Master Index
Cross-Examination by Ms. Marsh	v3:460	<b>PALOMO, RICHARD</b>	
<b>CATHERINE ENS (OUTSIDE THE PRESENCE OF JURY)</b>		Direct Examination by Ms. Marsh	v3:422
Direct Examination by Ms. Marsh	v3:562	Cross-Examination by Mr. Castellon	v3:425
Cross-Examination by Mr. Castellon	v3:569	<b>VANG, GER</b>	
<b>PATRICK CAPLES</b>		Direct Examination by Ms. Marsh	v3:427
Direct Examination by Ms. Marsh	v3:596	Cross-Examination by Mr. Castellon	v3:430
Cross-Examination by Mr. Castellon	v3:604		
		<b>EXHIBITS</b>	
<b>EXAMINATIONS - ALPHABETICAL</b>		EXHIBIT 1 - MAP	v2:347
<b>ARANAS, CHRISTOPHER</b>		EXHIBIT 2 - PHOTO LINEUP	v2:226
Direct Examination by Ms. Marsh	v2:266	EXHIBIT 4 - PHOTOGRAPH	v2:311
Direct Examination Continued by Ms. Marsh	v2:306	EXHIBIT 5 - PHOTOGRAPH	v2:202
Cross-Examination by Mr. Castellon	v2:327	EXHIBIT 6 - PHOTOGRAPH	v2:222
Redirect Examination by Ms. Marsh	v2:344	EXHIBIT 7 - PHOTOGRAPH	v2:222
Recross-Examination by Mr. Castellon	v3:358	EXHIBIT 8 - PHOTOGRAPH	v2:223
Further Redirect Examination by Ms. Marsh	v3:360	EXHIBIT 9 - PHOTOGRAPH	v2:280
<b>CAPLES, PATRICK</b>		EXHIBIT 10 - PHOTOGRAPH	v2:282
Direct Examination by Ms. Marsh	v3:596	EXHIBIT 11 - PHOTOGRAPH	v2:289
Cross-Examination by Mr. Castellon	v3:604	EXHIBIT 12 - PHOTOGRAPH	v2:290
<b>ENS, CATHERINE</b>		EXHIBIT 13 - PHOTOGRAPH	v3:392
Direct Examination by Ms. Marsh	v3:562	EXHIBIT 13 - PHOTOGRAPH	v2:317
Cross-Examination by Mr. Castellon	v3:569	EXHIBIT 14 - PHOTOGRAPH	v2:319
<b>KEENE, KRISTOPHER GREGORY</b>		EXHIBIT 15 - PHOTOGRAPH	v2:292
Direct Examination by Ms. Marsh	v3:365	EXHIBIT 16 - PHOTOGRAPH	v2:293
Cross-Examination by Mr. Castellon	v3:380	EXHIBIT 17 - PHOTOGRAPH	v2:294
<b>MONTES, JOSE</b>		EXHIBIT 19 - PHOTOGRAPH	v2:315
Direct Examination by Ms. Marsh	v2:173	EXHIBIT 20 - PHOTOGRAPH	v2:315
Direct Examination Continued by Ms. Marsh	v2:208	EXHIBIT 23 - PHOTOGRAPH	v2:322
Cross-Examination by Mr. Castellon	v2:228	EXHIBIT 24 and 25 - PHOTOGRAPHS	v3:378
Cross-Examination Continued by Mr. Castellon	v2:250	EXHIBIT 26 - PHOTOGRAPH	v3:375
Redirect Examination by Ms. Marsh	v2:255	EXHIBIT 27 - PHOTOGRAPH	v3:428
Recross-Examination by Mr. Castellon	v2:263	EXHIBIT 28 - PHOTOGRAPH	v2:204
Direct Examination by Mr. Jimenez	v3:457	EXHIBIT 30 - PHOTOGRAPH	v2:342
Cross-Examination by Ms. Marsh	v3:460	EXHIBIT 31 - PHOTOGRAPH	v2:345
<b>MORA, RICHARD</b>		EXHIBIT 32 - PHOTOGRAPH	v2:346
Direct Examination by Ms. Marsh	v3:382	EXHIBIT 34 - PHOTOGRAPH	v2:209
Cross-Examination by Mr. Castellon	v3:400	EXHIBIT 35 - PHOTOGRAPH	v2:210
Redirect Examination by Ms. Marsh	v3:412	EXHIBIT 36 - 969(b) PACKET	v3:568
Recross-Examination by Mr. Castellon	v3:417	EXHIBIT 45 - GUN	v2:212
Further Redirect Examination by Ms. Marsh	v3:420	EXHIBIT 46 - ENVELOPE CONTAINING LIVE ROUNDS	v2:314
Further Recross-Examination by Mr. Castellon	v3:421	EXHIBIT 47 - BACKPACK	v2:287
		EXHIBIT 48 - COIN PURSE	v2:217
		EXHIBIT 54 - GUN MAGAZINE	v2:301
		EXHIBIT 55 - PRINT CARD	v3:566

## Certificate Page

Each transcript should include at least one certificate page as the last page within the transcript. If two reporters contributed to a single volume (think dailies), the transcript can be split into two volumes, for example a morning volume and an afternoon volume. Or the reporter transcripts can be merged into a single transcript and two certificate pages would be included at the very end of the transcript. Each certificate page would indicate the page number range(s) within the transcript the reporter is certifying.

The certificate page should include a line near the bottom for the reporter's signature. The software will automatically size the signature graphic to the width of the signature line. The signature line can be the same width of the text immediately below to create a neat, square signature block. The underline cannot be underline formatting within the CAT software as the text file exported does not support formatting (bold, italics, or underline text), rather the underline must be a series of underscores (Shift + hyphen).

### *Sample Certificate with Certified Page Range Included*

---

1 COUNTY OF FRESNO )  
 2 ) ss.  
 3 STATE OF CALIFORNIA )  
 4  
 5 I, JOHN GARNETT, Official Certified Shorthand  
 6 Reporter of the State of California, County of Fresno, do  
 7 hereby certify that the foregoing transcript, pages 1101  
 8 through 1115, inclusive, is a complete, true and correct  
 9 transcription of the stenographic notes as taken by me in the  
 10 above-entitled matter.  
 11 Dated this 27th day of September, 2016.  
 12  
 13 \_\_\_\_\_  
 14 JOHN GARNETT, CSR  
 15 Certificate No. 12345

---

*Sample Certificate with Certified Page Range Included and Signature Applied*

---

1 COUNTY OF FRESNO )  
2 ) ss.  
3 STATE OF CALIFORNIA )  
4

5 I, JOHN GARNETT, Official Certified Shorthand  
6 Reporter of the State of California, County of Fresno, do  
7 hereby certify that the foregoing transcript, pages 1101  
8 through 1115, inclusive, is a complete, true and correct  
9 transcription of the stenographic notes as taken by me in the  
10 above-entitled matter.

11 Dated this 27th day of September, 2016.  
12

13  
14   
15 JOHN GARNETT, CSR  
Certificate No. 12345  
16

## Blurb at End of Transcript Volume

Blow is an example “blurb” at end of a transcript volume for multiple, block-numbered volumes. This sample would occur on page number 513 with the reporter’s certificate being on page 514-600. The next volume – Volume 6 – begins on page 601. The blurb might indicate the “transcript continues” on page 601.

### *Sample Blurb at End of Transcript Volume for Bloc-Numbered Volumes*

---

1 We're still within our overall targeted estimated time on  
2 this matter, so let's just call this the afternoon recess.  
3 You do believe your witness will be here at 3:00?

4 MS. SMITH: Yes. I have an officer. I have Officer  
5 Jones because of scheduling issues.

6 THE COURT: How long do you believe his direct  
7 examination will be?

8 MS. SMITH: 15 minutes at most. I mean, maybe longer.

9 THE COURT: We'll take a short recess at this time to  
10 change out court reporters.

11 (Thereupon a recess was taken.)

12 (Volume 5 consists of pages 401 through  
13 514. There are no pages 515 through  
14 600. Volume 6 will start on page 601.)

15 -oOo-

16

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## ASCII File Naming Convention for Consistency

Fresno has standardized upon a single text file naming convention. For a case such as "People vs. John Q. Melendez," Fresno uses:

Melendez.Vol-1.RT.060415.txt or Last.Vol-#.RT.MMDDYY.txt

The "RT" is for "Reporter's Transcript" to differentiate the files from the clerk's transcript. For multiple dates, the first date is always listed and optionally extended with the additional dates (e.g. Melendez.Vol-1.RT.060415.060515.060815.txt). Putting the dates at the end allows the files to alphabetically sort into cases and then volumes more easily. So some thought was put into this naming convention.

For a Department of Social Services case such as "Department vs. John Q," Fresno uses:

JOHNQ.Vol-3.RT.042015.txt or FirstL.Vol-#.RT.MMDDYY.txt

## California E-Filing

On Friday October 6, 2017, California Governor Jerry Brown signed Assembly Bill 1450 (see below) that, effective January 1, 2018, requires official and pro tempore court reporters to deliver transcripts in electronic form to any court, party or person entitled to the transcript, unless the party or person requests the transcript in paper form. Paper copy originals will be no longer be required. The electronic transcripts must meet the California Rules of Court requirements.

## Exceptions

Prior to January 1, 2023, if the court is unable to use or store an electronic transcript, or if the court reporter is unable to provide an electronic transcript that meets the court requirements and provides advance notice of this inability, a paper copy original can still be filed. However an electronic copy can be requested within 120 days of the paper filing, the court reporter shall provide an electronic PDF transcript.

## California 2017 Assembly Bill 1450 re Code of Civil Procedure Section 271

### SECTION 1.

Section 271 of the Code of Civil Procedure is repealed.

### SEC. 2.

*Section 271 is added to the Code of Civil Procedure, to read:*

#### **271.**

*(a) An official reporter or official reporter pro tempore shall deliver a transcript in electronic form, in compliance with the California Rules of Court, to any court, party, or person entitled to the transcript, unless any of the following apply:*

*(1) The party or person entitled to the transcript requests the reporter's transcript in paper form.*



*(2) Prior to January 1, 2023, the court lacks the technical ability to use or store a transcript in electronic form pursuant to this section and provides advance notice of this fact to the official reporter or official reporter pro tempore.*

*(3) Prior to January 1, 2023, the official reporter or official reporter pro tempore lacks the technical ability to deliver a transcript in electronic form pursuant to this section and provides advance notice of this fact to the court, party, or person entitled to the transcript.*

*(b) If a paper transcript is delivered in lieu of an electronic transcript described in subdivision (a), within 120 days of the official reporter or official reporter pro tempore filing or delivering the paper transcript, the official reporter or official reporter pro tempore shall provide, upon request, a copy of the original transcript in full text-searchable portable document format (PDF) if the proceedings were produced with computer-aided transcription equipment. The copy of the original transcript in full text-searchable PDF format shall not be deemed to be an original transcript.*

*(c) Nothing in this section changes any requirement set forth in Section 69950 or 69954 of the Government Code, regardless of whether a transcript is delivered in electronic or paper form.*

*(d) Except as provided in subdivision (b), an electronic transcript delivered in accordance with this section shall be deemed to be an original transcript for all purposes, including any obligation of an attorney to maintain or deliver a file to a client.*

*(e) An electronic transcript shall comply with any format requirement imposed pursuant to subdivision (a). However, an official reporter or official reporter pro tempore shall not be required to use a specific vendor, technology, or software to comply with this section, unless the official reporter or official reporter pro tempore agrees with the court, party, or person entitled to the transcript to use a specific vendor, technology, or software. Absent that agreement, an official reporter or official reporter pro tempore may select the vendor, technology, and software to comply with this section and the California Rules of Court. In adopting transcript format requirements for the California Rules of Court, consideration shall be given on a technology-neutral basis to the availability of relevant vendors of transcript products, technologies, and software.*

*(f) After January 1, 2023, if new or updated rule of court format requirements for electronic transcripts necessitate a significant change in equipment or software owned by official reporters or official reporters pro tempore, the official reporters and official reporters pro tempore shall be given no less than one year to comply with the format requirements. If the change is necessary to address a security issue, then a reasonable time shall be given to comply with the new format requirements.*

## Updated CA Rule 8.144 (November 2017)

To implement recent legislation (California 2017 Assembly Bill 1450) which enables court reporters to turn in transcripts in electronic form, the Appellate Advisory Committee recommended the Judicial Council update Rule 8.144 of the California Rules of Court which governs the format of reporters' transcripts. The update is to be approved at the Judicial Councils' meeting on this Friday, November 17. A summary of the requirements are provided below. Please read the entire Rule 8.144 text for details. The single-file, multivolume appeal and hyperlink requirements have been removed from the original requirements published for public comment earlier this year. Bookmarks, digital and electronic signatures, and numbering every page and line are still requirements.

### **Per updated Rule 8.144 (November 17, 2017), requirements for transcripts in electronic form...**

#### **Full-Text Searchable PDF Formatted** (*Rule 8.144 (d)(1)(C), (Rule 8.144 (d)(1)(A))*)

Transcripts must be in full-text searchable PDF (Portable Document Format) format or other searchable format approved by the court. It must not be created from a scanned document unless ordered by the court. (when electronic copies are no longer available, e.g. old transcripts)

#### **Bookmarks** (*Rule 8.144 (d)(1)(D)*)

Transcripts must include bookmarks to each heading, subheading, and specified components of the transcript.

“Include an electronic bookmark to each heading and subheading; all sessions or hearings (date lines); all witness examinations where each witness's direct, cross, and any other examination begins; all indexes; and all exhibits where any exhibit is marked for identification and where it is admitted or refused. All bookmarks, when clicked, must retain the user's currently selected zoom settings.”

#### **Digitally and Electronically Signed** (*Rule 8.144 (d)(1)(E)*)

Be digitally and electronically signed by the court reporter, unless the court reporter lacks the technical ability to provide a digital signature, in which case only an electronic signature is required.

**Copy and Paste** (Rule 8.144 (d)(1)(F))

Transcripts must permit users to copy and paste, keeping the original formatting, but with headers, footers, line numbers, and page numbers excluded.

**Permit Electronic Stamps** (Rule 8.144 (d)(1)(G))

Permit courts to electronically add filed/received stamps.

**Volumes** (Rule 8.144 (b)(6))

Reporters' transcripts must be produced in volumes of no more than 300 pages. Volumes may contain more than one date, however the page count per volume should not exceed 300 pages. Single proceeding days should not be split into multiple volumes.

**Covers** (Rule 8.144 (b)(7))

The cover of each volume must state the title and trial court number of the case, the names of the trial court and each participating trial judge, the names and address of the appellate counsel for each party, the volume number, *the total number of volumes in the transcript* and the inclusive page numbers of that volume. The cover of each volume must state the dates of the proceedings reported in that volume.

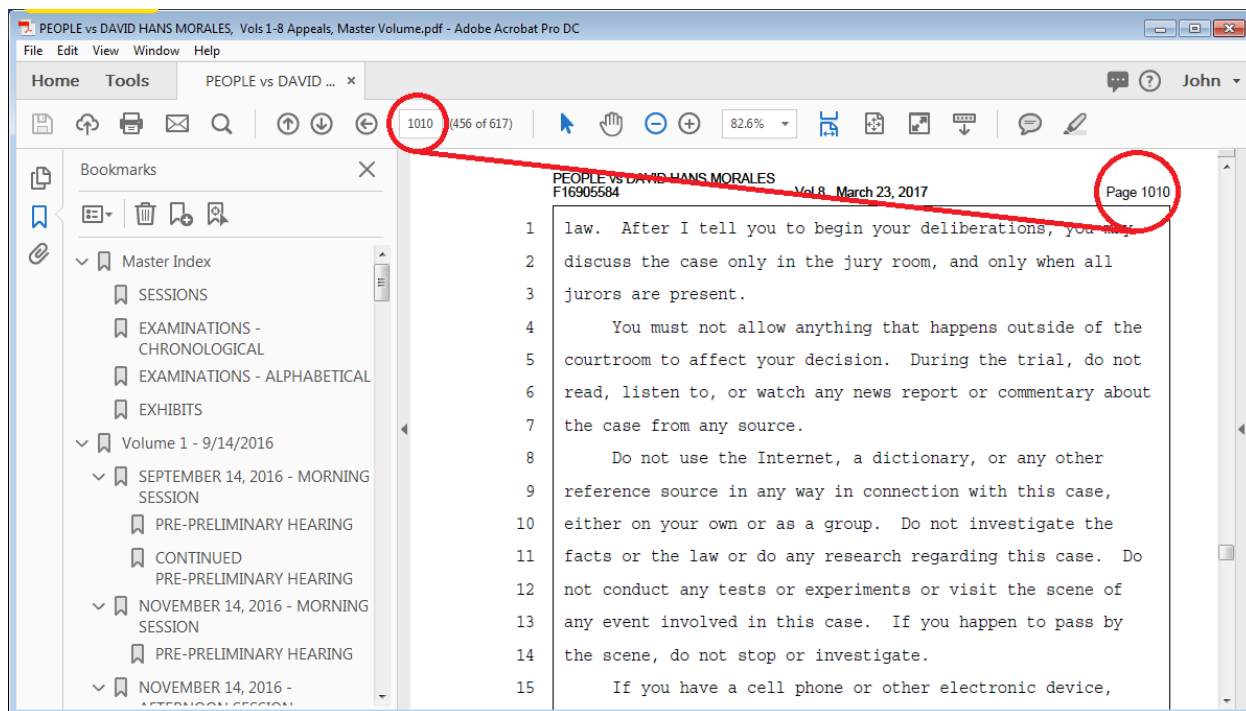
**Page Numbering** (Rule 8.144 (b)(2)(D))

The pages must be consecutively numbered, except as provided in (f) [*block numbering*], beginning with volume one's cover as page 1 and continuing throughout the transcript, including the indexes, certificates, and cover pages for subsequent volumes, and using only Arabic numerals (i.e., 1, 2, 3).

**Page Counter** (Rule 8.144 (d)(1)(C))

Ensure that the electronic page counter in the PDF file viewer matches the transcript page numbering.

In the example shown below, the page counter (1010 in left circle) matches the page number within the document (1010 in right circle) even though it is the page 456 of the 617 pages within the document. Pages are missing due to block numbering and excerpted Marsden Motions.



### **Line numbering (Rule 8.144 (b)(3))**

In the reporter's transcript the lines on each page must be consecutively numbered and must be double-spaced or one-and-a-half-spaced; double-spaced means three lines to a vertical inch.

### **Indexes (Rule 8.144 (b)(5)(B))**

The reporter's transcript must contain, at the beginning of the first volume:

Alphabetical and chronological indexes listing the volume, where applicable, and page where each witness's direct, cross, and any other examination begins; and

index listing the volume, where applicable, and page where any exhibit is marked for identification and where it is admitted or refused. The index must identify each exhibit by number or letter and a brief description of the exhibit.

Each index must begin on a separate page. (Rule 8.144 (b)(5)(C))

### **Multivolume or Multireporter Transcripts (Rule 8.144 (d)(2))**

In addition to the requirements in (1), for multivolume or multireporter transcripts delivered in electronic format, each individual reporter must provide a digitally and electronically signed certificate with his or her respective portion of the transcript. If the court reporter lacks the technical ability to provide a digital signature, then only an electronic signature is required.

*Court of Appeal, Fifth Appellate District, Electronic Reporter Transcript List of Requirements*

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**COURT OF APPEAL  
FIFTH APPELLATE DISTRICT**

**STATE OF CALIFORNIA**

2424 VENTURA AVE  
FRESNO, CALIFORNIA 93721

**ELECTRONIC REPORTER TRANSCRIPTS**

**List of Requirements**

(February 23, 2016/updated March 21, 2016)

1. All volumes must be merged into a single volume.
2. The adobe page counter must match the numbering of the document. If there is a gap in the page numbers between volumes (as there currently is), the gap in page numbers must remain and the gaps must be accounted for in the page numbering.
3. All pages must be numbered, including the cover pages to the volumes.
4. All indices (Sessions, Witnesses, Exhibits) must be on separate pages.
5. There must be a master index of all hearings/witnesses/exhibits located in the transcript. The master index must be the first bookmark regardless of where the master index is located within the document (either first or last). It needs to have all the sessions listed chronologically, all the witness exams listed chronologically, and also witness exams listed alpha, and all exhibits listed (introduced and received) if done on the record.
6. The master index should also be hyperlinked to each of the above locations.
7. Each volume must have a cover page in compliance with the rules of court, and there must be a bookmark to each cover page.
8. The RT must be fully bookmarked, to each hearing and witness examinations (and all directs, cross, and redirect, re-cross).
9. Exhibits must also be bookmarked.
10. Document must be fully word searchable and must support the advanced find function in adobe so that words can be found in context.
11. The court must have the ability to copy and paste from the document, keeping the original formatting, and line numbers must be excluded when the copy feature is used.
12. Digitally signed transcripts that are "tamper proof" – court must have ability to place electronic file/receive stamps on the transcript, copy and paste, and any other clerical function associated with utilizing an electronic document.
13. Transcripts must be usable in Adobe Reader.
14. Word index is not required, but if included, it needs to be bookmarked. Word index should be located at the end of the document.
15. All bookmarks should retain the user's currently selected zoom settings.
16. No additional cost to the court or legal partners.

*NOTE: These requirements are compiled based on the Pilot Project for electronic reporter's transcripts with Fresno Superior Court. As more requirements are identified or refined, this list is subject to change.*

**FOURTH DISTRICT COURT OF APPEAL  
DIVISION ONE  
ELECTRONIC REPORTER TRANSCRIPTS  
Guidelines  
(April 4, 2016)**

1. The adobe page counter must match the numbering of the document. If there is a gap in the page numbers between volumes (as there currently is), the gap in page numbers must remain and the gaps must be accounted for in the page numbering.
2. All pages must be numbered, including the cover pages to the volumes.
3. Document pages must be consecutively numbered using only the Arabic numbering system (such as 1, 2, 3), beginning with the number 1 on the cover page of the document.
4. All indices (Sessions, Witnesses, Exhibits) must be on separate pages.
5. There must be a master index of all hearings/witnesses/exhibits located in the transcript. The master index must be the first bookmark regardless of where the master index is located within the document (either first or last). It needs to have all the sessions listed chronologically, all the witness exams listed chronologically, and also witness exams listed alpha, and all exhibits listed (introduced and received) if done on the record.
6. Each volume must have a cover page in compliance with the rules of court, and there should be a bookmark to each cover page.
7. The RT should be fully bookmarked, to each hearing and witness examinations (and all directs, cross, and redirect, re-cross).
8. Exhibits must also be bookmarked.
9. Document must be fully word searchable. The court should have the ability to copy and paste from the document, keeping the original formatting, and line numbers must be excluded when the copy feature is used.
10. Digitally signed transcripts that are "tamper proof" – court must have ability to place electronic file/receive stamps on the transcript, copy and paste, and any other clerical function associated with utilizing an electronic document.
11. Transcripts should be usable in Adobe Reader.
12. Word index is not required, but if included, it needs to be bookmarked. Word index should be located at the end of the document.
13. All bookmarks should retain the user's currently selected zoom settings.
14. The use of hyperlinks in electronically filed documents is encouraged.
15. No additional cost to the court or legal partners.