

DEPARTMENT: Superior Court BY: Richard L. McMechan, Judge PHONE: 966-2005

RECOMMENDED ACTION AND JUSTIFICATION:

That the Board pass and adopt a resolution authorizing the increase of the Court Reporter fees from \$95 to \$125 per day, effective January 1, 1990.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On April 4, 1989, the Board passed and adopted Resolution No. 89-145 requesting the Legislature to facilitate increase in Court Reporter fees in this County and also approved increase in fees to \$125 per day following legislative approval. The affected Government Code Section has now been amended.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Not applicable

COSTS: () Not Applicable
A. Budgeted current FY \$ 12,200
B. Total anticipated costs \$ 12,200
C. Required Add'l funding \$ --
D. Source: _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Res. No. 89-145
Government Code Section 69948

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:
Res. No.: 90-25
Ord. No.: _____
Vote - Ayes: 5 Noes: _____
Absent: _____ Abstained: _____
~~xxxx~~ Approved () Denied
() Minute Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By: _____
Deputy

Comment: _____

A.O. Initials: CP

1 MARIPOSA COUNTY RESOLUTION NO. 89 - 145

2 A RESOLUTION INCREASING THE
3 COURT REPORTER FEES FOR CIVIL CASES

4 WHEREAS, the Board of Supervisors of the County of Mariposa, a political
5 subdivision of the State of California, has agreed to increase compensation
6 for the official Court Reporter pursuant to the recommendation of the Superior
7 Court judge;

8 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa
9 County request the Legislature to amend Government Code Section 69948(e) by
10 striking "the fee for reporting testimony and proceedings in contested cases
11 is ninety-five dollars (\$95) a day, or any fractional part thereof." , and by
12 then adding new language, to wit:

13 "(e) In Mariposa County, ~~the fee for reporting~~
14 ~~testimony and proceedings in contested cases~~
15 ~~is ninety-five dollars (\$95) a day, or any~~
16 ~~fractional part thereof, the Board of Super-~~
visors may, by ordinance or resolution,
prescribe a rate of compensation for
superior court reporters."

17 PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this
18 4th day of April, 1989, by the following vote:

19 AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER

20 NOES: NONE

21 ABSENT: NONE

22 ABSTAINED: NONE

23 Gertrude R. Taber
GERTRUDE R. TABER, Chairman
Mariposa County Board of Supervisors

24 ATTEST:

25 Margie Williams
MARGIE WILLIAMS, Clerk of the Board

27 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

28 Jeffrey G. Green
JEFFREY G. GREEN, County Counsel

GOVERNMENT CODE

GOVERNMENT CODE

§ 69948

nty; insurance benefits

y other compensation and benefits, each judge of insurance, accidental death and dismemberment ions, executive flexible benefits plan (except that based on retirement tier shall apply), and dental r of San Diego for the classification of chief shall be effective on the same date as for those for

rs, each judge of the superior court shall receive tent as provided by the County of San Diego for long-term disability insurance or percent of

Stats.1986, c. 1125, § 1; Stats.1989, c. 132, § 1,

"Regardless of the effective date of this act, it is the intent of the Legislature that benefits granted pursuant to this act shall accrue as of the date of approval of those benefits by the San Diego County Board of Supervisors."

PORTERS GENERALLY

reporter. vices of reporter; fee per day. ance; fees.

f either superior or municipal court. 58 Ops.Atty.Gen. 54, 6-25-75.

Pronouncement of judgment

Whether court reporter is duly appointed official court porter or is authorized to report oral proceedings at time f pronouncement of judgment is not jurisdictional and any rror in conducting proceedings without such a reporter is ct per se prejudicial error. People v. Hulderman (1976) 34 Cal.Rptr. 223, 64 C.A.3d 375.

license

sting aside of orders decreeing minors to be wards. In re vid Wayne T. (1976) 127 Cal.Rptr. 729, 55 C.A.3d 798.

Qualifications of reporter

Minors who appealed from juvenile court orders decreeing em wards were entitled to transcript of oral proceedings epared and certified to be correct by official court reporter ointed by court to record the proceedings. In re David ymas T. (1976) 127 Cal.Rptr. 729, 55 C.A.3d 798.

notes in any case on appeal

til such time as he had certified to the court, in writing der penalty of perjury, that he had fully completed and d all transcriptions of his notes and any case on appeal ch he was required by law to transcribe. Malick v. tra Costa County Flood Control and Water Conserva- a Dist. (1982) 182 Cal.Rptr. 386, 131 C.A.3d 50.

lines; deletions by asterisks * * *

§ 69947. Fees

Cross References

Grand jury, services of stenographic reporter as charge against county, see Penal Code § 938.3.

Reimbursable miscellaneous costs, see 2 Cal. Code of Regs. 1021.8.

Code of Regulations References

Court costs, see 2 Cal. Code of Regs. 1021.1.

§ 69948. Fees

(a) The fee for reporting testimony and proceedings in contested cases is fifty-five dollars (\$55) a day, or any fractional part thereof.

(b) In San Joaquin County, the * * * compensation for superior court reporters shall be that prescribed by Section 69993.

(c) In Madera County, the board of supervisors may, by ordinance or resolution, prescribe a higher rate of compensation for superior court reporters.

(d) In Kings County, the fee for reporting testimony and proceedings in contested cases is one hundred dollars (\$100) a day, or any fractional part thereof.

(e) In Mariposa County, the * * * board of supervisors may, by ordinance or resolution, prescribe the rate of compensation for superior court reporters.

(f) In Siskiyou County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(g) In Yuba County, the * * * board of supervisors may, by ordinance or resolution, prescribe a higher rate of compensation for superior court reporters.

(h) In Butte County, pro tempore reporters shall receive a fee of seventy-five dollars (\$75) a day, or any fractional part thereof, for reporting testimony and proceedings in contested cases.

(i) In Sutter County, except as may otherwise be provided in Sections 70045.11 and 74839, the fee for reporting testimony and proceedings in contested cases is one hundred ten dollars (\$110) per day, or any fractional part thereof * * *. However, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(j) In Napa County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(k) In Tehama County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(l) In Monterey County, the fee for reporting testimony and proceedings in contested cases in any court is seventy-five dollars (\$75) a day or any fractional part thereof.

(m) In Nevada County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(n) In Calaveras County, the fee for reporting testimony and proceedings in contested cases is seventy-five dollars (\$75) per day, or any fractional part thereof * * *. However, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(o) In Placer County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(p) In Sierra County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(q) In Trinity County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(r) In Humboldt County, the fee for reporting testimony and proceedings in contested cases is seventy-five dollars (\$75) per day, or any fractional part thereof.

(s) In Del Norte County, the fee for reporting testimony and proceedings in contested cases is seventy-five dollars (\$75) per day, or any fractional part thereof.

(t) In Alpine County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

(u) In Glenn County, the board of supervisors may, by ordinance, prescribe a higher rate of compensation for superior court reporters.

Additions in text are indicated by underline; deletions by asterisks * * *