

CIVIL COURT OF THE CITY OF NEW YORK

Civil Court Directive

Subject: Non-Court Reporter Transcripts

Class: DRP-129

Category: ad-20.2/UN-10

Eff. Date: Nov. 16, 1992

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BACKGROUND:

Under all circumstances when a Court Reporter records the minutes of a trial and then produces a transcript, the ORIGINAL of the transcript must be filed in the Clerk's Office by the Court Reporter. (CCA § 1704.) This directive does not affect that procedure.

In the Housing Part of the Civil Court, the vast majority of cases are recorded electronically. When this happens, the litigants may request to have the tape transcribed by a private transcription service, or may copy the tape and transcribe it themselves.

We are increasingly faced with the problem of receiving the ORIGINAL transcript from the litigant rather than from any official person. In many cases this is because the litigant has had the transcript made, and has decided to appeal only after reading it. This creates an awkward situation for the Clerk, as s/he has no idea as to the propriety of the transcript. In order to clarify the procedure, the following rule is being instituted.

DIRECTIVE OF THE ADMINISTRATIVE JUDGE:

A transcript of the minutes of a trial filed with the clerk by someone other than a Court Reporter may be accepted by the Clerk. Such acceptance makes no representation on the part of the Court as to the accuracy of the transcript. The clerk is to note from whom the transcript was received.

The Chief Clerk is directed to implement any appropriate procedures to effectuate this directive.

Dated: November 12, 1992

Jacqueline W. Silbermann
Administrative Judge

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CLERKS PROCEDURES:

Following the directive of the Administrative Judge, the following rules are to be followed:

A transcript received from someone other than a Court Reporter is to be accepted by the Clerk. The submitter may be the litigant, his/her attorney, or anyone else on her/his behalf.

When a transcript is presented in person, the Clerk is to mark the transcript with the following legend:

“Transcript Received From_____”

If the transcript is received in the mail, the marking is to be:

“Transcript Received by Mail on_____”

All transcript, irrespective of the manner in which they are received are to be clocked-in.

Dated: November 13, 1992

Jack Baer
Chief Clerk