

TRANSCRIPT INFORMATION

This information sheet is designed to highlight areas that are often missed when transcripts are ordered. Complete information is available in Rules 10 and 11 of the Federal Rules of Appellate Procedure and the related Fourth Circuit Local Rules.

1. A copy of each transcript order must be attached to the docketing statement filed on appeal so that transcript deadlines can be set and monitored by the Court of Appeals. The Court of Appeals will initiate action to dismiss the appeal under Local Rule 45 if transcript is not ordered as required by the rules.
2. A separate transcript order must be completed for each court reporter and include dates for each hearing requested. If you are unsure of the court reporter, check the district court docket sheet or contact the district court.
3. Court-appointed counsel, Federal Public Defenders excluded, must attach a separate copy of a CJA 24 to the transcript order filed for each court reporter. The original of each CJA 24 is filed with the district court for approval by the district judge. Copies of the CJA 24 are attached to the transcript order forms sent to the court reporter and attached to the docketing statement. The CJA 24 need not be approved by the district court before being attached to the transcript order form sent to the court reporter or the Court of Appeals.
4. All counsel, including retained counsel, must complete Section B of the transcript order.
5. In multi-defendant cases involving CJA defendants, no more than one original transcript should be purchased from the court reporter on behalf of CJA defendants.
6. In criminal appeals seeking review of application of the sentencing guidelines, a transcript of the sentencing hearing must be ordered. In criminal appeals filed under Anders v. California, 386 U.S. 738 (1967), counsel must order a transcript of all proceedings (except opening and closing statements, voir dire, and jury instructions) since the entire record must be reviewed for error.
7. If appellee finds a transcript of other parts of the proceedings to be necessary, the appellee must file and serve a designation of those additional parts on appellant within 14 days after service of the transcript order. If appellant has not ordered the additional parts within 14 days, appellee may within 14 days either order the parts or move in the district court for an order requiring appellant to do so.
8. Counsel may not use “condensed” transcript (wherein several pages of transcript appear on a single sheet) in the joint appendix, and therefore should obtain full-size transcript from the court reporter.
9. The name of the witness and type of examination must appear in the top margin of each page of witness testimony included in the appendix filed on appeal. Counsel should review transcript when received to ensure it contains the necessary page headings.
10. Counsel must redact personal data identifiers (social security numbers; juvenile names; financial account numbers; dates of birth; and, in criminal cases, home addresses) from testimony presented by or on behalf of the parties, opening and closing statements, and sentencing proceedings. Notice of intention to make redactions must be filed in the district court within 7 days of filing of the transcript, and the actual redactions must be filed in the district court within 21 days of filing of the transcript. See [Judicial Conference Policy on Privacy and Public Access to Electronic Case Files](#).

FOURTH CIRCUIT TRANSCRIPT ORDER FORM

Case Style _____
Dist. Ct. No. _____ District _____
Date Notice of Appeal filed _____ Court of Appeals No. _____
Name of Court Reporter/Electronic Rec. (use separate form for each reporter) _____
Address of Reporter _____

Appellant must order any necessary transcript, completing a separate transcript order form (and separate CJA 24 Form) for each reporter and submitting the order to the court reporter and the district court within 14 days of noting the appeal. The completed form must show that necessary financial arrangements have been made or that the original CJA 24 Form has been submitted to the district court clerk. Copies of the transcript order form must be attached to the docketing statement filed in the Court of Appeals and served on opposing counsel within 14 days of docketing of the appeal, or the appeal will be subject to dismissal pursuant to Local Rule 45. If appellee finds other parts of the proceedings necessary, appellee must designate the additional parts within 14 days after service of the transcript order. If appellant has not ordered the additional parts within 14 days, appellee may, within the following 14 days, order the additional parts or move in the district court for an order requiring appellant to do so. In sentencing appeals, a transcript of the sentencing hearing must be ordered. In Anders appeals, plea (or trial) and sentencing transcript must be ordered. If appellee wishes to obtain a copy of transcript ordered by appellant, appellee must order a copy from the court reporter. In multi-defendant cases involving CJA defendants, only one original trial transcript should be purchased from the court reporter on behalf of CJA defendants, and copies should thereafter be made at commercially competitive rates. Counsel must review transcript and notify the district court of any intention to direct redaction of personal data identifiers within 7 days of filing of the transcript, and thereafter submit a statement of redactions to the court reporter within 21 days of filing of the transcript, as required by the [Judicial Conference Policy on Privacy and Public Access to Electronic Case Files](#). Counsel should verify that the witness name and type of examination appear in the top margin of each page of testimony, as required for inclusion in the appendix on appeal. Local Rule 30(b).

- A. This constitutes an order of the transcript of the following proceedings. Check appropriate box(es), provide date of hearing, and indicate total number of estimated pages. Failure to specify in adequate detail the proceedings to be transcribed is grounds for dismissal. Specific authorization is required under the CJA for opening and closing statements, voir dire, or jury instructions.

PROCEEDING

HEARING DATE(S)

- | | |
|--|-------|
| <input type="checkbox"/> Voir Dire | _____ |
| <input type="checkbox"/> Opening Statement (Plaintiff) | _____ |
| <input type="checkbox"/> Opening Statement (Defendant) | _____ |
| <input type="checkbox"/> Closing Argument (Plaintiff) | _____ |
| <input type="checkbox"/> Closing Argument (Defendant) | _____ |
| <input type="checkbox"/> Opinion of Court | _____ |
| <input type="checkbox"/> Jury Instructions | _____ |
| <input type="checkbox"/> Sentencing | _____ |
| <input type="checkbox"/> Bail Hearing | _____ |
| <input type="checkbox"/> Pre-Trial Proceedings (specify) | _____ |
| _____ | _____ |
| <input type="checkbox"/> Testimony (specify) | _____ |
| _____ | _____ |
| <input type="checkbox"/> Other (specify) | _____ |
| _____ | _____ |

TOTAL ESTIMATED PAGES _____

- B. I certify that I have contacted the court reporter (or coordinator if electronic recording from the District of Maryland) and satisfactory financial arrangements for payment of the transcript have been made.
- ☐ Private funds. (Deposit of \$ _____ enclosed with court reporter's copy. Check No. _____.)
 - ☐ Criminal Justice Act. The original CJA 24 Form has been submitted to the district court clerk and a copy is attached.
 - ☐ Government expense (civil case--IFP). Motion for transcript at government expense is pending with district judge.
 - ☐ Advance payment waived by court reporter. Payment in full is due upon receipt of transcript.
 - ☐ Federal Public Defender - no CJA 24 Form necessary.
 - ☐ United States appeal - copy of litigation expense form attached, if applicable.

Signature _____ Typed name _____
Address _____
Telephone No. _____ Date Sent to Reporter _____