

GENERAL INSTRUCTIONS

Coverage. All official staff, temporary, and combined-position court reporters – but not those serving on a contractual basis or intermittently on a “when-actually-employed” basis must complete a form AO 40B annually even if employment for the year were only partial.

Separation of Reporter. In the event a reporter retires, resigns, or is otherwise separated, a form AO 40B must be filed within 60 days from the date of separation.

Due Date. This form should be submitted so that it is received by April 15 of each year.

ACRA. The preferred method for submitting the Form AO 40B is via the Automated Court Reporter Application (ACRA), which is accessible through JENIE, within the Judiciary’s DCN. ACRA will automatically complete mathematical calculations within the AO 40B using the data entered into the other fields. Internet Explorer and Firefox browsers are supported by ACRA. For assistance with ACRA, please call (202) 502-1606.

Mailing. This form may be mailed to:

Court Reporting Program Specialist
Court Services Office – Programs Division
Administrative Office of the United States Courts
One Columbus Circle, N.E., Ste. 4-500
Washington, D.C. 20544

Faxing. This form may be faxed to 202-503-1133 to the attention of the Court Reporting Program Specialist.

Emailing. This form may be emailed to the Court Reporting Program Specialist at ACRA_Notices@ao.uscourts.gov.

NOTE: Do not write in shaded areas.

SPECIFIC

The number of each of the following explanations corresponds to the numbered lines on the form. Lines 6-20 are divided into three columns: Official Transcripts, Private Reporting, and Total. Receipts and expenses must be properly allocated and reported in the respective categories. The "Official Transcripts" column should include receipts and expenses incident to the production and sale of transcripts of official court proceedings ordered by private parties, persons proceeding *in forma pauperis* or under the Criminal Justice Act (18 U.S.C. 3006A), and agencies of the United States; whereas "Private Reporting" income and expenses involve out-of-court activities. Fees for transcripts of grand jury proceedings and fees for taking depositions are considered income from private reporting.

Identifying Information:

Items 1-5. These items should always be completed.

Gross Income:

Item 6. Enter receipts from the sale of transcripts, including any fees received for transcripts produced by reporters employed by you.

Item 7. Enter receipts for attendance fees you received.

Item 8. Enter the total amount you received in salary, dividends, trust funds, and all other income from private reporting activities.

Item 9. Add lines 6 through 8 and enter amounts.

Expenses:

Expenses may be allocated between private and official work either on an actual expense basis or by application of the ratio (percentage) of receipts from official and private reporting, with the exception of items 7, 8, 12a, and 13a which are chargeable only to private reporting, and items 10a and 10b which are chargeable only to official transcripts.

For Example, if a reporter’s total receipts were \$5,000 (\$3,000 official and \$2,000 private); the percentage would be computed as follows:

$$\text{Official: } \$3,000 \div \$5,000 = 60\%$$

$$\text{Private: } \$2,000 \div \$5,000 = 40\%$$

Item 10a. Enter the total compensation you paid to substitute reporters employed by you due to your absence.

10b. Enter the total compensation you paid to substitute reporters employed by you to assist in daily and hourly transcript production.

10c. Enter the total compensation you paid to note readers.

10d. Enter the total compensation you paid to transcribers.

- Item 10e.** Enter the total compensation you paid to typists.
- 10f.** Enter the total compensation you paid to scopists.
- 10g.** Enter the total compensation you paid to other clerical personnel.
- Item 11.** Enter your contribution under the Federal Insurance Contributions Act (Social Security), Workers Compensation, and any other employer taxes or assessments relating to the employment of substitute reporters or other personnel. Do not include amounts withheld from their wages.
- Item 12a.** Enter the travel expenses incurred by you incident to private reporting work. Expenses incurred for official travel in excess of the amounts reimbursed by the Government are not allowable. The cost of commuting between your home and your office is not allowable.
- 12b.** Enter the amount paid to substitute reporters or other personnel for travel incident to official and/or private reporting.
- Item 13a.** Enter the amount paid for the rental of office space and utilities for private reporting.
- 13b.** Enter the amount paid for the rental of copy or duplicating equipment.
- 13c.** Enter the amount paid for the rental of Computer Assisted Transcript (CAT) equipment.
- 13d.** Enter the amount paid for the rental of other office equipment, specifying the type of equipment.
- Item 14.** Enter the amount paid for equipment repairs, maintenance agreements, and maintenance contracts.
- Item 15a.** Enter the amount paid for postage.
- 15b.** Enter the amount paid for telephone services.
- 15c.** Enter the amount paid for other communication expenses, specifying the type.
- Item 16.** Enter the amount paid for supplies and materials incident to taking the record, preparing transcripts, and maintaining an office.
- Item 17.** Enter any other expenses incurred by you in connection with your official and private reporting work not otherwise classified. Itemize all other expenses claimed on the second page of the worksheet. These expenses **include** equipment or income protection insurance, training or seminar costs, interest expenses, taxes, banking charges, bad check fees and related fees, and accounting fees. **Exclude** any items that are not necessary to perform official reporting tasks (however, these costs may sometimes be reported as an expense incident to Private Reporting, if appropriate), such as liability insurance or other insurance costs, notary public fees, association convention and conference costs, dues to professional organizations, fees for professional tests, business lunches, medical expenses, contributions to private retirement accounts, storage fees, legal fees, advertising, referral fees, art or art depreciation, publications, flowers or other gifts, license fees for private reporting, employee parking fees, etc.
- Item 18.** Enter the allowable amount for this year's depreciation of furniture and equipment. List the schedule of depreciation on the second page of the worksheet. When furniture, computers, or other equipment are purchased for use in connection with your court reporting activities (official or private), you may deduct each year a reasonable allowance for depreciation. This enables you to recover the cost (or other basis) over the estimated useful life of such furniture or equipment. It is recommended that depreciation be taken based on the "straight-line" method. The cost or other basis (less estimated salvage value, if any) would be written off equally over the useful life of the equipment. For example, a computer that costs \$1500 having a useful life of five years would be depreciated at the rate of 20 percent, or \$300, per year. Other methods of computing depreciation (sum of the digits, declining balance, etc.) may be used if they are used for tax purposes. **Exclude** any items that do not pertain to official reporting, such as automobiles, boats, offices in private homes, equipment used for private reporting, etc.
- Item 19.** Enter the total of lines 10 through 18.
- Item 20.** Enter your net income (or loss) from private and official reporting, that is, gross income on line 9 minus expenses on line 19.
- Item 21.** Certification by Court Reporter: Sign this form certifying under penalty of perjury pursuant to 28 U.S.C. § 1746 that the information reported is true and correct.
- Item 22.** Enter the date the form is signed by the court reporter
- Item 23.** Review by Court Official: The court official must sign this form to indicate that this report has been reviewed.
- Item 24.** Enter the date this form is signed by the court official.