

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 40A quarterly. This includes employment for a partial quarter. Private reporting activities should not be reported on this form. Grand jury proceedings and the taking of depositions are considered private reporting activities.

Separation of Reporter. In the event a reporter retires, resigns, or is otherwise separated, a Form AO 40A must be filed within 20 days from the date of separation.

Due Date. This form must be submitted so that it is received within 20 days after the end of each calendar year quarter, i.e., by April 20, July 20, October 20, and January 20 for the preceding quarter.

ACRA. The preferred method for submitting Form AO 40A 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 40A form using the data entered into the other fields. 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 202-502-1133 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.

SPECIFIC INSTRUCTIONS

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

Item 6. Mark the appropriate box to indicate whether or not you are assigned a 40-hour per week tour of duty in the court.

Item 7a. List the cities at which either you or your paid substitute reporter was required to be present at the courthouse or other facilities where official proceedings of the court were held.

7b. List the number of days of reporting. Include the days which either you or your paid substitute were required to be present at the courthouse or in chambers of a scheduled trial, hearing, or other official proceedings. You should count a day as a day of attendance regardless of the amount of time spent reporting the proceedings (e.g., five minutes or five hours).

7c. Add the amounts in 7b and list the total here (automatically calculated in ACRA).

7d. List the number of hours you were in attendance reporting official proceedings before judges, magistrate judges, or other judicial officers. Reporting time does not include lunch periods or recesses. Include courtroom set-up time (including for realtime), standby, or wait time while in the courtroom or chambers. But do not include waiting for the jury or other standby time during which you attended to any other task. Time spent performing other tasks while waiting should be included in another category. Include reviewing pleadings, building realtime dictionaries, and updating realtime dictionaries for ongoing proceedings. "Judges" includes Active, Senior, and Visiting Article III Judges. "Magistrate Judges" includes CVB proceedings. "Other" includes reporting of Magistrate Judge proceedings initially recorded electronically (report time spent preparing the transcript in 9a), reporting for Special Masters, investitures, or other special ceremonies at the court.

7e. List the number of hours your paid substitutes were in attendance reporting official proceedings before judges, magistrate judges, or other judicial officers. Reporting time does not include lunch periods or recesses. Include

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courtroom set-up time, standby, or wait time while in the courtroom or chambers. But do not include waiting for the jury or other standby time during which you attended to any other task. Time spent performing other tasks while waiting should be included in another category. Also list the number of hours substitute reporters were employed by you to assist in the production of expedited, daily, and hourly transcripts as well as the number of hours your paid substitutes were employed by you for absences due to illnesses, vacations, or other reasons. Round all hours up to the next whole number. Include reviewing pleadings, building realtime dictionaries, and updating realtime dictionaries for ongoing proceedings. “Judges” includes Active, Senior and Visiting Article III Judges. “Magistrate Judges” includes CVB proceedings. “Other” includes reporting of Magistrate Judge proceedings initially recorded electronically (report time spent preparing the transcript in 9a), reporting for Special Masters, investitures, or other special ceremonies at the court.

NOTE: Only official court reporters who are not under the Leave Act may employ substitutes for absences from the court.

7f. Add the amounts from 7d and 7e and list the total here. (Automatically calculated in ACRA)

7g. Add the amounts from 7f and list the total here. (Automatically calculated in ACRA)

Item 8a. Court reporting administrative hours - As a condition of employment, official, temporary, and combined-position reporters are required to perform administrative duties related to their court reporting work. List the number of hours you personally spent performing all administrative duties listed below, including all time spent on these activities during and outside of your regular tour-of-duty:

- billing for official transcripts ordered and prepared, including binding,
- administering travel, including arrangements, vouchers, and the like,
- delivering and/or mailing of transcripts,
- docketing transcripts,
- keeping financial and other records,
- preparing and filing of all required local and AO reports,
- answering telephone calls from other court personnel, attorneys, and litigants,
- responding to correspondence,
- training, research and other skills development/maintenance activities (including practicing and activities performed to maintain certifications),
- buying and maintaining equipment and software,
- purchasing supplies,
- providing cost estimates,
- making backups of steno notes on external storage devices,
- backing up audio, if any,
- getting judges to sign CJA-24 transcript order forms or transcript requests,
- calendaring courtroom proceedings for future reference,
- answering prisoner mail,
- supervising other court reporters, and
- supervising scopists or other contractors hired by court reporters to support transcript production duties.

8b. Other duties as assigned - in field 8b, include such other duties as required by the court or the clerk’s office not included in 8a.

Item 9a. List the number of hours you spent transcribing proceedings for which you received compensation outside of your judiciary salary. This includes all time you personally spent typing, dictating, scoping, proofreading, checking and verifying case citations, medical and technical terms, and all other aspects of transcribing proceedings. Include all time spent on these activities during and outside of your regular tour-of-duty. Include the hours of transcribers, scopists, or other supporting personnel employed by you. Include time spent preparing rough drafts.

9b. List the number of hours you spent transcribing proceedings other than those in 9a, but not including private reporting activities such as grand jury proceedings and the taking of depositions. This includes all time you personally spent typing, dictating, scoping, proofreading, checking and verifying case citations, medical and technical terms, and all other aspects of transcribing proceedings. Include all time spent on these activities during and outside of your regular tour-of-duty. Include the hours of transcribers, scopists, or other supporting personnel employed by you provided the work would have been covered by your salary if you performed it yourself. Include time spent preparing rough drafts.

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- Item 10.** Enter the number of hours (compute each trip to the nearest hour) spent traveling to and from places of holding court away from your official duty station. Do not include time spent commuting between your residence and official duty station.
- Item 11.** For all columns in item 11, as described below, indicate all pages in each delivery category (14-Day, 7-Day, 3-Day, Next-Day, 2-Hour, or Realtime) that were prepared for sale, regardless of whether payment has been made or delivery has been accomplished. Include any transcripts of proceedings which were recorded by substitute reporters employed by you. Do not include realtime transcripts in item 11 if you are a non-certified realtime reporter. Do not include realtime provided to a judge; report this data in block 12c. Do not include certified transcripts delivered to the clerk for the records of the court. Do not include transcripts furnished to the judges at their request and without charge; report these pages in block 12b.
- 11a.** List the number of original pages for civil transcripts.
- 11b.** List the number of copy pages for civil transcripts.
- 11c.** List the number of original pages for criminal transcripts.
- 11d.** List the number of copy pages for criminal transcripts.
- 30-Day (Ordinary), 14-Day, 7-Day (Expedited), 3-Day, Next-Day (Daily), 2-Hour (Hourly), and Realtime categories are defined by the Judicial Conference as follows:**
- 30-DAY** A transcript to be delivered within thirty (30) calendar days after receipt of an order.
- 14-DAY** A transcript to be delivered within fourteen (14) calendar days after receipt of an order.
- 7-DAY** A transcript to be delivered within seven (7) calendar days after receipt of an order.
- 3-DAY** A transcript to be delivered within three (3) calendar days after receipt of an order.
- NEXT-DAY** A transcript to be delivered on the calendar day following receipt of the order (regardless of whether that calendar day is a weekend or holiday), prior to the normal opening hour of the clerk's office.
- 2-HOUR** A transcript of proceedings to be delivered within two (2) hours from receipt of the order.
- REALTIME** A draft unedited transcript produced by a certified realtime reporter as a byproduct of realtime to be delivered electronically during proceedings or immediately following receipt of the order.
- 11e.** Add the amounts in columns 11a, 11b, 11c, and 11d and list the totals here (automatically calculated in ACRA).
- 11f.** Add realtime pages only on this line (civil and criminal) for realtime certified reporters only (automatically calculated in ACRA).
- Item 12a.** Enter the number of pages of original certified transcripts of arraignments, pleas and proceedings in connection with the imposition of sentences in criminal cases recorded by you and by substitute reporters when the transcript of such proceedings are prepared to meet the statutory requirement. Do not include transcripts of arraignments, pleas, and sentences ordered by the parties which are to be included in 11c above.
- 12b.** Enter the number of pages of original certified transcripts prepared and furnished to judges at their request and without charge.
- 12c.** Enter the number of realtime pages provided to the court for non-certified or certified realtime reporters.
- Item 13a.** For civil cases, enter an estimate of the number of transcript pages on order for more than 30 days, but not transcribed and delivered as of the end of the quarter.

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- 13b.** For criminal cases, enter an estimate of the number of transcript pages on order for more than 30 days, but not transcribed and delivered as of the end of the quarter.
- 13c.** Enter the date of the oldest unfilled civil transcript order that is more than 30 days old but not transcribed and delivered as of the end of the quarter.
- 13d.** Enter the date of the oldest unfilled criminal transcript order that is more than 30 days old but not transcribed and delivered as of the end of the quarter.
- Item 14.** 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 15.** Enter the date this form is signed by the court reporter.
- Item 16.** Review by court official. The court official must sign this form indicating that the report has been reviewed.
- Item 17.** Enter the date this form is signed by the court official.