

West's Annotated **California** Codes

California Rules of Court (Refs & Annos)

Title 2. Trial **Court Rules** (Refs & Annos)

Division 7. Proceedings (Refs & Annos)

Chapter 2. Records of Proceedings (Refs & Annos)

Cal.Rules of **Court**, **Rule 2.956**

Formerly cited as CA ST PRETRIAL AND TRIAL **Rule** 891

Rule 2.956. Court reporting services in civil cases

Effective: January 1, 2021

[Currentness](#)

(a) Statutory reference; application

This **rule** implements and must be applied so as to give effect to [Government Code sections 68086\(a\)-\(c\)](#).

(b) Notice of availability; parties' request

(1) Local policy to be adopted and posted

Each trial **court** must adopt and post in the clerk's office a local policy enumerating the departments in which the services of official **court** reporters are normally available, and the departments in which the services of official **court** reporters are not normally available during regular **court** hours. If the services of official **court** reporters are normally available in a department only for certain types of matters, those matters must be identified in the policy.

(2) Publication of policy

The **court** must publish its policy in a newspaper if one is published in the county. Instead of publishing the policy, the **court** may:

(A) Send each party a copy of the policy at least 10 days before any hearing is held in a case; or

(B) Adopt the policy as a local **rule**.

*(3) Requests for official **court** reporter for civil trials and notices to parties*

Unless the **court's** policy states that all courtrooms normally have the services of official **court** reporters available for civil trials, the **court** must require that each party file a statement before the trial date indicating whether the party requests the presence of an official **court** reporter. If a party requests the presence of an official **court** reporter and it appears that none will be available, the clerk must notify the party of that fact as soon as possible before the trial. If the services of official **court** reporters are normally available in all courtrooms, the clerk must notify the parties to a civil trial as soon as possible if it appears that those services will not be available.

(4) Notice of nonavailability of court reporter for nontrial matters

If the services of an official court reporter will not be available during a hearing on law and motion or other nontrial matters in civil cases, that fact must be noted on the court's official calendar.

(c) Party may procure reporter or request reporter if granted fee waiver

If the services of an official court reporter are not available for a hearing or trial in a civil case, a party may:

(1) Arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter, whom the court must appoint unless there is good cause shown to refuse to do so. It is that party's responsibility to pay the reporter's fee for attendance at the proceedings, but the expense may be recoverable as part of the costs, as provided by law; or

(2) If the party has been granted a fee waiver, request that the court provide an official reporter for attendance at the proceedings. The court must provide an official reporter if the party has been granted a fee waiver and if the court is not electronically recording the hearing or trial.

(A) The request should be made by filing a *Request for Court Reporter by a Party with a Fee Waiver* (form FW-020). If the requesting party has not been granted a fee waiver, a completed *Request to Waive Court Fees* (form FW-001 or form FW-001-GC in guardianship or conservator cases) must be filed at the same time as the request for court reporter.

(B) The party should file the request 10 calendar days before the proceeding for which a court reporter is desired, or as soon as practicable if the proceeding is set with less than 10-days' notice.

(C) If the party has requested a court reporter for a trial, that request remains in effect if the trial is continued to a later date.

(D) The court reporter's attendance is to be provided at no fee or cost to the fee waiver recipient.

(d) No additional charge if party arranges for reporter

If a party arranges and pays for the attendance of a certified shorthand reporter at a hearing in a civil case because of the unavailability of the services of an official court reporter, none of the parties may be charged the reporter's attendance fee provided for in [Government Code sections 68086\(a\)\(1\) or \(b\)\(1\)](#).

(e) Definitions

As used in this rule and in [Government Code section 68086](#):

(1) "Civil case" includes all matters other than criminal and juvenile matters.

(2) “Official reporter” and “official reporting services” both include an official **court** reporter or official reporter as those phrases are used in statutes, including [Code of Civil Procedure sections 269 and 274c](#) and [Government Code section 69941](#); and include an official reporter pro tempore as the phrase is used in [Government Code section 69945](#) and other statutes, whose fee for attending and reporting proceedings is paid for by the **court** or the county, and who attends **court** sessions as directed by the **court**, and who was not employed to report specific causes at the request of a party or parties. “Official reporter” and “official reporting services” do not include official reporters pro tempore employed by the **court** expressly to report only criminal, or criminal and juvenile, matters. “Official reporting services” include electronic recording equipment operated by the **court** to make the official verbatim record of proceedings where it is permitted.

Credits

(Formerly **Rule** 891, adopted, eff. Jan. 1, 1994. As amended, eff. Jan. 31, 1997. Renumbered **Rule 2.956** and amended, eff. Jan. 1, 2007. As amended, eff. Sept. 1, 2019; Jan. 1, 2021.)

Cal. Rules of Court, Rule 2.956, CA ST TR **COURT Rule 2.956**

Current with amendments received through June 15, 2023. Some rules may be more current, see credits for details.