

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action:	Do Pass
Vote:	9 - 0 - 0
Yeas:	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson
Nays:	0
Exc.:	0
Prepared By:	Darian Stanford, Counsel
Meeting Dates:	5/11

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**WHAT THE MEASURE DOES:** Allows parties in circuit court proceedings to arrange for stenographic reporting. Provides that such stenographic recording becomes official court record if all parties agree. Requires that costs of stenographic reporting be paid by party requesting stenographic reporting alone or, if other party(ies) agrees to share costs, by other party(ies).

**ISSUES DISCUSSED:**

- Superiority of court reporters v. audio transcript recordings
- Lack of and need for funding for court reporters

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORS 8.340 discusses court reporters. In relevant part, the court reporter is an officer of the court that keeps the official record or transcript of the relevant proceedings. Presently, there are two acceptable methods for this recording: (1) accurate notes via shorthand or by a mechanical or typing device (stenograph); or (2) audio recording. Where a court elects to record primarily via audio, present law allows any party to arrange for stenographic reporting if the party pays for it (this option is specifically not available in Malheur, Union and Wallowa counties). However, the audio reporting remains the official record of the proceeding.

SB 292 A modifies these rules. First, if all parties to the proceeding consent, the stenographic reporting becomes the official court record, but *only* for purposes of a transcript on appeal. For other purposes, the audio recording would be utilized. Second, SB 292 A requires that any stenographic reporter have proper certification. Third, if the parties consent, they can share the costs of stenographic reporting. Finally, Malheur, Union and Wallowa counties are no longer excluded.

In addition, SB 292 A clarifies that stenographic reporting may be utilized in any circuit court proceeding in which the court regularly uses audio recording or video recording. The bill requires that: (1) the party arranging for stenographic reporting must provide the court with name, address and phone number of reporter; and (2) the party must pay the costs of providing copies of transcripts to the court.