

**WEST VIRGINIA LEGISLATURE**

**REGULAR SESSION, 1990**



**ENROLLED**

**SENATE BILL NO. 22**

(By Senator *Chapin*)



**PASSED March 10, 1990**

In Effect 90 days from Passage

**ENROLLED**  
**Senate Bill No. 22**

(BY SENATOR CHAFIN)

[Passed March 10, 1990; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article seven, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing court reporter original fees and fees for copies.

*Be it enacted by the Legislature of West Virginia:*

That section four, article seven, chapter fifty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 7. OFFICIAL REPORTERS.**

**§51-7-4. Transcript of notes; fees; authenticity; transcript for judge in criminal cases.**

1 The reporter shall furnish, upon request, to any  
2 party to a case, a typewritten transcript of his short-  
3 hand notes of the testimony or other proceedings,  
4 which shall be upon paper measuring eight and one-  
5 half inches in width and eleven inches in length, with  
6 margins of one-half inch on the right side and bottom,  
7 one inch at the top and one and one-half inches on the  
8 left, with the page filled as completely as practicable,  
9 with at least twenty-four complete lines on each page,  
10 with no more than double spacing used between lines,

11 with no more than five spaces used for indentation  
12 from the left margin, with no larger than ten point  
13 pica type being used, and shall certify the same as  
14 being correct and shall be paid therefor, by the party  
15 requesting such transcript, at the rate of two dollars  
16 for each page so transcribed and certified; and for each  
17 carbon copy of such transcript, ordered at the same  
18 time, he shall be paid seventy-five cents for each page  
19 so furnished: *Provided*, That if any transcript shall not  
20 conform with the specifications set forth in this  
21 section, the party requesting the transcript shall not be  
22 obligated to pay for said transcript.

23 A transcript of such testimony or proceedings, when  
24 certified by the official reporter and by the judge of  
25 the court, shall be authentic for all purposes, and shall  
26 be used by the parties to the cause in any further  
27 proceeding therein wherein the use of the same may  
28 be required. It may be used, without further authentication,  
29 in making up the record on appeal, as provided in sections  
30 thirty-six and thirty-seven, article six, chapter fifty-six  
31 of this code; and in all cases of appeal such reporter shall  
32 also make a carbon copy of such transcript, which copy shall  
33 be filed in the office of the clerk of the court in which the  
34 trial or proceedings were had, to be used, if necessary, in  
35 making up the record on appeal, and, if so used, the clerk shall  
36 not be entitled to any fee for that part of the record.  
37 If, upon appeal or writ of error, the judgment, decree or  
38 order entered in the cause be reversed, the cost of such  
39 transcript shall be taxed as other costs; and if such transcript  
40 be requested or required for the purpose of demurring to the  
41 evidence, the cost thereof shall be taxed in favor of the party  
42 prevailing on the demurrer.

43 It shall also be the duty of such reporter in any  
44 criminal case, upon the request of the court or the judge  
45 thereof, and for his use, to furnish a transcript of his notes  
46 of the testimony and proceedings without extra charge.  
47  
48  
49

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Frederick Z. Rose*  
.....  
Chairman Senate Committee

*Bernard V. Kelly*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Harold E. Blum*  
.....  
Clerk of the Senate

*Donald L. Hoop*  
.....  
Clerk of the House of Delegates

*Kath Huntette*  
.....  
President of the Senate

*Bob O'Call*  
.....  
Speaker House of Delegates

The within *is approved* this the *26<sup>th</sup>* day of *March*, 1990.

*Gaston Caperton*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/30/90

Time 10:09 am



RECEIVED

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE