

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1974



ENROLLED

HOUSE BILL No. 1307

(By Mr. Myles -----)



PASSED March 9, 1974

In Effect Ninety Days from Passage



EDWARD F. WHEELER III
SECRETARY OF STATE
THIS DATE 3-18-74

1307

ENROLLED

H. B. 1307

(By MR. MYLES)

[Passed March 9, 1974; 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 increase in costs per page of transcripts and copies furnished by official court reporters.

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; fee; authenticity; transcript for judge in criminal cases.

1 The reporter shall furnish, upon request, to any party
2 to a case, a typewritten transcript of his shorthand notes
3 of the testimony or other proceedings, which shall be upon
4 paper measuring eight and one-half inches in width and
5 eleven inches in length, with margins of one-half inch on
6 the right side and bottom, one inch at the top and one and
7 one-half inches on the left, with twenty-four lines on each
8 page, and shall certify the same as being correct, and shall
9 be paid therefor, by the party requesting such transcript,
10 at the rate of one dollar and ten cents for each page so
11 transcribed and certified; and for each carbon copy of such

12 transcript, ordered at the same time, he shall be paid forty
13 cents for each page so furnished.

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

34 It shall also be the duty of such reporter in any criminal
35 case, upon the request of the court or the judge thereof,
36 and for his use, to furnish a transcript of his notes of the
37 testimony and proceedings without extra charge.

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

H. Laurel Harby
Chairman Senate Committee

Clarence C. Christensen Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Harward W. Pearson
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

H. P. Brotherton Jr.
President of the Senate

Lewis F. McManus
Speaker House of Delegates

The within approved this the 18th
day of March, 1974.

Arch A. Shaver Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/15/74

Time 2:50 p.m.