Missouri

Certified Court Reporters

Manual
&
Form Book

(2026 Edition)

Supreme Court of Missouri
Board of Certified Court Reporter Examiners
P. O. Box 150
207 West High Street
Jefferson City, Mo 65102
(573) 751-4144

Acknowledgement

The Board of Certified Court Reporter Examiners gratefully acknowledges the cooperation and assistance of the certified court reporters who contributed material for this manual.

Supreme Court of Missouri
207 West High Street
Jefferson City, Missouri 65101
(573) 751-4144

For general information about court reporters in Missouri, please contact

Ms. Maggie Burch
Supreme Court of Missouri
Board of Certified Court Reporter Examiners
P.O. Box 150
207 West High Street
Jefferson City, MO 65102
(573) 751-4144

Resources and Contact Information

Supreme Court
www.courts.mo.gov
(To access C.C.R. information: About the Courts; Court Reporters)
(To access new/updated rules: Rules & Resources; Court; Supreme Court Rules and Court Operating rules and *Orders Changing Rules)*

Revised Statutes of Missouri
www.revisor.mo.gov

Missouri Court Reporters Association (MCRA)
www.mocra.org

National Court Reporters Association (NCRA)
www.NCRAonline.org

National Verbatim Reporters Association (NVRA)
www.NVRA.org

Resources and Contact Information (cont'd)

Office of State Courts Administrator
2112 Industrial Drive
P.O. Box 104480
Jefferson City, Missouri 65110
(573) 888-4894
www.courts.mo.gov

Lynne Alexander
OSCA Education for Court Reporters
(573) 522-6070
Lynne.alexander@courts.mo.gov

OSCA IT Support
(888) 541-4894
OSCA.help.desk@courts.mo.gov

OSCA Central Transcribing Service
(573) 522-3362
OSCA.Transcripts@courts.mo.gov

Charmaine Spradling, Chair
Court Reporters Education Committee
21st Judicial Circuit
105 S. Central Avenue
Clayton, Missouri 63105
(314) 615-3720
Charmaine.Spradling@courts.mo.gov

Melissa Hannah
MCRA Executive Director
46th Judicial Circuit
P.O. Box 1118
Forsythe, Missouri 65653
(417) 546-7230 ext. 2386
Melissa.Hannah@courts.mo.gov

Kathy Foley, Chair
Focus Group Court Reporters
6008 N. Monroe Avenue
Gladstone, Missouri 64119
(816) 881-3804
Kathy.Foley@courts.mo.gov

Missouri Judiciary Case Management System – Case.net
www.courts.mo.gov/cnet

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Past Consultants of the Board

T. Wherritt, Jefferson City	1978-1989
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Jerry W. Davis, Liberty	1997-2003

Foreword

This manual and formbook is prepared by the Board of Certified Court Reporter Examiners to assist official court reporters in their work. *Each example is not intended to show the only way to handle particular situations, but to explain acceptable ways to do so.*

It would be impossible to outline every situation that could arise in the preparation of a transcript. Bear in mind always that the purpose of our profession is to preserve the record in a clear, concise, and intelligible manner.

The suggestions for the procedures and formatting contained in this publication are based on current statutes, rules of the Supreme Court, and experience. Any repetition regarding duties, layouts or procedures is not meant to confuse but to aid in the understanding of the process.

Examples of forms furnished by the State of Missouri or links to same can be found at the back of this publication in the appendices, as well as within some subject matter, e.g., the form for extension of time for the court reporter and payment forms for state paid transcripts. It is sincerely hoped that they will prove helpful to you.

As time passes, laws change and procedures can be modified. The content will change based on amendments and changes to the applicable rules and statutes. Because the manual is now posted online, rather than published in hard copy form as was done previously, maintaining current information in the content can now become a much more manageable task.

Thank you to all who have made contributions or suggestions regarding the subject matter of this manual. If at any time anyone has a suggestion they feel would be of benefit as to the procedures and formatting sections, please contact Maggie Burch so she can direct the information to the proper channels.

This publication supersedes any previously-issued manual.

2026 revision

TABLE OF CONTENTS

Acknowledgment i

Web addresses and Contact Information i

Current and Past Members of the Board ii

Past Consultants to the Board iii

Forward iv

Table of Contents v

MISSOURI RULES

RULES GOVERNING THE MISSOURI BAR AND THE JUDICIARY ~

RULE 14. CERTIFIED COURT REPORTERS 1

REGULATIONS, STATE OF MISSOURI, C.C.R. BOARD 2

COURT OPERATING RULE 5. PRESERVING THE RECORD 11

COURT OPERATING RULE 8. RECORDS/RETENTION/DESTRUCTION 14

COURT OPERATING RULE 19. COURT REPORTERS 15

RULES OF CRIMINAL PROCEDURE ~

RULE 22. PROCEDURES APPLICABLE TO FELONIES ONLY 17

RULE 22.10. FELONIES – HOMICIDE – RECORD OF PRELIMINARY HEARING 17

RULE 24. MISDEMEANORS OR FELONIES - ARRAIGNMENT AND PROCEEDINGS BEFORE TRIAL 17

RULE 24.03. FELONIES - GUILTY PLEAS - RECORD 17

RULE 24.035. CONVICTION AFTER GUILTY PLEA - CORRECTION 18

RULE 29. MISDEMEANORS OR FELONIES - VERDICT, SENTENCEAND NEW TRIAL

RULE 29.15. CONVICTION AFTER TRIAL - CORRECTION 19

RULE 30. APPELLATE PROCEDURE IN ALL CRIMINAL CASESA. CRIMINAL PROCEEDINGS PENDING BEFORE A CIRCUIT JUDGE 20

RULE 30.01. RIGHT TO AND MANNER OF APPEAL 20

RULE 30.02. INTERLOCUTORY APPEAL BY STATE 20

TABLE OF CONTENTS

RULE 30.04. RECORD ON APPEAL - CONTENTS - DESIGNATION - COMPILING, ORDERING, AND FILING - ERRORS, OMISSIONS ANDSUPPLEMENTAL RECORD 21

RULE 31. MISDEMEANORS OR FELONIES - PRESENCE OF DEFENDANT AND RIGHT TO COUNSEL 22

RULE 31.02. MISDEMEANORS OR FELONIES – RIGHT TO COUNSEL –APPOINTMENT BY COURT – ARRAIGNMENT – RECORD – APPEAL 22
RULE 31.03. MISDEMEANORS OR FELONIES - PRESENCE OF DEFENDANT -WHEN REQUIRED 22

RULES OF CIVIL PROCEDURE ~

RULE 41 GENERAL 23

RULE 41.08. SIGNATURES OF JUDICIAL OFFICERS AND COURT OFFICIALS 23
RULE 70. INSTRUCTIONS 23

RULE 70.02. INSTRUCTIONS TO JURIES 23

RULE 81. APPEALS 24

RULE 81.02. APPEALS JOINTLY OR SEPARATELY 24

RULE 81.03. DESIGNATION OF PARTIES ON APPEAL 24

RULE 81.04. APPEALS, WHEN AND HOW TAKEN - CROSS APPEALS -DOCKET FEES 24

RULE 81.045 Appeals, When and How Taken – Expedited 24

RULE 81.05. JUDGMENTS, WHEN FINAL - PREMATURE FILING OF NOTICEOF APPEAL - COMPUTATION OF TIME 25

RULE 81.12. RECORD ON APPEAL 25

RULE 81.13. AGREED STATEMENT AS THE RECORD ON APPEAL 28

RULE 81.15. RECORD ON APPEAL – UNCERTIFIED OR DISPUTED RECORD 29

RULE 81.16. EXHIBITS 29

RULE 81.17. RECORD ON APPEAL - REVIEWING LEGAL EFFECT OF INSTRUCTIONS, EVIDENCE NOT NECESSARY, WHEN 30

RULE 81.19. TIME FOR FILING OF RECORD ON APPEAL 31

RULE 81.20. RECORD ON APPEAL - EXTENSION OR REDUCTION OFTIME FOR FILING 31

RULE 81.21. PARTIES INELIGIBLE TO FILE DOCUMENTS THROUGH THE ELECTRONICFILING SYSTEM 31

TABLE OF CONTENTS

RULE 84. PROCEDURE IN ALL APPELLATE COURTS 32

RULE 84.03 FORMAT OF DOCUMENTS 32

RULE 84.18. COSTS OF RECORD ON APPEAL WHEN ALLOWED 32

RULES OF JUVENILE PROCEDURE ~

RULE 116. PROCEDURE 33

RULE 116.01 RECORD OF PROCEEDINGS 33

RULE 122. ACCESS TO HEARINGS AND RECORDS 34

RULE 122.02. OPEN RECORDS 34

SPECIAL RULES~

WESTERN DISTRICT COURT OF APPEALS 35

RULE 12. ELECTRONIC FILING REQUIREMENTS35

RULE 15. EXTENSION FOR FILING RECORD ON APPEAL 35

RULE 30. SCHEDULING ORDER – TERMINATION OF PARENTAL RIGHTS, ADOPTIONS, GUARDIANSHIPS, AND OTHER APPEALS AFFECTINGCUSTODY OF A CHILD 36

EASTERN DISTRICT COURT OF APPEALS 37

RULE 330. FILINGS BY SELF-REPRESENTED PARTIES 37

RULE 336. FORM OF TRANSCRIPTS 37

RULE 340. EXTENSIONS OF TIME FOR FILING RECORD ON APPEAL 37

RULE 348. TERMINATION OF PARENTAL RIGHTS APPEALS 38

SOUTHERN DISTRICT COURT OF APPEALS 39

RULE 2. FORM AND NUMBER OF COPIES TO BE FILED 39

RULE 3. MOTIONS TO EXTEND TIME FOR FILING RECORD ON APPEAL 39

RULE 17. APPEALS INVOLVING TERMINATION OF PARENTAL RIGHTS ORADOPTION OF A CHILD – TIME FOR FILING THE RECORD ON APPEAL 40

RULE 18. ELECTRONIC FILING AND SYSTEM-GENERATED LEGAL FILES 40

TABLE OF CONTENTS

REVISED STATUTES OF MISSOURI

CHAPTER 49 COUNTY COMMISSIONS AND COUNTY BUILDINGS 41

Section 49.225. Stenographic Record. 41

CHAPTER 211 JUVENILE COURTS 41

Section 211.321. Juvenile court records, confidentiality, exceptions – records of peace officers, exceptions, release of certain information to victim 41

CHAPTER 452 DISSOLUTION OF MARRIAGE, DIVORCE, ALIMONYAND SEPARATE MAINTENANCE 42

Section 452.395. Custody proceeding, priority of – judge to determine law and fact – secrecy, when 42

CHAPTER 453 ADOPTION AND FOSTER CARE 43

Section 453.011. Expediting termination of parental rights and contested adoption cases. 43

CHAPTER 478 CIRCUIT COURTS 43

Section 478.072. Preserving record, case assigned to associate circuit judge, how, approval required - supreme court to prescribe procedures and forms 43

CHAPTER 485 COURT REPORTERS & STENOGRAPHERS 44

Section 485.040. Judges of circuit courts to appoint reporters - qualifications 44

Section 485.050. Duties 44

Section 485.055. Reporters may be transferred, when - power and rights 45

Section 485.060. Compensation of reporters. 46

Section 485.065. Source of funds for reporter's salary 47

Section 485.075. Appointment of temporary court reporter, when - compensation - duration. 43

Section 485.077. Certification of official court reporters required 43

Section 485.090. Reimbursement for expenses while attending court - how paid 48

CHAPTER 488 COURT COSTS 49
Section 488.2250. Fees for appeal transcript of testimony – judge may order transcript, when 49

CHAPTER 492 OATHS AND AFFIRMATIONS, DEPOSITIONS ANDPERPETUATION OF TESTIMONY 50

Section 492.010. Officers and notary public authorized to administer oaths 50

TABLE OF CONTENTS

CHAPTER 509 PLEADINGS

Section 509.520. Court records, required redactions — confidential case file sheet, contents 50

CHAPTER 512 APPEALS AND APPELLATE PROCEDURE 52

Section 512.050. Notice of appeal - when filed - court reporter to be paid, when 52

CHAPTER 540 GRAND JURIES AND THEIR PROCEEDINGS 53

Section 540.105. Reporter to record testimony - oath 53

Section 540.106. Grand jury proceeding to be recorded, when – transcript to defendant 53

CHAPTER 552 CRIMINAL PROCEEDINGS INVOLVING MENTAL ILLNESS 54

Section 552.045. Transcript of proceedings and preliminary letter to institution, when 54

CHAPTER 595 VICTIMS OF CRIMES, COMPENSATION AND SERVICES 54

Section 595.226. Identifiable information in court records to be redacted, when – disclosure of information permitted, when – disclosure of identifying information regarding defendant, when 54

CHAPTER 600 PUBLIC DEFENDERS 55

Section 600.096. Reports, documents, statements, transcripts to be furnished to defender without fee.

CHAPTER 610 GOVERNMENTAL BODIES AND RECORDS 56

Section 610.035. State entity not to disclose Social Security number, exceptions 56

Section 610.105. Effect of nolle pros — dismissal — sentence suspended on record — not guilty due to mental disease or defect, effect — official records available to victim in certain cases 56

OTHER RULES AND STATUTES, GENERALLY 58

Citations, Abbreviations 59

PROCEDURES AND TRANSCRIPT EXAMPLES FOR CIVIL CASES 60

The Trial of a Civil Case (checklist) 61

Cover page for transcript on appeal in civil case 64

Cover page for supplemental transcript on appeal in civil case 65

Cover page for civil transcript – not on appeal 66

Transcript index 67

Exhibit list 69

TABLE OF CONTENTS

Transcript content – voir dire excluded 70

Transcript content – voir dire included 71

Content guidelines 73

Certificate for transcript on appeal in civil case 76

Certificate for transcript with multiple reporters 77

Certificate for transcript by substitute reporter 78

Certificate for transcript prepared by another reporter 79

Certificate for transcript prepared from electronic recording 80

Certificate for a partial transcript 81

PROCEDURES AND TRANSCRIPT EXAMPLES FOR JUVENILE CASES 82

Juvenile Court transcripts on appeal 83

Cover page for transcript on appeal in juvenile case 84

Certificate for transcript in juvenile case 85

PROCEDURES AND TRANSCRIPT EXAMPLES FOR CRIMINAL CASES 86

The Trial of a Criminal Case (checklist) 87

Closed records in criminal cases 90

Second stage proceedings in capital cases 91

Cover page for transcript on appeal in criminal case 92

Cover page for transcript in the Supreme Court 93

Transcript index 94

Exhibit list 98

Transcript content – voir dire excluded 99

Transcript content – voir dire included 100

Content guidelines 102

Certificate for transcript on appeal in criminal case 105

Transcript of guilty plea proceedings 106

TABLE OF CONTENTS

Cover page for guilty plea transcript 107

Content guidelines 108

Certificate for guilty plea 109

Guidelines for filing guilty plea transcripts 110

Civil cases under Rule 24.035 or 29.15 110

Cover page for 24.035 and 29.15 transcripts on appeal 111

Cover page and content guidelines for grand jury proceedings 112

Guidelines for transcript billing pursuant to RSMo 488.2250 113

Preparation tips 114

Types of examination 116

Depositions used in trial 123

Procedures, content layout, and parentheticals 126

Transcripts subject to Chapters 566 and 595 137

R: Drive: Procedures and Indexing 139

Indexing and preserving stenographic notes and voice files 142

Do and Do Not List 144

APPENDICES

Court Reporter Statement ..... Appendix A

Office of Courts Administrator Forms for Payment ..... Appendix B

Request for Access to R Drive Files ..... Appendix C

Guidelines for Preparing Transcripts Subject to Sec. 595.226 ..... Appendix D

Cover Form for Transcript on Appeal with Subject Matter under RSMo 595.226 ..... Appendix E

MISSOURI RULES

RULES GOVERNING THE MISSOURI BAR AND THE JUDICIARY

RULE 14. CERTIFIED COURT REPORTERS

Amended August 15, 2023

Effective September 1, 2023

14.01. MEMBERS OF THE BOARD

(a) The "Board of Certified Court Reporter Examiners" shall be composed of nine members who shall be appointed by this Court. Five members shall be judges of the circuit or appellate courts. Three of the members shall have been official court reporters in Missouri. One member shall be a practicing freelance court reporter in Missouri. The court reporter members shall be citizens of Missouri for at least five years prior to their appointment.

(b) Members shall be appointed for three-year terms and shall serve until their successors are appointed and qualified. This Court shall fill a vacancy by appointing a member for the duration of an unexpired term and may remove a member for cause.

(c) Each member shall take an oath to fairly and impartially and to the best of the member's ability administer this Rule 14.

14.02. OFFICER OF THE BOARD – MEETINGS

The board shall elect one of its members chair and one secretary**,** each of whom shall serve for one year and until a successor is elected. The clerk of this Court shall serve as treasurer**.** The board shall have an office in Jefferson City and shall hold such meetings**,** not less than one a year**,** at such time and places as the board shall designate.

14.03. DUTIES OF THE BOARD

The board is charged with the duty and vested with the power and authority:

(a) To determine the content of examinations to be given to applicants for certification as "Certified Court Reporters;"

(b) To determine the applicant's ability to make a verbatim record of court proceedings by a recognized system designated by the board;

(c) To issue certificates to those found qualified as certified court reporters;

(d) To administer a continuing education program for certified court reporters; and

(e) To promulgate, amend and revise regulations relevant to the above duties and to implement this Rule 14. The regulations shall be consistent with the provisions of this Rule 14 and shall not be effective until approved by this Court.

REGULATIONS OF THE BOARD

OF CERTIFIED COURT REPORTER EXAMINERS

The Board of Certified Court Reporter Examiners, hereinafter referred to as "the Board," hereby promulgates the following regulations, as directed by Supreme Court Rule 14.03(e), for implementation of the duties assigned herein.

1. Vacancies or newly established positions of official court reporters in courts of record of Missouri shall be filled by persons holding certificates as Certified Court Reporter, hereinafter referred to as "C.C.R.," issued by the Board as provided in Rule 14.07.

2. Applicants–shall file not later than thirty days prior to the next examination a written application in the form prescribed by the Board together with a fee of $100.00 with the Clerk of the Supreme Court, which fee shall not be refunded in the event the applicant decides not to take the examination or fails the examination.

3. Any applicant who fails to pass any or all sections of Part I, the skills exam, and/or Part II, the general knowledge test, of the examination shall be permitted to take a subsequent examination upon the filing of a new application, together with a fee of $100.00 as required in the preceding paragraph of this Regulation. Such an examination shall include only the sections previously failed by the applicant.

4. Upon request, the Clerk of the Supreme Court shall forward to any person application forms, certificate of character forms (when applicable), and copies of Rule 14 and the Regulations of the Board.

5. Examinations for certification shall be held at least semiannually at times and places to be set by the Board.

6. The C.C.R. certificate, once granted by the Board, shall remain in effect upon the payment to the Clerk of the Supreme Court of an annual fee of $100.00 on or before January 1 of each succeeding year unless suspended or revoked pursuant to Rule 14.10 or 14.11.

7. On July 1 of each year, all C.C.R. certificates which have not been renewed by the payment of the annual renewal fee shall expire. An expired C.C.R. certificate may be reinstated at any time pursuant to Rule 14.11(c).

8. Persons holding a C.C.R. certificate who have practiced court reporting for 40 years or more, or who have reached the age of 60 years and are then in good standing as a C.C.R., shall be excused from the payment of the annual fee thereafter upon making a written application to the Board of Certified Court Reporter Examiners showing such fact.

9. Each person who is issued a C.C.R. certificate shall be entitled to use the abbreviation "C.C.R." after their name. Such person shall be entitled to procure and use a seal, similar to seals provided for use of notaries public, upon which shall be engraved the name of the reporter and the words "Missouri Supreme Court-Certified Court Reporter."

10. No certificate shall be valid for any system of verbatim reporting other than that for which it is issued.

11. Any C.C.R. who desires to employ a different system of verbatim reporting other than that system in which they have already been certified by the Board shall, prior to employing said system, become certified in said system pursuant to Rule 14.

12. The examination shall be conducted in two parts:

In Part I, each applicant shall satisfy the following accuracy and speed requirements in the system of verbatim reporting for which he/she seeks certification:

(1) Five (5) minutes of one-voice dictation at 180 words per minute;

(2) Five (5) minutes of two-voice dictation at 200 words per minute; and

(3) Five (5) minutes of two-voice dictation at 225 words per minute.

Each five-minute dictation will include the requisite number of words, with each 15-second segment having a 1.4 syllabic density.

Applicants will be given a total of three (3) hours to transcribe the dictation, with an accuracy of 95 percent required to pass.

Applicants may employ any system of verbatim reporting by which a record is preserved, the accuracy of which shall be the personal responsibility of the court reporter, provided, however, no

system of direct electrical recording shall be considered a system of verbatim reporting for purposes of these regulations.

Applicants shall be required to furnish the equipment and supplies necessary for the reporting and transcription of dictated matter.

Upon completion of the examination, all verbatim notes or records, including tapes, diskettes or computer discs, transcripts, and other papers in connection with the examination, shall be retained in the custody of the Board.

In Part II, each applicant shall be tested by written examination in the following subjects:

(1) English, including grammar, vocabulary, punctuation, and spelling;

(2) Medical and legal terminology;

(3) Court and deposition procedures;

(4) Transcript preparation;

(5) Supreme Court Rules and statutes concerning court reporter duties; and

(6) Matters of general knowledge**.**

Applicants will be given one hour in which to complete the General Knowledge Test, with a minimum score of 80 percent required to pass.

The content and depth of the examination shall be a continuing subject of review and consideration by the Board, and changes may be incorporated by means of amendments to these regulations.

13. The Board shall maintain a roster, along with pertinent information, of all individuals who have been certified. The Board, in its discretion, may publish a list of all C.C.R.s who are in good standing, suspended or revoked, and whose temporary certificates have expired.

(Rule 14.03(e) Regulations approved June 25, 2019; effective July 1, 2019)

14.04. APPLICATION FOR CERTIFICATION

Every applicant for examination for certification as a certified court reporter or for certification as a certified court reporter without further examination as provided in Rule 14.06 shall file with the clerk of this Court a written application in the form prescribed by the board. The applicant shall pay a fee to the clerk of this Court at the time the application is filed. The fee shall be in an amount provided in the regulations of the board and shall not be subject to withdrawal by the applicant in the event the applicant decides not to take the examination or is denied the right to take the examination. Upon request, the clerk of this Court shall forward to any interested person application forms together with the text of this Rule 14 and copies of regulations promulgated by the board under the provisions of Rule 14.03(e).

(Amended June 25, 2019; effective July 1, 2019)

14.05. ELIGIBILITY FOR CERTIFICATION

An applicant who is at least eighteen years of age, is of good moral character, and has passed the Missouri examination or has been admitted without examination under Rule 14.06 or Rule 14.07 shall be issued a certified court reporter certificate.

(Amended June 25, 2019; effective July 1, 2019)

14.06. ADMISSION WITHOUT EXAMINATION

(a) A certified court reporter certificate issued before July 1, 2002, or a certified court reporter certificate containing the designation "(G)" issued before December 31, 2001, shall remain in full force and effect unless thereafter revoked or suspended as provided by this Rule 14.

(b) An applicant who holds a registered professional reporter certificate from the National Court Reporters Association or a certified verbatim reporter certificate from the National Verbatim Reporters Association and is in good standing with the certifying association shall, upon application to the Board of Certified Court Reporter Examiners pursuant to this Rule 14 and payment of an application fee as provided in Rule 14.04, become a Missouri certified court reporter upon successfully passing a written examination with respect to their knowledge of the duties of a court reporter, of court procedure, and general legal terminology.

(Rule 14.06 amended August 15, 2023; effective September 1, 2023)

14.07. APPOINTMENT OF OFFICIAL COURT REPORTERS AND LIMITED AUTHORITY TO APPOINT TEMPORARY COURT REPORTER

A court reporter who has not successfully passed the Missouri examinations for certification or has not been admitted without examination under Rule 14.06(b) shall not be appointed as an official court reporter by any judge in any circuit court of this state.

In the absence of an official court reporter because of illness, physical incapacity, death, dismissal or resignation, a judge may appoint a temporary reporter who meets the requirements of Rule 14.05 or Rule 14.06(b). The temporary reporter shall not serve more than six months without obtaining a certificate pursuant to Rule 14.05 or Rule 14.06(b).

(Rule 14.07 amended June 25, 2019; effective July 1, 2019)

14.08. FUNDS - DISBURSEMENT OF

All fees and other monies accruing under this Rule 14 shall be deposited by the clerk of this Court in an account called "Certified Court Reporters." All expenses incurred by the board shall be paid out of this fund as authorized by the board and approved by the clerk. The traveling and other necessary expenses of the members of the board shall be paid from said fund.

(Rule 14.08 amended December 2, 2016; effective December 2, 2016)

14.09. CONTINUING EDUCATION, ACCREDITATION OF PROGRAMS AND ACTIVITIES

(a) Each certified court reporter shall complete during each reporting year at least ten credit hours of continuing education from programs accredited by the board. A reporting year shall be from July 1 of each year through June 30 of the following year.

(b) A certified court reporter completing more than ten credit hours of accredited programs during one reporting year may receive credit in the next succeeding reporting year for the excess credit hours earned in the immediately preceding year.

(c) A certified court reporter is not required to complete any credit hours in the reporting year in which the reporter is initially certified as provided in this Rule 14. Upon written application and for good cause shown, waivers or extensions of time of the credit hours or reporting requirements of this Rule 14 may be granted by the board in individual cases or classes of cases involving hardship or extenuating circumstances.

(d) Continuing education programs for court reporters shall be developed, reviewed and accredited by the board. The court reporter education committee is an accredited sponsor of such programs.

(e) A person meeting the following requirements shall be excused from the continuing education requirement:

(1) Has practiced court reporting for at least 40 years or has reached the age of 60 years;

(2) Holds a certified court reporter certificate;

(3) Is in good standing as a certified court reporter; and

(4) Has been excused from payment of the annual fee required to maintain certification.

(f) As a result of the coronavirus disease (COVID-19) pandemic, the reporting year for 2019-2020 will be for the 15 months between July 1, 2019, and September 30, 2020.
(Rule 14.09 amended May 1, 2020; effective May 1, 2020)

14.10. REPORTING REQUIREMENTS - SANCTIONS – REVIEW

(a) On or before July 31 of each year, each certified court reporter shall report to the board the number of credit hours of accredited programs the reporter completed in the preceding reporting year.

(b) Each certified court reporter failing to meet the continuing education requirements of this Rule 14 shall be notified by mail addressed to the reporter's last known address. The notice shall advise the reporter that he or she has not filed the required report or completed the required number of credit hours and that the reporter, if required to meet the continuing education requirements of this Rule 14, may file, within thirty days of the date the notice was mailed, information establishing compliance. Within thirty days of the receipt of any information establishing compliance with this Rule 14 submitted by the reporter, the board shall determine if the reporter completed the required number of credit hours of accredited programs or if the reporter is entitled to a waiver of the requirement or an extension of time to comply with the requirement. The board shall notify the reporter of its determination of compliance with this Rule 14.

(c) A certified court reporter may file a written request for reconsideration within fifteen days of the date of board's notice pursuant to Rule14.10(b) that the reporter has not filed the required report or completed the required number of credit hours. The reporter requesting reconsideration shall submit written documentation accompanying the reporter's request for reconsideration in support of the request. The board shall reconsider its decision and shall make a decision within 45 days of the filing of any request for reconsideration. The reporter shall be notified of the decision within ten days of the board's decision regarding the request for reconsideration.

(d) Each certified court reporter to whom a notice is sent pursuant to Rule 14.10(b) shall pay a late filing fee of $25. Payment of this fee shall accompany the late-filed information establishing compliance with the continuing education requirements of this Rule 14. Failure to pay the fee shall be considered a failure to comply with these requirements.

(e) The board annually shall report to this Court the name of each certified court reporter not meeting the continuing education requirements of this Rule 14 and may recommend, pursuant to Rule 14.11(a), revocation or suspension of the certification of any court reporter not meeting the continuing education requirements.

(f) As a result of the coronavirus disease (COVID-19) pandemic, the reporting deadline for the 2019-2020 reporting year is extended until October 31, 2020.

(Rule 14.10 amended May 1, 2020; effective May 1, 2020)

14.11. REVOCATION OR SUSPENSION

(a) This Court, for good cause shown after a hearing by the board, may revoke or suspend any certificate issued by the board.

(b) The clerk of this Court shall notify or cause to be notified the clerk of each circuit court, the court administrator of the circuit courts of St. Louis City and Jackson and St. Louis Counties, and the clerk of each district of the court of appeals of the name and certificate number of any court reporter whose certificate has been revoked or suspended. If a certificate that has been revoked or suspended is reinstated, the clerk of this Court shall notify or cause to be notified the clerk of each circuit court, the court administrator of the circuit courts of St. Louis City and Jackson and St. Louis Counties, and the clerk of each district of the court of appeals of the name and certificate number of any court reporter whose certificate has been reinstated.

(c) A certified court reporter who has allowed a certification to lapse due to nonpayment of the renewal fee may request reinstatement by the board upon payment of all back fees plus a penalty of $25 for each year, to a maximum of $100, of nonpayment and proof of compliance or request for waiver of the provisions of **Rule 14.09 and Rule 14.10**.

14.12. INTERPRETATION OF RULE

Nothing in this Rule 14 shall be construed as a limitation upon the powers of this Court, the court of appeals, or the circuit court to govern the conduct of and to discipline official court reporters. Nor shall this Rule 14 be construed as any limitation upon the rights of any individual to seek any remedy afforded by law, nor as an exclusive mode of regulating court reporters.

COURT OPERATING RULES
COURT OPERATING RULE 5
PRESERVING THE RECORD

5.04. REQUEST FOR PREPARATION OF TRANSCRIPT

(a) Upon receipt by the circuit clerk of a written request for preparation of a transcript from a case recorded by electronic sound recording, the clerk shall collect a deposit, if required, for the cost based upon the current statutory rate. The clerk shall then promptly order the transcript from the Office of State Courts Administrator or the official court reporter. The deposit shall be accounted for by the clerk as other costs in the case. State agencies shall pay the costs of preparing transcripts unless otherwise provided by law. State agencies are not required to make an advance deposit.

(b) The Office of State Courts Administrator, an approved contractor, or an official court reporter shall prepare all transcripts of cases recorded on electronic sound recordings.

(c) All Supreme Court rules applicable to the preparation, form, and content of transcripts prepared by an official court reporter shall apply to transcripts prepared from electronic recording devices.

(d) Pursuant to Supreme Court Rule 22.10, in all cases of homicide, a verbatim record of the testimony at the preliminary examination shall be made. It shall be transcribed upon the written request of the state or defendant. Costs for the preparation of a transcript shall be paid by the requesting party.

(e) All requests for the preparation of a transcript on appeal shall be made in a manner and within the time prescribed by Supreme Court Rule 81.12.

(Effective September 3, 2019.)

5.06 PREPARATION OF TRANSCRIPTS FOR INDIGENTS

(a) In a criminal case when an appeal is taken by the defendant and it appears to the satisfaction of the trial court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the same to be furnished. The transcript shall be prepared by the Office of State Courts Administrator an approved contractor, or an official court reporter upon receipt of a copy of the order of indigency.

(b) In a civil case, pursuant to Section 514.040, RSMo, the transcript shall be prepared by the Office of State Courts Administrator, an approved contractor, or an official court reporter upon receipt of a copy of the order of indigency. The cost shall be waived unless costs are recovered pursuant to section 514.040, RSMo. The portion of the costs recovered which are associated with preparing the transcript shall be forwarded to the Office of State Courts Administrator.

(c) The cost of preparing the transcripts in probate and juvenile matters shall be paid pursuant to Section 472.040, RSMo, and Sections 211.281, RSMo, and 211.462, RSMo, respectively.

(Effective September 3, 2019.)

5.08 DELIVERY OF COMPLETED TRANSCRIPT

(a) The Office of State Courts Administrator or the official court reporter shall notify the clerk in writing of the actual cost of the transcript preparation, including transmittal costs, from a case recorded by electronic sound recording. If the actual cost is greater than the estimated cost on deposit, the clerk shall collect the difference before the transcript will be released to the requesting party. If the actual cost is less than the estimated cost on deposit, the clerk shall refund the difference to requesting party.

(b) After the preparation costs are paid, the Office of State Courts Administrator or official court reporter shall deliver the transcript to the requesting party.

(Effective September 3, 2019.)

5.09 PAYMENT OF TRANSCRIPT COSTS

The clerk shall remit payment in the amount of the actual cost of the transcript as contained on the statement provided by the Office of State Courts Administrator or the official court reporter. A payment remitted to the Office of State Courts Administrator shall be made payable to the State of Missouri.

(Effective September 3, 2019.)

COURT OPERATING RULE 8

RECORDS / RETENTION / DESTRUCTION

8.04. RECORDS RETENTION and DESTRUCTION SCHEDULE

Retention periods reflected in the schedule represent the minimum amount of time that records must be retained by the courts. Retention periods reflected in the schedule may be met by retaining records in electronic, paper, or archival quality microfilm format.

8.04.1 Appellate Court Cases

(3) when the sentence is 25 years or longer: 50 years after the case is disposed.

(h) Transcripts: retained with the case file.

8.04.7. Other Records of Divisions of the Circuit Court

(f) Official court reporters' notes (paper, digital or tapes), sound recordings, sound recording logs, electronic copy of dictionary:

(1) A full transcript is prepared: after the appellate case is disposed.

(2) No full transcript is prepared (maintain in original format) for the following case types:

(a) Involuntary civil commitment, petition for electroconvulsive therapy: five years after hearing.

(b) Municipal or county ordinance: five years after hearing.

(c) Misdemeanor or infraction: 10 years after hearing.

(d) Civil, domestic relations, juvenile, decedents' estates, guardianship and/or conservatorship of adults and minors: 15 years after hearing.

(e) Application for conditional release, sexual predator, trust, and felony: 20 years after hearing.

(Amended August 15, 2023; effective September 1, 2023.)

COURT OPERATING RULE 19
COURT REPORTERS and FOREIGN LANGUAGE COURT INTERPRETERS or TRANSLATORS

19.01. CIRCUIT JUDGES SHALL APPOINT OFFICIAL REPORTERS

(a) Each circuit judge, except circuit judges who serve as judges of a probate division of the circuit court, shall appoint an official court reporter who shall be a certified court reporter as provided by Supreme Court Rule 14.

(b) Each circuit judge who serves as a judge of a probate division of the circuit court may appoint an official court reporter who shall be a certified court reporter as provided by Supreme Court Rule 14. In lieu of appointing an official court reporter, a circuit judge who serves as the judge of a probate division of the circuit court may utilize the services of a court reporter who is a certified court reporter on a part-time basis or may preserve the record in the manner provided in section 478.072, RSMo.

19.02. TERM OF OFFICE OF OFFICIAL COURT REPORTERS

Persons serving as official court reporters shall be officers of the court and shall hold office during the pleasure of the judge who appointed the reporter. On the death, resignation or retirement of that judge, the reporter shall retain the office of official court reporter until the judge's successor is sworn into office.

19.03. DUTIES OF OFFICIAL COURT REPORTERS

(a) Official court reporters shall attend all sessions of court under the direction of the circuit judge appointing the reporter and such other sessions of court to which the reporter is assigned.

(b) Each official court reporter shall make a verbatim record of the oral evidence offered in causes tried under the direction of the circuit judge appointing the court reporter and in such other sessions of court to which the reporter is assigned, together with all objections to the admissibility of testimony, the rulings of the court thereon, and all exceptions taken to such rulings.

(c) Each official court reporter shall preserve the notes, either printed or electronic, as utilized in the reporter's method of court reporting, for future use or reference and shall furnish to any person a transcript of all or any part of said evidence or oral proceedings upon payment to the reporter of the fee provided by law.

(d) The court reporter who serves as official court reporter in any court proceeding shall be responsible for transcribing the notes from that proceeding upon receiving a request to furnish a transcript thereof regardless of whether the reporter is an official court reporter at the time the transcript is requested. The reporter shall receive the fee that is provided by law for preparation of the transcript. [See RSMo 488.2250.]

(e) For court reporters using paperless machines or those using electronic storage:

(1) Within three months of each hearing, the court reporter shall deposit on the statewide electronic repository identified by the Office of State Courts Administrator (referred to as the repository) an electronic copy of all hearings. This is to include raw notes and audio, from either a stenographic record or a voice writer recording. Completed transcripts may also be stored on this repository.

(2) The court reporter shall file an electronic log within three months of the hearings recorded. The log shall at a minimum include the date of the hearing, case number, style of the case and indicate whether or not a transcript has been prepared. Additional information may be included.

(3) By July 1 of each year, each reporter shall file a copy of the reporter's dictionary on this repository.

(amended February 15, 2017; effective July 1, 2017)

*The court-owned electronic repository is referred to as the R: Drive. Please see page 139 for information and directions on how to store your work in this repository.

RULE 22. PROCEDURES APPLICABLE TO FELONIES ONLY

22.10. FELONIES - HOMICIDE - RECORD OF PRELIMINARY HEARING

In all cases of homicide, a verbatim record of the testimony at the preliminary hearing shall be made. It shall be transcribed upon the written request of the state or defendant.

RULE 24. MISDEMEANORS OR FELONIES - ARRAIGNMENT AND PROCEEDINGS BEFORE TRIAL

24.03. FELONIES - GUILTY PLEAS - RECORD

When a defendant enters a plea of guilty to a felony, the court reporter shall:

(a) Record accurately all court proceedings in connection with the plea;

(b) Prepare a transcript of such proceedings when a motion is filed under Rule 24.035. The circuit clerk shall notify the court reporter that the motion has been filed, and the transcript shall be prepared within 30 days from the date the reporter receives the notice;

(c) Certify the accuracy of the transcript of the proceedings and immediately deliver the certified transcript to the circuit clerk;

(d) Receive for preparing such certified transcript the amount provided in section 488.2250, RSMo, for preparing an original transcript in a criminal case where the defendant is unable to pay the costs.

The circuit clerk shall note the filing of the certified transcript in his record and shall place the same, as a part of the permanent record of the case, in the file containing the indictment or information.
(Amended May 19, 2010; effective January 1, 2011.)

24.035. CONVICTION AFTER GUILTY PLEA - CORRECTION

(c) Clerk's Duties. Movant shall file the motion and two copies thereof with the clerk of the trial court. The clerk shall file stamp the motion on the date it is received and retain in the court file the envelope in which the motion was sent. The clerk shall immediately deliver a copy of the motion to the prosecutor. Upon receipt of the motion, the clerk shall notify the sentencing judge and shall notify the court reporter to prepare and file the complete transcript of the movant's guilty plea and sentencing hearing if the transcript has not yet been prepared or filed. If the motion is filed by an indigent *pro se* movant, the clerk shall forthwith send a copy of the motion to the counsel who is appointed to represent the movant.

(i) Presence of Movant - Record of Hearing - Continuance of Hearing - Burden of Proof. At any hearing ordered by the court the movant need not be present. The court may order that testimony of the movant shall be received by deposition. The hearing shall be on the record and shall be confined to the claims contained in the last timely filed motion. The court may continue the hearing upon a showing of good cause. The movant has the burden of proving the movant's claims for relief by a preponderance of the evidence.

(k) Appeal - Standard of Appellate Review. An order sustaining or overruling a motion filed under the provisions of this Rule 24.035 shall be deemed a final judgment for purposes of appeal by the movant or the state. If the court finds that a movant allowed an appeal is an indigent person, it shall authorize an appeal *in forma pauperis* and furnish without cost a record of all proceedings for appellate review. When the appeal is taken, the circuit court shall order the official court reporter to promptly prepare the transcript necessary for appellate review without requiring a letter from the movant's counsel ordering the same. If the sentencing court finds against the movant on the issue of indigence and the movant so requests, the court shall certify and transmit to the appellate court a transcript and legal file of the evidence solely on the issue of indigence so as to permit review of that issue by the appellate court. Appellate review of the trial court's action on the motion filed under this Rule 24.035 shall be limited to a determination of whether the findings and conclusions of the trial court are clearly erroneous.

(Amended December 20, 2022; effective July 1, 2023)

RULE 29. MISDEMEANORS OR FELONIES – VERDICT, SENTENCE AND NEW TRIAL

29.15. CONVICTION AFTER TRIAL - CORRECTION

(c) **Clerk's Duties.** Movant shall file the motion and two copies thereof with the clerk of the trial court. The clerk shall file stamp the motion on the date it is received and retain in the court file the envelope in which the motion was sent. The clerk shall immediately deliver a copy of the motion to the prosecutor. Upon receipt of the motion, the clerk shall notify the sentencing judge and shall notify the court reporter to prepare and file the complete transcript of the trial if the transcript has not yet been prepared or filed. If the motion is filed by an indigent *pro se* movant, the clerk shall forthwith send a copy of the motion to the counsel who is appointed to represent the movant.

(Amended December 28, 2016; effective July 1, 2017)

(i) Presence of Movant - Record of Hearing - Continuance of Hearing - Burden of Proof. At any hearing ordered by the court the movant need not be present. The court may order that testimony of the movant shall be received by deposition. The hearing shall be on the record and shall be confined to the claims contained in the last timely filed motion. The court may continue the hearing upon a showing of good cause. The movant has the burden of proving the movant's claims for relief by a preponderance of the evidence.

(k) Appeal - Standard of Appellate Review. An order sustaining or overruling a motion filed under the provisions of this Rule 29.15 shall be deemed a final judgment for purposes of appeal by the movant or the state. If the court finds that a movant allowed an appeal is an indigent person, it shall authorize an appeal *in forma pauperis* and furnish without cost a record of all proceedings for appellate review. When the appeal is taken, the circuit court shall order the official court reporter to promptly prepare the transcript necessary for appellate review without requiring a letter from the movant's counsel ordering the same. If the sentencing court finds against the movant on the issue of indigence and the movant so requests, the court shall certify and transmit to the appellate court a transcript and legal file of the evidence solely on the issue of indigence so as to permit review of that issue by the appellate court.

Appellate review of the trial court's action on the motion filed under this Rule 29.15 shall be limited to a determination of whether the findings and conclusions of the trial court are clearly erroneous.

RULE 30. APPELLATE PROCEDURE IN ALL CRIMINAL CASES

A. CRIMINAL PROCEEDINGS PENDING BEFORE A CIRCUIT JUDGE

30.01. RIGHT TO AND MANNER OF APPEAL

(a) Right to Appeal. After the rendition of final judgment in a criminal case, every party shall be entitled to any appeal permitted by law. Appeals may be taken as provided in Rule 81.04 and Rule 81.08.

(b) Jointly or Separately. Codefendants may join in an appeal or any one or more of them may appeal separately.

(Amended June 28, 2011; effective January 1, 2012.)

30.02. INTERLOCUTORY APPEAL BY STATE

If the state is permitted by law to appeal an order or judgment that is not a final judgment, the appeal shall be prosecuted in the same manner as an appeal from a final judgment, except as follows:

(b) the record on appeal shall be filed in the appellate court within fifteen days after the notice of appeal is filed in the circuit court;

[Note: In the event a transcript of proceedings is to be included in the interlocutory appeal, the time for completion falls within subsection (b).]

30.04. RECORD ON APPEAL - CONTENTS - DESIGNATION - COMPILING, ORDERING, AND FILING - ERRORS, OMISSIONS AND SUPPLEMENTAL RECORD

(a) Contents of Record on Appeal. Contents of Record on Appeal. The record on appeal shall contain all of the record, proceedings, and evidence necessary to the determination of all questions to be presented by either appellant or respondent to the appellate court for decision. It is divided into two components: the legal file and the transcript.

(c) Transcript.

(1) Duty of Appellant to Order the Transcript. Within 30 days after the notice of appeal is filed, the appellant shall order the transcript from the court reporter or from the clerk if there was no court reporter. The written order shall designate the portions of the proceedings and evidence not previously reduced to written form that are to be included in the transcript. A copy of the written order shall be filed with the appellate court.

(2) Form, Content, and Filing. The form, content, and filing of the transcript shall conform to Rule 81.12. In addition, a copy of the transcript shall be filed with the clerk of the trial court.

(3) Abbreviated or Partial Transcript. The parties may agree in writing upon an abbreviated or partial transcript of the record, proceedings, and evidence, with the evidence either in narrative form or in question and answer form.

(d) Supplementation and Correction. The legal file or transcript may be supplemented or corrected as provided by Rule 81.12.

(Amended May 19, 2016; effective January 1, 2017)

RULE 31. MISDEMEANORS OR FELONIES - PRESENCE OF DEFENDANT AND RIGHT TO COUNSEL

31.02. MISDEMEANORS OR FELONIES - RIGHT TO COUNSEL - APPOINTMENT BY COURT - ARRAIGNMENT - RECORD - APPEAL

(b) If a defendant in a felony case appears for arraignment without counsel, and if appointment of counsel is waived by the defendant, the reporter shall prepare a transcript of such proceedings and file it in the case.

31.03. MISDEMEANORS OR FELONIES - PRESENCE OF DEFENDANT - WHEN REQUIRED

(a) No trial shall be conducted unless the defendant is present, except that in a misdemeanor case the court, the prosecuting attorney, and the defendant may agree that the defendant need not be present.

(b) A verdict may be received by the court in the absence of the defendant when such absence is voluntary.

(c) If there is a record entry showing that the defendant was present at the commencement or at any stage of the trial, it shall be presumed, in the absence of any record entry to the contrary, that he was present during the entire trial.

(Amended October 26, 2021; effective July 1, 2022)

RULES OF CIVIL PROCEDURE

RULE 41. GENERAL

41.08. SIGNATURES OF JUDICIAL OFFICERS AND COURT OFFICIALS

(c) Signature of court reporter and transcriber. Documents requiring a court reporter's or transcriber's signature may be signed by an original signature, stamped signature, and electronic graphic representation of a signature, or /s/ John or Jane Person.

(Adopted September 11, 2011.)

RULE 70. INSTRUCTIONS

70.02. INSTRUCTIONS TO JURIES

(**e**) **Instructions Conference and Record.** The court shall hold an instructions conference on the record with counsel to determine the instructions to be given. The court shall inform counsel as to the instructions that are to be given prior to the time they are delivered to the jury. All instructions refused and all instructions given, including a record of who tendered them, shall be kept as a part of a record in the case. Counsel shall make specific objections on the record, out of the hearing of the jury, during the instructions conference. Prior to the instructions conference on the record, the court may conduct informal discussions with counsel regarding jury instructions. The court may correct clerical errors in instructions at any time prior to verdict.

(Amended June 30, 2017; effective January 1, 2018)

RULE 81. APPEALS

81.02. APPEALS JOINTLY OR SEPARATELY

Parties may join in an appeal or any one or more of them may appeal separately.

81.03. DESIGNATION OF PARTIES ON APPEAL

The party appealing shall be known as the appellant, and the adverse party as the respondent, but the title of the action shall not be changed in consequence of the appeal. Whenever the words "appellant" and "respondent" appear in these Rules, they shall be taken to mean and include other parties occupying like positions in a case.

81.04. APPEALS, WHEN AND HOW TAKEN - CROSS APPEALS - DOCKET FEES

(a) Filing the Notice of Appeal. If an appeal is permitted by law from a trial court, a party may appeal from a judgment, decree, or order by filing with the clerk of the trial court a notice of appeal. No such appeal shall be effective unless the notice of appeal shall be filed not later than ten days after the judgment, decree, or order appealed from becomes final.

(b) Style of Case. The party appealing shall be known as the appellant and the adverse party as the respondent, but the title of the action shall not be changed in consequence of the appeal.

(c) Cross Appeals. If timely notice of appeal is filed by a party, any other party may file a notice of appeal within ten days of the date the first notice of appeal was filed.

(Amended May 19, 2016; effective January 1, 2017.)

81.045 Appeals, When and How Taken – Expedited

Time Shortened by Court or Motion. Any time after the notice of appeal is filed with the clerk of the trial court, the trial court, on its own motion, or on the motion of any party, for good cause shown, may shorten the 30-day period provided for in Rule 75.01. The motion shall be supported by an affidavit stating reasons why the party would be prejudiced by the 30-day period before the judgment would be final for purposes of appeal under Rule 75.01. If the trial court overrules the motion, the party seeking to shorten the 30-day period may file a similar motion in the appropriate appellate court, which shall

decide the matter without deference to the trial court's denial. The provisions of this rule do not apply to judgments resolving fewer than all the remaining claims or parties as provided for in Rule 74.01(b). *(Adopted October 1, 2024, effective July 1, 2025.)*

81.05. JUDGMENTS, WHEN FINAL - PREMATURE FILING OF NOTICE OF APPEAL - COMPUTATION OF TIME

(b) Premature Filing of Appeal. In any case in which a notice of appeal has been filed prematurely, such notice shall be considered as filed immediately after the time the judgment becomes final for the purpose of appeal.

(c) Computation of Time. The 90-day period shall be computed as in Rule 78.06.

81.12. RECORD ON APPEAL

(a) Contents of Record on Appeal. The record on appeal shall contain all of the record, proceedings and evidence necessary to the determination of all questions to be presented, by either appellant or respondent, to the appellate court for decision. It is divided into two components: the legal file and the transcript.

(c) Transcript.

(1) Duty of Appellant to Order Transcript. Within ten days after the notice of appeal is filed, appellant shall order the transcript, in writing, from the reporter or from the clerk of the trial court if the proceedings were recorded by means of an electronic sound recording. Charges due for preparation of the transcript shall be paid as directed in section 512.050, RSMo. The written order shall designate the portions of the proceedings and evidence not previously reduced to written form that are to be included in the transcript. Appellant's certificate stating the date on which the transcript was ordered and the date on which the transcript charges were paid shall be filed in the appellate court within ten days after the payment of the charges.

(2) Matters Included. The transcript shall contain the portions of the proceedings and evidence not previously reduced to written form and necessary to determination of the issues on appeal.

(3) Form: Index and Page Numbers. The pages of the transcript shall be numbered consecutively beginning with the title page and shall contain a complete index at the front thereof designating the specific volumes and pages where the particular records, pleadings, motions, verdicts, judgment, orders, instructions, evidence, exhibits, and documentary evidence may be found. If portions of the trial record, proceedings, and evidence are omitted from the transcript, the indices shall so indicate. If the transcript includes the testimony of witnesses, the index shall refer to the transcript pages where the several examinations (direct, cross, re-direct, etc.) of each witness may be found. Exhibits shall be identified in the index by number or letter and page and, in addition, shall be described so that the court can distinguish the exhibits.

A volume of transcript shall not exceed 200 pages.

(4) Form. Text Searchable PDF and Margins. The transcript shall be either typewritten or prepared using computer software and filed in a text searchable PDF format, except those filed by parties ineligible for electronic filing. It shall comply with the requirements of Rule 84.03 except that:

(A) There shall be no fewer than nine characters to the typed inch;

(B) It shall have a left margin of not less than one and one-fourth or more than one and three-fourths inches;

(C) It shall have a right margin of not more than three-eighths of an inch;

(D) There shall be no fewer than 25 typed lines per page; and

(E) Each question and answer shall begin no more than five spaces from the left margin, with no more than five spaces from the "Q" and "A" to the text. Carry-over questions and answers shall begin at the left margin.

(5) Certification of the Transcript. If the trial proceedings are recorded by a court reporter present at the time of such proceedings, the transcript shall be certified by the court reporter as a true and accurate reproduction of the proceedings transcribed. If the trial proceedings are recorded by means of an electronic sound recording, the transcript shall be certified by the transcriber as a true and accurate reproduction of the sound recording.

(d) Record on Appeal When and Where Filed and Served. Within the time prescribed by Rule 81.19, the appellant shall cause the record on appeal to be prepared in accordance with the provisions of this Rule 81 and to be filed with the clerk of the proper appellate court.

A copy of the record on appeal shall not be filed with the trial court except upon court order or as provided in Rule 30.04. The record on appeal or any part thereof, prepared in accordance with this rule, shall be filed by the clerk of the appellate court without need for the parties to approve it. The filing of the legal file and transcript shall not operate as a waiver by the filing party of the right to dispute the correctness thereof as provided in Rule 81.15.

(e) Respondent's Supplemental Record. If a respondent is dissatisfied with appellant's record on appeal, that respondent may file without leave of court within the time allowed for filing respondent's brief such additional parts of the record on appeal as respondent considers necessary.

(f) Errors – Omissions – Supplemental Record on Appeal. If anything material is omitted from the record on appeal:

(1) The parties, by stipulation, shall direct that the omission or misstatement be corrected; or

(2) The appellate court, on a proper suggestion or of its own motion, may:

(A) Direct the parties to correct the omission or misstatement or order the clerk of the trial court to send up any original documents or exhibits; or

(B) Order that either party or the clerk of the trial court prepare and file a supplemental record on appeal, including any additional part of the trial record, proceedings, and evidence.

(g) Preparation of the Supplemental Record. The provisions of this Rule 81.12 relating to designation, generation, certification, and correctness of the record on appeal shall apply also to any supplemental record filed pursuant to this Rule 81.12.

(h) Multiple Appeals: The Record on Appeal. If more than one appeal is taken from the same judgment, a single record on appeal may be prepared with each appellant sharing the cost.
(August 15, 2023; effective July 1, 2024)

81.13. AGREED STATEMENT AS THE RECORD ON APPEAL

When the questions presented by an appeal can be determined without an examination of all the pleadings, evidence and proceedings in the court below, the parties may prepare and sign a statement of the case showing how the questions arose and were decided in the trial court and setting forth only so many of the facts averred and proved or sought to be proved as are essential to a decision of the questions by the appellate court. The statement shall include a copy of the judgment or order appealed from, a copy of the notice of appeal with its filing date and a concise statement of the points to be relied on by the appellant. If the statement conforms to the truth, it, together with such additions as the Court may consider necessary fully to present the questions raised by the appeal, shall be approved by the trial court and shall then be certified to the appellate court as the record on appeal.

81.15. RECORD ON APPEAL – UNCERTIFIED OR DISPUTED RECORD

(a) Uncertified Record. If the parties agree in a writing filed with the appellate court that either the legal file or the transcript is, or that both the legal file and the transcript are, true and accurate,

certification shall not be required of that part of the record on appeal on which such agreement is reached, and that part of the record on appeal shall be filed by the clerk of the appellate court.

(b) Disputes about the Record. If there is any dispute concerning the completeness of the record on appeal, additional parts of the record on appeal may be filed pursuant to Rule 81.12. The filing of the legal file or the transcript shall not operate as a waiver by the filing party of the right to dispute the correctness thereof. If there is any dispute concerning the correctness of any legal file or transcript, the party disputing the correctness thereof shall designate in writing to the appellate court those portions of the legal file or transcript that are disputed. Such designation shall be filed with the appellate court within 15 days after the legal file or the transcript, whichever is in dispute, is filed. The appellate court, either on application or on its own motion, may enlarge the time within which any such designation shall be filed. The appellate court shall direct the trial court to settle the dispute and to certify the correct contents of such portion to the appellate court, and such certification by the trial court shall become a part of the record on appeal.
(Amended May 19, 2016; effective January 1, 2017)

81.16. EXHIBITS

(a) If original exhibits are necessary to the determination of any point relied on, they shall be deposited in the appellate court by the appellant. If a party other than appellant has custody of exhibits, appellant may request that party to either deposit the exhibits with the appellate court or deliver them to appellant for deposit with the court. The party having custody shall either promptly deliver them to appellant or deposit them with the court. Respondent may deposit such additional exhibits as respondent considers necessary.

(b) A party depositing exhibits with the appellate court shall file a listing and description of the exhibits deposited.

(c) If it is impracticable to deposit any exhibit, it may be represented by photograph, mechanical drawing, or other means that fairly depict the exhibit.

(d) Original exhibits shall be deposited with the appellate court on or before the day the reply brief is due or when the court so directs, whichever is earlier. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal.

(e) Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Exhibits shall not be destroyed or disposed of in post-conviction proceedings.
(Amended May 19, 2016; effective January 1, 2017)

81.17. RECORD ON APPEAL - REVIEWING LEGAL EFFECT OF INSTRUCTIONS, EVIDENCE NOT NECESSARY, WHEN

When an appellant desires only to have reviewed legal questions with respect to instructions given or refused and a review of the evidence is unnecessary to pass on those legal questions it is not necessary for the appellant to include the evidence in the record on appeal. In such case the appellant shall serve upon the respondent and file in the appellate court, within thirty days after the filing of the last notice of appeal, a designation of the parts of the trial record, proceedings, and evidence which the appellant intends to include in the record on appeal and a statement of the issues the appellant intends to present on appeal. The statement shall show what material fact or facts the evidence tended to prove. If the respondent considers other parts of the trial record, proceedings, and evidence to be necessary, the respondent shall, within ten days after the service of the statement of appellant, serve upon the appellant and file in the appellate court a designation of additional parts which the respondent intends to include in the record on appeal and any additional issues the respondent intends to present on appeal. Failure of the respondent to serve and file such indication shall constitute an admission and agreement that the respondent agrees that the statement is correct and that a transcript of the evidence need not be included in the record on appeal.

81.19. TIME FOR FILING OF RECORD ON APPEAL

The record on appeal shall be filed with the appellate court:

(a) If the record on appeal consists only of a legal file, within thirty days from the date of the filing of the notice of appeal in the trial court;

(b) In all other cases, within ninety days from the date of the filing of the notice of appeal in the trial court.

If more than one appeal is taken from the same judgment to the same appellate court, the time for filing shall date from the filing of the last notice of appeal in the trial court.

81.20. RECORD ON APPEAL - EXTENSION OR REDUCTION OF TIME FOR FILING

The appellate court, either on application or on its own motion, may enlarge or shorten the time for filing the record on appeal.

81.21. PARTIES INELIGIBLE TO FILE DOCUMENTS THROUGH THE ELECTRONIC FILING SYSTEM

(c) Filing of Paper Transcript. A party who files a paper transcript shall also file the electronic medium provided by the court reporter. The reporter or transcriber shall certify that the electronic copy has been scanned for viruses and that it is virus-free. The appellate court, on motion, may make such order respecting delivery of paper copies of the transcript as may be just and equitable.

(Adopted May 19, 2016; effective January 1, 2017)

RULE 84. PROCEDURE IN ALL APPELLATE COURTS

84.03. FORMAT OF DOCUMENTS

(a) Briefs filed in the appellate courts shall conform to the requirements of Rule 84.06. Transcripts filed in the appellate courts shall conform to the requirements of Rule 81.12.

(b) (1) Documents shall be legible, formatted for pages of size 8 ½ x 11 inches, and have all pages, including the cover page, consecutively paginated using Arabic numerals at the bottom.

84.18. COSTS OF RECORD ON APPEAL, WHEN ALLOWED

Except where the court for good cause shown directs otherwise, costs of the appeal shall be assessed as follows: If the appellant wins in the appellate court, that court shall tax the docket fee and the cost of the record on appeal in appellant's favor. If the appellant is the losing party, the appellant shall stand the cost of the record on appeal including the cost of any part thereof supplied by the respondent and found necessary. In those cases where the appellant takes an appeal to review only legal questions pertaining to instructions, given or refused, and the evidence is unnecessary to the determination of the cause, but the respondent requests the appellant to include the evidence in the record on appeal, then the cost of supplying such evidence shall be taxed against the respondent.

Counsel preparing the record shall certify the cost of preparing the legal file and any relevant subportions thereof and shall indicate which parties ordered the subportions thereof.

The cost of preparing the transcript shall be certified thereon by the reporter. Transcript costs will be allowed for all copies of transcripts required by these rules. [See section 488.2250, RSMo.]
(Amended June 17, 2004, effective January 1, 2005.)

RULES OF JUVENILE PROCEDURE

RULE 116. PROCEDURE

116.01. RECORD OF PROCEEDINGS

A complete record of all testimony shall be kept by stenographic reporting, mechanical or electronic device, or some combination thereof.

Exhibits and other tangible evidence shall be preserved by the party offering the same unless otherwise directed by the court.

COMMENT

A complete record should be made of all testimony in any hearing. Thereby, a record is provided for purposes of appeal and as noted in *Gault*, the judge is spared "the unseemly duty of testifying under cross-examination as to the events that transpired in the hearings before him" 387 U.S. 1, 58 (1967).

This Rule 116.01 is not applicable to informal adjustment conferences under Rule 112.

(Adopted May 20, 2009; effective January 1, 2010.)

RULE 122. ACCESS TO HEARINGS AND RECORDS

122.02. OPEN RECORDS

(c) Confidential files, as defined in section 211.319.3, RSMo, and files and records specifically ordered closed by the court shall be accessible only to persons the court has determined to have a legitimate interest in such files and records.

(Amended March 9, 2005, effective January 1, 2006)

SPECIAL RULES
WESTERN DISTRICT COURT OF APPEALS

RULE 12. ELECTRONIC FILING REQUIREMENTS

(C) Transcripts. All transcripts shall be prepared in Portable Document Format (.pdf). The electronic version of the transcript shall be prepared and submitted one page per sheet. The paper copy shall be prepared and submitted in page reduction format. The court reporter shall provide Appellant with an electronic version and at least one paper copy.
(Amended October 23, 2014; effective January 1, 2015.)

RULE 15. EXTENTION FOR FILING RECORD ON APPEAL

(A) If an extension of time to file the record on appeal is requested on the ground that the transcript has not been completed, the appellant shall request from the court reporter or from the Central Transcribing Service of the Office of the State Courts Administrator, if the proceeding was electronically recorded, a written statement in support of the request of such extension. The statement from the court reporter shall be prepared in accordance with *Form 3 attached to and
statement from the court reporter shall be prepared in accordance with *Form 3 attached to and submitted alongside the record on appeal, ensuring that both electronic and paper copies are provided as specified by the rules. It is Appellant's obligation to order the record on appeal within the time prescribed by Rule 81.12(c) and 30.04(c) and promptly pay any necessary deposits. Failure to do so shall be grounds for denying a request for extension of time to file the record.

made a part of this rule. The statement from the Central Transcribing Service shall be on a form prepared by that office. The official reporter or the Central Transcribing Service shall promptly prepare and deliver to the appellant the supporting statement.

(B) It is Appellant's obligation to order the record on appeal within the time prescribed by Rule 81.12(c) and 30.04(c) and promptly pay any necessary deposits. Failure to do so shall be grounds for denying a request for extension of time to file the record.

(Adopted and effective July 27, 1979. Amended and effective January 12, 1984. Amended December 18, 2003; effective April 1, 2004; Rule number converted from Roman numeral; eff. Feb. 22, 2018. Amended Feb. 22, 2018, effective June 29, 2018)

Please refer to Appendix A to view a copy of the current **COURT REPORTER STATEMENT**. *The fill-in form can be accessed through the* Courts Information Center.

RULE 30. SCHEDULING ORDER – TERMINATION OF PARENTAL RIGHTS, ADOPTIONS, GUARDIANSHIPS AND OTHER APPEALS AFFECTING CUSTODY OF A CHILD

(A) Record on Appeal. In all appeals from actions for termination of parental rights or adoption, the transcripts shall be ordered from the court reporter within ten days of the filing of the notice of appeal and the record on appeal shall be filed with this court within 30 days of the filing of the notice of appeal. In all other appeals from actions, including guardianships, where the appellant anticipates raising an issue as to a provision in a judgment or order affecting custody of a child, the transcript shall be ordered from the court reporter within ten days of the filing of the notice of appeal and the record on appeal shall be filed with this court within 60 days of the filing of the notice of appeal.

(F) Extensions of Time for Filing Record on Appeal or Briefs. No extension of time exceeding 30 days shall be given for the filing of the record on appeal. No extension shall exceed 30 days for the filing of an appellant brief or 15 days for the filing of a respondent's brief.

(Amended January 24, 2002, effective July 1, 2002; Rule number converted from Roman numeral; eff. February 22, 201; Amended February. 22, 2018; effective June 29, 2018)

EASTERN DISTRICT COURT OF APPEALS

RULE 330. FILINGS BY SELF-REPRESENTED PARTIES

(a) Filings

(4) Legal files and transcripts, including supplemental legal files and transcripts may only be filed in paper and may NOT be filed by facsimile or by e-mail attachment. The paper transcript shall be accompanied by an electronic version of the transcript as provided in Rule 336.

(Effective Aril 13, 2021.)

RULE 336. FORM OF TRANSCRIPTS

The court reporter shall deliver to appellant at least one paper copy of the transcript prepared in page reduction format which shall consist of four pages of transcript on each side of each sheet of paper. The court reporter shall also include a CD-R or DVD-R containing the transcript. Each CD-R or DVD-R shall be legibly identified with the caption of the case and its number ("Disk 1 of 2," etc.). Alternatively, a copy may be provided by electronic mail message with an attachment. The electronic version of the transcript shall be prepared one page per sheet in "portable document format" or "PDF" as defined in Court Operating Rule 27.02(c). This provision shall also apply to any supplemental transcript requested under Rule 81.12(e)and (f).

(Adopted April 8, 1997, Amended eff. March 21, 2012, Amended eff. Jan. 1, 2017.)

RULE 340. EXTENSIONS OF TIME FOR FILING RECORD ON APPEAL

If an extension of time to file the record on appeal is requested on the ground that the transcript has not been completed, the appellant shall request from the court reporter or from the Central Transcribing Service of the Office of the State Courts Administrator if the proceeding was electronically recorded, a written statement in support of the request for such extension. The statement from the court reporter shall be prepared in

accordance with the form attached to and made a part of this rule as Form One. The statement from the Central Transcribing Service shall be prepared in accordance with the form attached to and made a part of this rule as Form Two. The official court reporter or the Central Transcribing Service shall promptly prepare and deliver to the appellant the supporting statement.

Please refer to Appendix A to view a copy of the current **COURT REPORTER STATEMENT**. *The fill-in form can be accessed through the* Courts Information Center.

RULE 348. TERMINATION OF PARENTAL RIGHTS APPEALS

(a) The record on appeal shall be filed within thirty days after the notice of appeal is filed in the circuit court.

RULE 2. FORM AND NUMBER OF COPIES TO BE FILED

(b) Number of paper filings required for the record on appeal by those ineligible to use the electronic filing system or not filing pursuant to Special Rule 21(a)(1)(ii).

(2) Only one copy of the transcript or supplemental transcript(s) shall be filed. The transcript, either in page reduction format or in full page format, when filed shall be accompanied by a CD(s) containing the transcript, all in conformance with Supreme Court Rules 81.12(c) and *81.18. The electronic version of the transcript shall be prepared one page per "sheet" in a searchable Adobe PDF. This provision shall also apply to any supplemental transcript(s).

(Amended, eff. June 14, 2017.)

**(Rule 81.18 was repealed by order dated March 7, 2023, effective January 1, 2024.)*

RULE 3. MOTIONS TO EXTEND TIME FOR FILING RECORD ON APPEAL

(a) All motions or applications for an extension of time to file the record on appeal shall be verified, shall state good cause for granting said motion and shall be accompanied by the following if the record on appeal cannot be timely filed because of a delay in the preparation of the transcript:

(1) unless previously filed under Supreme Court Rules 30.04 (c) or 81.12 (c), there shall be filed a copy of the written order in which the transcript was ordered if such was done;

(2) an affidavit of the court reporter, if there was one, or if not, an affidavit or other written document from the office of State Court's Administrator stating why the preparation of the transcript has been delayed and the date on which it is reasonably contemplated that the transcript can be completed; and

(3) if appellant has been authorized to appeal as a poor person, a certified copy of the trial court's order requiring preparation of the transcript**.**

(b) When the time for filing the record on appeal shall have been extended by this Court, all motions for additional extensions of time to file the record on appeal shall be verified, shall state good cause for granting said motion and if the delay in filing the record on appeal shall be because the

transcript on appeal has not been prepared, there shall be included an affidavit of the court reporter, if there was one, or if not, an affidavit or other written document from the State Court's Administrator stating why the transcript has not been prepared within the time as extended by this court and the date on which it is reasonably contemplated that the transcript on appeal can be completed.

Please refer to Appendix A to view a copy of the current **COURT REPORTER STATEMENT**. *The fill-in form can be accessed through the* Courts Information Center.

RULE 17. APPEALS INVOLVING TERMINATION OF PARENTAL RIGHTS OR ADOPTION OF A CHILD - TIME FOR FILING THE RECORD ON APPEAL

In any appeal taken from a case in which the termination of parental rights or adoption of a child is contested by any person or agency, the complete record on appeal shall be filed with this Court within thirty days of the filing of the notice of appeal in the trial court.

(Adopted effective January 9, 2007.)

RULE 18. ELECTRONIC FILING AND SYSTEM-GENERATED LEGAL FILES

(c) Required Format for Certain Documents. The following documents shall be filed in searchable PDF format:

(6) Transcripts.

(Amended, effective June 14, 2017; amended, effective July 1, 2023)

REVISED STATUTES OF MISSOURI

CHAPTER 49
COUNTY COMMISSIONS AND COUNTY BUILDINGS

49.225. Stenographic record.

In proceedings before county commissions, the commissioners or any party whose interests are being determined may require that all the evidence introduced be reported by a competent stenographer and when so reported the evidence shall be transcribed and shall become a part of the record in the case. The party requesting the stenographic record is liable for the costs thereof if the matter is decided against him and the county commission may require him to give security for the costs before ordering the stenographic record.

CHAPTER 211
JUVENILE COURTS

211.321. Juvenile court records, confidentiality, exceptions - records of peace officers, exceptions, release of certain information to victim.

1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required under section 557.026, RSMo, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnapping, robbery, arson, burglary or any acts involving the rendering or threat of

serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

CHAPTER 452
DISSOLUTION OF MARRIAGE, DIVORCE, ALIMONY, AND SEPARATE MAINTENANCE

452.395. Custody proceedings, priority of - judge to determine law and fact secrecy, when.

1. Custody proceedings shall receive priority in being set for hearing.

2. The court without a jury shall determine questions of law and fact if it finds that a public hearing may be detrimental to the child's best interests, the court may exclude the public from a custody hearing, but may admit any person who has a direct and legitimate interest in the particular case.

3. If the court finds it necessary to protect the child's welfare that the record of any interview, report, investigation, or testimony in a custody proceeding be kept secret, the court may make an appropriate order sealing the record.

In the event the custody proceeding is appealed and the court enters its order sealing the record of the minor's testimony, it is suggested that the reporter transcribe the original only of that portion and place in an envelope 9x12 or larger, have the judge sign it, seal it, and attach it to the original transcript on appeal. At the place in the transcript where it would ordinarily appear, the following parenthetical remark is suggested:

[Reporter's Note: The testimony (interview) of _____, a minor, which was heard in chambers, was ordered sealed by the trial court, pursuant to section 452.395, RSMo. The sealed transcript thereof is attached to the original transcript filed with the Missouri Court of Appeals, _____District.]

CHAPTER 453
ADOPTION AND FOSTER CARE

453.011. Expediting termination of parental rights and contested adoption cases.

1. In all cases involving the termination of parental rights, placement, or adoption of a child, whether voluntary or contested by any person or agency, the court shall, consistent with due process, expedite the termination, placement, or adoption proceeding by entering such scheduling orders as are necessary to ensure that the case is not delayed, and such case shall be given priority in setting a final hearing of the proceeding and shall be heard at the earliest possible date over other civil litigation, other than children's division child protection cases.

2. In all cases as specified in subsection 1 of this section which are appealed from the decision of a trial court:

(1) The transcript from the prior court proceeding shall be provided to the appellate court no later than thirty days from the date the appeal is filed;

CHAPTER 478
CIRCUIT COURTS

478.072. Preserving record, case assigned to associate circuit judge, how, approval required - supreme court to prescribe procedures and forms.

1. In any case assigned to an associate circuit judge to be heard upon the record as authorized by law, the associate circuit judge shall utilize electronic, magnetic, or mechanical sound, or video recording devices, or a court reporter, or a stenographer for the purpose of preserving the record. The method of preserving the record in each such assigned case shall be specified by the assigning judge at the time he enters his order of assignment. Electronic, magnetic, or mechanical recording devices shall be approved by the office of state courts administrator prior to their utilization by any associate circuit judge.

2. The supreme court shall by order prescribe necessary and proper forms and procedures in addition to those specified herein.

3. Any circuit judge serving as judge of a probate division of the circuit court may also preserve the record in his court by using such approved electronic, magnetic, or mechanical recording devices.

CHAPTER 485
COURT REPORTERS AND STENOGRAPHERS

485.040. Judges of circuit courts to appoint reporters – qualifications.

1. For the purpose of preserving the record in all cases for the information of the court, jury and parties, and for expediting the public business, each circuit judge shall appoint an official court reporter who shall be a certified court reporter as provided by Rule 14 of the supreme court. Such court reporter shall be a sworn officer of the court, and shall hold his office during the pleasure of the judge appointing him, and on the death, resignation, or retirement of that judge, the reporter shall retain his office until the judge's successor is elected or appointed**.**

2. In lieu of a full-time court reporter, a circuit judge who serves as the judge of the probate division may utilize the services of a court reporter on a part-time basis or may preserve the record in the manner provided in section 478.072, RSMo.

485.050. Duties.

It shall be the duty of the official court reporter so appointed to attend the sessions of the court, under the direction of the judge thereof; to take full stenographic notes of the oral evidence offered in every cause tried in said court, together with all objections to the admissibility of testimony, the rulings of the court thereon, and all exceptions taken to such rulings; to preserve all official notes taken in said court for future use or reference, and to furnish to any person or persons a transcript of all or any part of said evidence or oral proceedings upon the payment to him of the fee herein provided**.**

485.055. Reporters may be transferred, when - power and rights.

1. Whenever the supreme court makes an order temporarily transferring a circuit judge to a circuit court other than the court to which he was appointed or elected, or whenever any such judge is temporarily transferred or assigned in a manner other than by order of the supreme court, the supreme court, upon written notice from such transferred judge, shall, if the regular reporter is for any reason unavailable and the transfer is deemed necessary, order the temporary transfer of the official court reporter of the court of such transferred judge to accompany the judge and perform all the duties of the official court reporter of the court to which the judge is transferred in the matters heard or considered by the transferred judge while so transferred, and the official court reporter shall perform the same duties, make the same charges for his services, and be subject to the same laws and rules while acting as such transferred reporter as though he were the regularly appointed official reporter of the court to which he was temporarily appointed.

2. Upon the request made to the supreme court by a circuit judge whose official reporter is absent by reason of illness or physical incapacity, for the transfer of a reporter, the supreme court may, with the consent of the judge appointing him, or without such consent if said judge is absent or incapacitated, order the temporary transfer of another official reporter to said circuit court, and the official reporter shall perform the same duties, make the same charges for his services, and be subject to the same laws and rules while acting as such transferred reporter as though he were the regularly appointed official reporter of the court to which he was temporarily appointed.

3. In all judicial circuits having more than one circuit judge, in the absence or incapacity of one of the judges, the presiding judge may order the court reporter of said absent or incapacitated judge to act as court reporter of another division of said court when he shall deem such action necessary.

485.060. Compensation of reporters.

1. Each court reporter for a circuit judge shall receive an annual salary of twenty-six thousand nine hundred dollars beginning January 1, 1985, until December 31, 1985, and beginning January 1, 1986, an annual salary of thirty thousand dollars.

2.Such annual salary shall be modified by any salary adjustment provided by section 476.405.

3.Beginning January 1, 2022, the annual salary, as modified under section 476.405, shall be adjusted upon meeting the minimum number of cumulative years of service as a court reporter with a circuit court of this state by the following schedule:

(1) For each court reporter with zero to five years of service: the annual salary shall be increased only by any salary adjustment provided by section 476.405;

(2) For each court reporter with six to ten years of service: the annual salary shall be increased by the whole sum of five and one-quarter percent in addition to the increase provided by subdivision (1) of this subsection;

(3) For each court reporter with eleven to fifteen years of service: the annual salary shall be increased by the whole sum of eight and one-quarter percent in addition to the increase provided by subdivision (2) of this subsection;

(4) For each court reporter with sixteen to twenty years of service: the annual salary shall be increased by the whole sum of eight and one-half percent in addition to the increase provided by subdivision (3) of this subsection; or

(5) For each court reporter with twenty-one or more years of service: the annual salary shall be increased by the whole sum of eight and three-quarters percent in addition to the increase provided by subdivision (4) of this subsection.

4. Salaries shall be payable in equal monthly installments on the certification of the judge of the court or division in whose court the reporter is employed. If paid by the state, the salaries of such court reporters shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

(Effective August 28, 2023)

485.065. Source of funds for reporter's salary.

The entire salary of each court reporter and the expense of part-time court reporters for circuit judges serving as judges of the probate division as provided in subsection 2 of section485.040 shall be paid out of the state treasury.

485.075. Appointment of temporary court reporter, when - compensation - duration.

In the absence of the official reporter of any circuit judge because of illness or physical incapacity to perform his duties, the judge may appoint a temporary reporter, who shall perform the same duties and receive the same compensation as provided for the regular reporter for the time served by the appointee as temporary reporter, to be paid upon certification of the judge making such appointment. No temporary appointment shall continue through more than thirty court days in any calendar year unless so ordered by the supreme court of this state.

485.077. Certification of official court reporters required.

1. No judge of any court in this state shall appoint an official court reporter who is not a court reporter certified by the board of certified court reporter examiners, as provided in Supreme Court Rule 14. In the absence of an official court reporter due to illness, physical incapacity, death, dismissal or resignation, a judge may appoint a temporary court reporter, but such temporary court reporter shall not serve more than six months without obtaining a certificate pursuant to the provisions of Supreme Court Rule 14.

2. No testimony taken in this state by deposition shall be given in any court in this state, and no record on appeal from an administrative agency of this state shall include testimony taken in this state by deposition, unless the deposition is prepared and certified by a certified court reporter, except as

provided in Supreme Court Rule 57.03(c).

3. Deposition testimony taken outside the state shall be deemed to be in conformity with this section if the testimony was prepared and certified by a court reporter authorized to prepare and certify deposition testimony in the jurisdiction in which the testimony was taken.

4. This section shall not apply to depositions taken in this state in connection with cases not pending in a Missouri state court or administrative agency at the time the deposition was taken.

485.090. Reimbursement for expenses while attending court - how paid.

Every official court reporter of a circuit court of a judicial circuit comprised of two or more counties, in addition to his salary, shall be reimbursed for all sums of money actually expended by him in necessary hotel and traveling expenses while engaged in attending any regular, special or adjourned term of court at any place in the judicial circuit in which he is appointed, other than the county of his residence, or while engaged in going to and from any such place for the purpose of attending terms of court. All of such actual expenses shall be paid out of the state treasury.

CHAPTER 488
COURT COSTS

488.2250. Fees for appeal transcript of testimony - judge may order transcript, when.

1. For all appeal transcripts of testimony given, the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter's fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production, who shall reimburse the court reporter.

(Effective August 28, 2018)

CHAPTER 492
OATHS AND AFFIRMATIONS, DEPOSITIONS AND PERPETUATION OF TESTIMONY

492.010. Officers and notary public authorized to administer oaths.

Every court and judge, justice and clerk thereof, notaries public, certified court reporters and certified shorthand reporters, shall respectively have power to administer oaths and affirmations to witnesses and others concerning anything or proceeding pending before them, respectively, and to administer oaths and take affidavits and depositions within their respective jurisdictions, in all cases where oaths and affirmations are required by law to be taken.

CHAPTER 509
PLEADINGS

509.520. Court records, required redactions — confidential case file sheet, contents. — 1. Notwithstanding any provision of law to the contrary, beginning August 28, 2023, pleadings, attachments, exhibits filed with the court in any case, as well as any judgments or orders issued by the court, or other records of the court shall not include the following confidential and personal identifying information:

(1) The full Social Security number of any party or any child;

(2) The full credit card number, financial institution account number, personal identification number, or password used to secure an account of any party;

(3) The full motor vehicle operator license number;

(4) Victim information, including the name, address, and other contact information of the victim;

(5) Witness information, including the name, address, and other contact information of the witness;

(6) Any other full state identification number;

(7) The name, address, and date of birth of a minor and, if applicable, any next friend; or

(8) The full date of birth of any party; however, the year of birth shall be made available, except for a minor.

2. The information provided under subsection 1 of this section shall be provided in a confidential information filing sheet contemporaneously filed with the court or entered by the court, which shall not be subject to public inspection or availability.

3. Nothing in this section shall preclude an entity including, but not limited to, a financial institution, insurer, insurance support organization, or consumer reporting agency that is otherwise permitted by law to access state court records from using a person's unique identifying information to match such information contained in a court record to validate that person's record.

4. The Missouri supreme court shall promulgate rules to administer this section.

5. Contemporaneously with the filing of every petition for dissolution of marriage, legal separation, motion for modification, action to establish paternity, and petition or motion for support or custody of a minor child, the filing party shall file a confidential case filing sheet with the court which shall not be subject to public inspection and which provides:

(1) The name and address of the current employer and the Social Security number of the petitioner or movant, if a person;

(2) If known to the petitioner or movant, the name and address of the current employer and the Social Security number of the respondent; and

(3) The names, dates of birth, and Social Security numbers of any children subject to the action.

6. Contemporaneously with the filing of every responsive pleading petition for dissolution of marriage, legal separation, motion for modification, action to establish paternity, and petition or motion for support or custody of a minor child, the responding party shall file a confidential case filing sheet with the court which shall not be subject to public inspection and which provides:

(1) The name and address of the current employer and the Social Security number of the responding party, if a person;

(2) If known to the responding party, the name and address of the current employer and the Social Security number of the petitioner or movant; and

(3) The names, dates of birth, and Social Security numbers of any children subject to the action.

7. The full Social Security number of any party or child subject to an order of custody or support shall be retained by the court on the confidential case filing sheet or other confidential record maintained in conjunction with the administration of the case. The full credit card number or other financial account number of any party may be retained by the court on a confidential record if it is necessary to maintain the number in conjunction with the administration of the case.

8. Any document described in subsection 1 of this section shall, in lieu of the full number, include only the last four digits of any such number.

9. Except as provided in section 452.430, the clerk shall not be required to redact any document described in subsection 1 of this section issued or filed before August 28, 2009, prior to releasing the document to the public.

10. For good cause shown, the court may release information contained on the confidential case filing sheet; except that, any state agency acting under authority of chapter 454 shall have access to information contained herein without court order in carrying out their official duty.

(If a transcript request involves proceedings governed by 509.520, and relevant information was provided through testimony, consult your judge for direction on whether and how such information should be included in the transcript.)

(Effective August 28, 2023)

CHAPTER 512
APPEALS AND APPELLATE PROCEDURE

512.050. Notice of appeal - when filed - court reporter to be paid, when.

When an appeal is permitted by law from a trial court and within the time prescribed, a party or his agent may appeal from a judgment or order by filing with the clerk of the trial court a notice of appeal. No such appeal shall be effective unless the notice of appeal shall be filed not later than ten days after the judgment or order appealed from becomes final. All charges due to the court reporter for preparation of the transcript of the record of the trial court shall be paid within ten days of the ordering of the transcript. In the event that actual charges due for the preparation of the transcript cannot be readily determined, a deposit in the amount of the estimated charges due for preparation of the transcript shall be paid within ten days of the written notification by the court reporter of the amount of such estimated charges. The court reporter shall provide such written notification within ten days of any request for transcript. After a timely filing of such notice of appeal, failure of the appellant to take any of the further steps to secure the review of the judgment or order appealed from does not affect the validity of the appeal, but is ground for such action as the appellate court deems appropriate, which may include dismissal of the appeal.

CHAPTER 540

GRAND JURIES AND THEIR PROCEEDINGS

540.105. Reporter to record testimony - oath.

An official reporter of the circuit court, when directed by the judge thereof, shall take down and transcribe for use of the prosecuting or circuit attorney any or all evidence given before the grand jury. Before taking down any such evidence, however, such reporter shall be sworn by the foreperson of such grand jury not to divulge any of the proceedings or testimony before the grand jury or the names of any witnesses except to the prosecuting or circuit attorney or to any attorney lawfully assisting him in the prosecution of an indictment brought by such grand jury.

540.106. Grand jury proceeding to be recorded, when – transcript to defendant.

Any grand jury proceeding that includes testimony or other information from a witness who is granted immunity from prosecution shall be a recorded proceeding. In the event a person is indicted as a result of such immunized testimony, the prosecutor shall provide a transcription of such testimony to all defendants.

CHAPTER 552

CRIMINAL PROCEEDINGS INVOLVING MENTAL ILLNESS

552.045. Transcript of proceedings and preliminary letter to institution, when.

1. Whenever the court commits to a state institution for observation or detention the person afflicted with a mental illness or defect under authority of this chapter, the court shall also order a transcript of all, or any part, of the evidence or oral proceedings in the case to be given to the institution and the expense to be paid as authorized by section485.100*, RSMo.

**Transferred 2000; now 488.2250.*

CHAPTER 595

VICTIMS OF CRIMES, COMPENSATION AND SERVICES

595.226. Identifiable information in court records to be redacted, when—disclosure of information permitted, when--disclosure of identifying information regarding defendant, when.

1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, including any visual or aural recordings that could be used to identify or locate any victim of an offense under chapter 566 or a victim of domestic assault or stalking shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include, but shall not be limited to, the name, home or temporary address, personal email address, telephone number, Social Security number, birth date, place of employment, any health information, including human immunodeficiency virus (HIV) status, any information from a forensic testing report, or physical characteristics, including an unobstructed visual image of the victim's face or body.

2. Any person who is requesting identifying information of a victim and who has a legitimate interest in obtaining such information may petition the court for an in camera inspection of the records. If the court determines the person is entitled to all or any part of such records, the court may order production and disclosure of the records, but only if the court determines that the disclosure

to the person or entity would not compromise the welfare or safety of the victim, and only after providing reasonable notice to the victim and after allowing the victim the right to respond to such request.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a case under chapter 566 or a case of domestic assault or stalking shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

(Effective August 28, 2022)

CHAPTER 600
PUBLIC DEFENDERS

600.096. Reports, documents, statements, transcripts to be furnished to defender without fee.

Any office of the state, or any department, division, agency or political subdivision thereof, including a prosecutor's office and a police department, shall furnish copies, upon request, of any reports, documents, statements or *transcripts prepared by the state, or any department, division, agency or political subdivision thereof concerning a person represented by the state public defender system to the defender representing such person without charge.

*(*refers to remunerated transcripts prepared previously.)*

CHAPTER 610
GOVERNMENTAL BODIES AND RECORDS

610.035. State entity not to disclose Social Security number, exceptions. — No state entity shall publicly disclose any Social Security number of a living person unless such disclosure is permitted by federal law, federal regulation or state law or unless such disclosure is authorized by the holder of that Social Security number or unless such disclosure is for use in connection with any civil, criminal, administrative or arbitral proceeding in any federal, state or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state or local court. Notwithstanding any other provision of law to the contrary, the disclosure of Social Security numbers of deceased persons shall be lawful, provided that the state agency disclosing the information knows of no reason why such disclosure would prove detrimental to the deceased individual's estate or harmful to the deceased individual's living relatives. For the purposes of this section, "publicly disclose" shall not include the use of any Social Security number by any state entity in the performance of any statutory or constitutional duty or power or the disclosure of any Social Security number to another state entity, political subdivision, agency of the federal government, agency of another state or any private person or entity acting on behalf of, or in cooperation with, a state entity. Any person or entity receiving a Social Security number from any entity shall be subject to the same confidentiality provisions as the disclosing entity. For purposes of this section, "state entity" means any state department, division, agency, bureau, board, commission, employee or any agent thereof. When responding to any requests for public information pursuant to this chapter, any costs incurred by any state entity complying with the provisions of this section may be charged to the requester of such information.

610.105. Effect of nolle pros — dismissal — sentence suspended on record — not guilty due to mental disease or defect, effect — official records available to victim in certain cases. — 1. If the person arrested is charged but the case is subsequently nolle prossed, dismissed, or the accused is found not guilty or imposition of sentence is suspended in the court in which the action is prosecuted, official records pertaining to the case shall thereafter be closed records when such case is finally terminated except as provided in subsection 2 of this section and section 610.120 and except that the court's judgment or order or the final action taken by the prosecutor in such matters may be accessed. If the

accused is found not guilty due to mental disease or defect pursuant to section 552.030, official records pertaining to the case shall thereafter be closed records upon such findings, except that the disposition may be accessed only by law enforcement agencies, child-care agencies, facilities as defined in section 198.006, and in-home services provider agencies as defined in section 192.2400, in the manner established by section 610.120.

2. If the person arrested is charged with an offense found in chapter 566, section 568.045, 568.050, 568.060, 568.065, 573.200*, 573.205*, or 568.175, and an imposition of sentence is suspended in the court in which the action is prosecuted, the official records pertaining to the case shall be made available to the victim for the purpose of using the records in his or her own judicial proceeding, or if the victim is a minor to the victim's parents or guardian, upon request.

OTHER RULES AND STATUTES, GENERALLY

Although this manual contains content applicable to official court reporters, information relating to depositions can be found in the following rules: Supreme Court Rules 25.12, 25.13, 25.14, 25.15, and 57, generally. *(Source: Courts.mo.gov.)*

The reader may also note the following statues, in whole or specific subsections: 492, oaths and affirmations; 512.110.2 and 512.110.3, record contents of the transcript; 512.130, when the transcript is filed; 509.520, redaction of Social Security and credit card numbers (in the event such information is elicited through testimony, please consult with your judge as to how/if it should be included in the transcript content); 540.106, transcripts of grand jury proceedings.
(Source: revisor.mo.gov)

There are some rules and statutes, although not containing identical verbiage, have content relating to the same subject matter and may appear to be in conflict in some respects. This may leave the reporter with the question of which law to follow. The simplest approach is to determine if the law in question is procedural or substantive. If it is procedural, then the rule would take precedence and, conversely, if it is substantive, then the statute would take precedence.

CITATIONS:

Citations are not underlined in transcripts. Use "**v**." for citations and "**vs.**" for the style of the case in transcripts. The frequently used citations may be set up as follows:

Publication	**Abbreviation**
American Jurisprudence	Am Jur
American Law Reports Annotated	A.L.R.
American Law Reports, Second Series	A.L.R.2d
American Law Reports Annotated, Third Series	A.L.R.3d
American Law Reports Annotated, Fourth Series	A.L.R.4th
American Law Reports Annotated, Fifth Series	A.L.R.5th
American Law Reports Annotated, Sixth Series	A.L.R.6th
Federal Reporter	F.
Federal Reporter, Second Series	F.2d
Federal Reporter, Third Series	F.3d
Federal Rules Decisions	F.R.D.
Federal Supplement	F.Supp.
Lawyers' Reports Annotated	L.R.A.
Missouri Approved Instructions	CivilMAI
Missouri Approved Instructions, Criminal, Third Edition	MAI-CR 3d
Revised Statutes of Missouri	RSMo
South Western Reporter	S.W.
South Western Reporter, Second Series	S.W.2d
South Western Reporter, Third Series	S.W.3d
Supreme Court Reporter	S. Ct.
Uniform Commercial	CodeUCC
United States	CodeUSC
United States Reports	U.S.
Vernon's Annotated Missouri	RulesVAMR
Vernon's Annotated Missouri	StatutesVAMS

PROCEDURES

AND

TRANSCRIPT EXAMPLES

FOR

CIVIL CASES

THE TRIAL OF A CIVIL CASE

Following is a brief checklist of what a court reporter should expect when he/she reports a civil case in the trial by jury.

(a) The court usually reads an introductory instruction to the jury panel often based upon a modification of MAI-CR 3d 300.02.

(b) The voir dire examination shall be conducted.

(c) Before each recess or adjournment of the court, the court may read to the jury an instruction similar to MAI-CR 3d 300.04.

(d) A qualified jury shall be selected as provided by law and shall be sworn to well and truly try the case.

(b) The court shall read to the jury MAI 2.01.

(c) The attorney for plaintiff shall make an opening statement. The attorney for defendant may make an opening statement or it may be reserved.

(g) The attorney for plaintiff shall offer evidence on behalf of plaintiff.

(h) The attorney for defendant may move for a directed verdict at the close of plaintiff's evidence.

(i) The attorney for defendant may make an opening statement if it has been reserved.

(j) The attorney for defendant may offer evidence on behalf of defendant.

(k) Plaintiff may offer evidence in rebuttal, and the court may permit all parties to offer rebuttal evidence upon their original cases if found to be in the interest of justice.

(l) The attorney for defendant may move for a directed verdict at the close of all of the evidence.

(m) The court shall instruct the jury in the manner provided by Rule 70.02.

(n) The length of time for arguments may be fixed by the court. The attorney for plaintiff may make the opening argument, the attorney for defendant may make a closing argument, and the attorney for plaintiff may conclude the argument. Each side may waive its right to agreement.

(o) The original of all numbered instructions and all verdict forms shall be handed to the jury for its use during deliberations and shall be returned to the court and filed at the conclusion of the jury's deliberations.

The parties named in the original caption of the case remain in the same order on appeal, but with the proper designation [Rules 81.03 and 81.04(b)].

The reporter's notes should show the time the jury retired to deliberate; show the time of any questions and proceedings, whether in the courtroom or in chambers, relating thereto; and also note the time of the verdict. (See MAI-CR 3d 312.10, Notes on Use.)

Again, the record on appeal is divided into two parts, i.e., the "legal file" and the "transcript." The transcript shall contain the portions of the proceedings and evidence not previously reduced to written form.

Any proceedings during deliberations, notes from the jury or otherwise, and polling of the jury should be included in the transcript.

The following items shall not be included in the record on appeal unless specifically requested and necessary to the determination of issues on appeal: voir dire, opening statements, closing arguments, MAI 2.01, evidence regarding damages, briefs and memoranda, notices of filing, subpoenas, summonses, motions to extend time, affidavits and admissions of service and mailing, notices of settings, depositions and notices, and jury lists [Rule 81.05(b)].

Appellant has 10 days after filing of notice of appeal within which to order the transcript from the reporter. The written order shall designate the portions of the proceedings and evidence which are to be included in the transcript. Charges for the cost of the transcript on appeal are to be paid to the court reporter within 10 days from the time the transcript was ordered [section 512.050, RSMo], thereby making it the responsibility of the reporter to respond to the request for the transcript on appeal in a timely manner. The appellant then has 10 days to file a certificate with the appellate court noting the dates of the request and payment thereof, with the same served on the other parties [Rule 81.05(c)].

The form of the transcript, i.e., size of type, weight of paper, indexing, numbering of pages, exhibits, et cetera, is the same as for a civil transcript [Rule 81.12].

[Both appellate court and circuit court captions of the case are to appear on the cover of the transcript. Caption should not be repeated anywhere else in the transcript. **Use the proper district, i.e., Eastern, Southern, or Western.** *The following are examples of administrative pages.]*

(Cover page for transcript on appeal in civil case)

IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT

JOHN R. SMITH,)

Respondent,)

vs. WD No. _____

ARNOLD JONES,

Appellant.

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI
_____ JUDICIAL CIRCUIT, DIVISION _____
Honorable _____, Judge

JOHN R. SMITH,)
)
Plaintiff,)
vs.) Case No. _____
)
ARNOLD JONES,)
)
Defendant.)

RECORD ON APPEAL - TRANSCRIPT

APPEARANCES

For Plaintiff/Respondent:

Mr. Michael McDonald
345 Broadway Street
Kansas City, Missouri 64106

For Defendant/Appellant:

Mr. Richard Porter
404 Main Street
Gladstone, Missouri 64119

*[***Note***: Additional appearances should be placed on page 2.]*

(Your name), Certified Court Reporter No. ___
____ Judicial Circuit, Division __(City), Missouri

(Cover page for transcript on appeal in civil case/supplemental transcript)

IN THE MISSOURI COURT OF APPEALS
EASTERN DISTRICT

CARL JONES and MARY JONES, et ux.,	)	
	)	
Appellant,	)	
vs.	)	ED No. _____
	)	
MARSHALL JEFFRIES,	)	
	)	
Respondent.	)	

IN THE CIRCUIT COURT _____ COUNTY, MISSOURI *[See Note 1.]*
_____ JUDICIAL CIRCUIT, DIVISION _____
Honorable _____, Judge

CARL JONES and MARY JONES, et ux.,	)	
	)	
Plaintiffs,	)	
vs.	)	Case No._____
	)	
MARSHALL JEFFRIES,	)	
	)	
Defendant.	)	

RECORD ON APPEAL
SUPPLEMENTAL TRANSCRIPT *[See Note 2.]*

For Plaintiffs/Appellants:

Mr. Thomas S. Jeffers
1217 Lincoln Street
St. Charles, Missouri 63462

For Defendant/Respondent:

Ms. Donna Fayette
1037 Market Street
St. Louis, Missouri 63101

(Your Name), Certified Court Reporter No. ___
_____ Judicial Circuit, Division ____
(City), Missouri

Note 1. For the City of St. Louis show: **IN THE CIRCUIT COURT OF CITY OF ST. LOUIS, MISSOURI**

Note 2. Supplemental transcript on appeal may be ordered for proceedings omitted in original transcript.

(Cover page for ordinary civil transcript-not on appeal)

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI

_____ JUDICIAL CIRCUIT, DIVISION _____
Honorable _____, Judge

JOHN R. THOMPSON,)
)
Plaintiff,)
vs.)Case No. _____
)
CRAIG S. STONE,)
)
Defendant.)

TRANSCRIPT – HEARING ON MOTION FOR SUMMARY JUDGMENT
[date]

On _____, (month/date/year), the above cause came on for hearing before the HONORABLE _____, Judge of Division ____ of the Circuit Court of _____ County, Missouri, at (city).

APPEARANCES

For the Plaintiff:

Mr. Michael McDonald
345 Broadway Street
Kansas City, Missouri 64106

For the Defendant:

Mr. Richard Porter
404 Main Street
Gladstone, Missouri 64119

(Your name), Certified Court Reporter No. ___
____ Judicial Circuit, Division __
(City), Missouri

(Civil Transcript Index)

I N D E X **Page**

MONDAY, JANUARY 26, 2015

TRIAL

VOLUME I 1

Appearances 1

Voir Dire Examination of Venire Panel (Omitted) *(Note 1)* 4

Instruction No. 1 read to jury *(Note 2)* 4

Plaintiff's Opening Statement *(Note 3)* 6

Defendant's Opening Statement (Reserved) 24

PLAINTIFF'S EVIDENCE 25

Phillip Hargrove

Direct Examination 25

Cross-Examination 85

Timothy Dean

Direct Examination 115

Cross-examination 152

Redirect Examination 195

PLAINTIFF RESTS 197

VOLUME I concluded 197

Note 1. Indices shall indicate proceedings omitted. [Rule 81.12(3)]

Note 2. Do not copy instructions in transcript as they are already in written form.

Note 3. Instructions are transcribed only when specifically requested and necessary for determination of issues on appeal. [Rule 81.12(c)].

Note 4. Do not copy written motion in transcript.

INDEX (Continued)

TUESDAY, JUNE 26, 2001

	Page
VOLUME II	198
Defendant's Motion for Directed Verdict filed *(Note 4)*	198
DEFENDANT'S EVIDENCE	200
Paula Maier	
Direct Examination	200
Cross-Examination	273
Redirect Examination	290
Recross-Examination	292
Further Recross-Examination	294
Raymond Frost	
(By agreement of counsel, the testimony of witness Raymond Frost is omitted.)	
DEFENDANT RESTS	297
Defendant's Motion for Directed Verdict filed *(Note 1)*	298
Instruction Conference	298
Instructions read to jury *(Note 2)*	308
Plaintiff's Opening Argument *(Note3)*	308
Defendant's Closing Argument *(Note 3)*	335
Plaintiff's Closing Argument *(Note 3)*	372
Verdict	397
Jury polled	397
Trial concluded	398
Certificate of Reporter *(Note 4)*	399
VOLUME II concluded	399

Note 1. Do not copy written motion in transcript. [Rule 81.12(c)(2)]

Note 2. Do not copy instructions in transcript.

Note 3. Only when specifically requested and necessary for determination of issues on appeal.

Note 4: Rule 81.12(c)(5) requires the reporter to certify the transcript as a true and accurate reproduction of the proceedings transcribed. Rule 84.18 requires the reporter to certify the cost of preparing the transcript.

(Volume Annotation and Exhibit List in Civil Cases)

(Volume I comprises pages 1 through 197)
(Volume II comprises pages 198 through 399)

EXHIBITS

Exhibit No.	**Description**	**Offered**	**Admitted**
Plaintiff's 1	Will		72 73
Plaintiff's 2	Deed of Trust		75 75
Plaintiff's 3	Photograph 88		Refused
Plaintiff's 4	Photograph		Not offered
Plaintiff's 5	Letter, 1/10/90		101-102
Defendant's A	Certificate of Deposit		115 116
Defendant's B	Diagram 253		Withdrawn

If a transcript is comprised of more than one volume, annotate on the first page of the exhibit list the pages comprising each volume. The annotation is helpful to the reader to find exhibits quickly in separate volumes. All pages shall be numbered consecutively from volume to volume. [See example above.]

Exhibits shall be identified in the index by number or letter and page and, in addition, shall be described so that the court can distinguish the exhibits. [Rule 81.12(c)(3)]

(Civil Trial)

[The trial proceedings may be in the following form when voir dire is EXCLUDED:]

TRIAL

The trial began on _____, (month/date/year), before the Honorable _____, Judge of Division No. _____ of the Circuit Court of _____ County, Missouri, at _____, and a jury.*

**[If alternate jurors are selected, set forth here:* and two alternate jurors.*]*

Mr. James Lawyer appeared on behalf of the plaintiff. The plaintiff appeared in person. Mr. John Attorney appeared on behalf of the defendant. The defendant appeared in person.

(The following proceedings were held:) *[Note 1.]*

(MAI-CR 3d 300.02 (modified) was read to the voir dire panel.)

(Voir dire examination omitted.)

(A jury of 12, plus two alternates, was selected, impaneled and sworn. The remainder of the voir dire panel was discharged.)

(Instruction No. 1 was read to the jury.)

Note 1. It is understood that all proceedings are held in the courtroom unless otherwise noted. For instance, if a proceeding adjourned to chambers for part of the record, the following could be used: (The following proceedings were held in camera.) *or* (The following proceedings were held outside of the courtroom.)

[Other examples of transcript parentheticals can be found on pages 132 to 136**.]**

[The trial proceedings may be in the following form when voir dire is INCLUDED:]

TRIAL

The trial began on _____, (month/day/year), before the Honorable _____, Judge of Division No. _____ of the Circuit Court of _____ County, Missouri, at _____, and a jury,* which was impaneled, instructed, selected, and sworn.

*[*If alternate jurors were selected, set forth here:* and two alternate jurors.*]*

Mr. James Lawyer appeared for the plaintiff. The plaintiff appeared in person.

Mr. John Attorney appeared for the defendant. The defendant appeared in person.

(The following proceedings were held:)

(*The following proceedings were held in the presence of the venire panel:*)
(MAI-CR 3d 300.02 (modified) was read to the venire panel.)

(The venire panel was sworn to answer questions on voir dire examination as follows:)

PLAINTIFF'S VOIR DIRE EXAMINATION

BY MR. LAWYER:

Good morning, ladies and gentlemen of the jury. My name is Jim Lawyer, and I represent the plaintiff in this cause. Is there anyone here who is acquainted with the plaintiff?

(Indication.)

MR. LAWYER: Yes, sir? Your name, please?

VENIREPERSON JONES: Jeffrey Jones.

MR. LAWYER: What is the nature of your acquaintanceship with the plaintiff?

[In the event there are two or more members on the panel with the same last name, include at least the first name initial of the venireperson also.]

[If only a **portion** *of the voir dire is requested, use the following parenthetical:]*

(The venire panel was sworn to answer questions on voir dire examination, during the course of which the following proceedings, among others, were held:)

[The examination may be set up in the following colloquy form:]

THE COURT: Mr. Lawyer, you may proceed.

MR. LAWYER: Thank you, Your Honor.

PLAINTIFF'S VOIR DIRE EXAMINATION

BY MR. LAWYER:

Ladies and gentlemen, as the Court advised you, my name is James Lawyer. Is there anyone on the panel who is acquainted with Mr. Kay?

(Indication.)

MR. LAWYER: Your name, sir?

VENIREPERSON MOORE: Herbert Moore.

MR. LAWYER: Mr. Moore, you are acquainted with Mr. Kay?

VENIREPERSON MOORE: Yes. We work at the same place.

[During voir dire examination, the following parenthetical remarks are appropriate:]

(A show of hands.) or (Indications.) or (Indication.)

(No response.)

(Unidentified Venireperson.) Some judges feel it is the responsibility of the attorneys to identify veniremen through their questioning. Other judges feel the reporter should stop the proceedings to ask the attorneys to identify the veniremen. **The reporter should inquire of his/her judge to clarify in what manner the situation is to be handled. It is extremely important that all speakers giving responses be identified.**

CONTENT GUIDELINES

INSTRUCTION NO. 1

[Upon completion of voir dire examination and the jury having been selected, Instruction No. 1 (MAI 2.01) will be read immediately after the jury is sworn and before opening statements. Do not include the instruction in the transcript. Use the following parenthetical:]

(Instruction No. 1 was read to the jury.)

Instructions are in writing and will be part of the legal file. Do not transcribe instructions in the transcript unless specifically requested by the appellant. [Rule 81.12(b).]

INVOKING THE RULE

(At the request of plaintiff/defendant, the exclusionary rule pertaining to witnesses was invoked).

[When referring to this manual, keep in mind that designations of State and Defendant are generally used throughout. However, the appropriate designations must be used in the transcript, i.e., plaintiff/defendant.]

MOTIONS

Motions are in writing and will be part of the legal file. Do not copy motions in the transcript. [Rule 81.12(c)(2)]

OPENING STATEMENTS AND CLOSING ARGUMENTS

Opening statements and closing arguments sometimes are omitted by request. If counsel/party does not specify when ordering a transcript, it would be beneficial to ask for clarification.

Use the following parenthetical remark when omitting opening statements or closing arguments:

(Plaintiff's and Defendant's Opening Statements/Closing Arguments were made by counsel. Such are hereby omitted at the request of counsel.)

HEADINGS

Headings within the transcript may be in capital letters, centered, underscored and bold as demonstrated by the examples below.

PLAINTIFF'S EVIDENCE

PLAINTIFF RESTS

DEFENDANT'S EVIDENCE

DEFENDANT RESTS

PLAINTIFF'S REBUTTAL EVIDENCE

PLAINTIFF RESTS

DEFENDANT'S SURREBUTTAL EVIDENCE

DEFENDANT RESTS

INSTRUCTIONS CONFERENCE

INSTRUCTION CONFERENCE

All instruction conference proceedings with regard to given and refused instructions are to be included in the transcript. These conferences are typically held outside of the jury's presence. A parenthetical should be inserted to so indicate.

(The following proceedings were held out of the presence of the jury:)

INSTRUCTIONS AT CONCLUSION OF EVIDENCE

In order to preserve objections, the reporter shall report the reading of the instructions verbatim. The following parenthetical is an example of denoting in the transcript of the instructions given the jury.

(Instructions numbered 2 through ____, inclusive, were read to the jury.)

WHEN THE JURY HAS QUESTIONS

When the jury sends a note, the reporter should note the time the court receives it and report all discussion between court and counsel regarding same.

(At 3:25 p.m., the jury sent out a note and the following proceedings were held:)

Following the conclusion of the proceedings concerning the jury's question or concern, it is helpful to indicate the time court recessed.

(At 3:44 p.m., a recess was taken.)

(Further examples are given on page 134.)

VERDICT AND JUDGMENT (Civil)

The verdict and judgment are in writing and will be included in the legal file, not the transcript. [Rule 81.12(b)(1)(C).]

POLLING THE JURY

When the jury is polled, the reporter shall report all of the proceedings. Use the following form in the transcript unless specifically requested to set out verbatim.

(Each juror, upon being asked by the Court, "Is this your verdict?" responded in the affirmative.)

(Certificate for transcript on appeal in a civil case)

REPORTER'S CERTIFICATE

I, _____(Your Name)_____, Certified Court Reporter, certify that I am the official court reporter for Division _____ of the _____ County Circuit Court; that on (month/day/year), I was present and reported all of the proceedings in _____, Plaintiff, vs. _____, Defendant, Case No. _____. I further certify that the foregoing _____ pages contain a true and accurate reproduction of the proceedings transcribed.

In compliance with Supreme Court Rule 84.18, I further certify the cost of preparing this transcript as follows:

_____ pages @ $_____ per page . . . . . $_____*

_____

(Your Name) C.C.R. #0000

Transcript completed: _____

**Price is set per legal page (original and electronic version), and will be shown in the above manner throughout this publication. Refer to section488.2250,RSMo, for amount of fees to be charged per page.*

See Ingram v. Lupo, 726 S.W. 2d 791 [It is the attorney's responsibility to pay for transcript cost, not the client].

(Certificate for transcript of proceedings with multiple reporters)

REPORTERS' CERTIFICATE

I, ____(Your Name)____, Certified Court Reporter, certify that I am the official court reporter for Division _____ of the _____ County Circuit Court, that on (month/day/year), I was present and reported all of the proceedings in _____, Plaintiff vs._____, Defendant, Case No. _____. I further certify that the foregoing _____ pages, numbered _____ through _____, inclusive, contain a true and accurate reproduction of the proceedings transcribed.

I, ____(Your Name)____, Certified Court Reporter, certify that I am the official court reporter for Division _____ of the _____ County Circuit Court; that on (month/day/year), I was present and reported all of the proceedings in _____, Plaintiff, vs. _____, Defendant, Case No. _____. I further certify that the foregoing _____ pages, numbered _____ through _____, inclusive, contain a true and accurate reproduction of the proceedings transcribed.

In compliance with Supreme Court Rule 84.18, we further certify the cost of preparing this transcript as follows:

_____ pages @ $_____ per page . . . . . $_____

_____ _____

(Your name) C.C. R. # 0000 (Your name) C.C.R. # 0000

Transcript completed: _____

(**Certificate for substitute reporter-regular transcript)**

REPORTER'S CERTIFICATE

I, (Your Name), Certified Court Reporter, certify that on (month/day/year), I was the acting official court reporter for Division _____ of the _____ County Circuit Court; that I was present and reported all of the proceedings in _____, Plaintiff, vs. _____, Defendant, Case No. _____. I further certify that the foregoing _____ pages contain a true and accurate reproduction of the proceedings transcribed.

[If certifying a transcript on appeal, add the following:]

In compliance with Supreme Court Rule 84.18, I further certify that the cost of preparing this transcript is as follows:

_____ pages @ $_____ per page . . . $_____

_____

(Your name) C .C.R. #0000

Transcript completed: _____

[Footer text on cover page should show:]

(Name) C.C.R. #0000
Acting Official Court Reporter
___ Judicial Circuit, Division ___
(City), Missouri

(**Certificate for transcript prepared by another reporter)**

REPORTER'S CERTIFICATE

I, ___(Your Name)___, Certified Court Reporter, hereby certify that _____, (deceased/incapacitated), was the official court reporter of Division _____, of the _____ County Circuit Court, on (month/day/year), and was present and reported all of the proceedings in _____, Plaintiff, vs. _____, Defendant, Case No. _____. I further certify that the foregoing _____ pages contain a true and accurate reproduction of (his/her) notes of the proceedings as transcribed by me to the best of my ability.

In compliance with Supreme Court Rule 84.18, I further certify that the cost of preparing this transcript is as follows:

_____ pages @ $ _____ per page . . . $ _____

_____

(Your name) C.C.R. #0000

Transcript completed: _____

(**Certificate for transcript prepared from an electronic recording.)**

[*Record preserved without a court reporter.***]**

REPORTER'S CERTIFICATE

I, ___(Your name)____, Official Court Reporter for Division _____ of the _____ County Circuit Court, do hereby certify that I was asked to prepare a transcript of proceedings had in the case of _____, Plaintiff, vs. _____, Defendant, Case No. _____, in which proceedings were held without the presence of a court reporter and which utilized an open microphone system of preserving the record. I further certify that the foregoing _____ pages constitute a true and accurate reproduction of the proceedings as transcribed by me to the best of my ability of said open microphone recording.

In compliance with Supreme Court Rule 84.18, I further certify the cost of preparing this transcript as follows:

_____pages @ $_____ per page….$_____

_____

(Your Name) C.C.R. #0000

Transcript completed: _____

(Certificate for a partial transcript)

REPORTER'S CERTIFICATE

I , _____(Your Name)____, Certified Court Reporter, certify that I am the official court reporter for Division _____ of the _____ Buchanan County Circuit Court; that on (month/date/year), I was present and reported all of the proceedings in the case of _____, Plaintiff, vs. _____, Defendant, Case No. _____. I further certify that the foregoing ____ pages contain a true and accurate transcription of the ordered portion of the proceedings.

In compliance with Supreme Court Rule 84.18, I further certify the cost of preparing this transcript as follows:

_____ pages @ $_____ per page … $_____

_____

(Your name) C.C.R. #0000

Transcript completed: _____

PROCEDURES

AND

TRANSCRIPT EXAMPLES

FOR

JUVENILE CASES

JUVENILE COURT TRANSCRIPTS ON APPEAL

Transcripts on appeal, where the appellant is a minor tried under the Missouri Juvenile Code and not the general law of the Missouri adult courts, can be assembled similarly in most respects and with the forms being used for a court-tried civil appeal transcript.

When a juvenile transcript is requested, the reporter must check with his/her judge to be sure it is a record not subject to the confidentiality rule below.

The records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute.

[See Supreme Court Rule 122.02. Open Records.]

[See Special Rules, Western District, Eastern District, and Southern District at pages 36, 38, and 40, respectively, in the matter of termination of parental rights.]

Refer to pages 67 through 69 for suggestions on formatting when compiling the index and exhibit list for a transcript in a juvenile matter.

(Cover page for transcript on appeal in a juvenile court case)

[Use proper district, i.e., Eastern, Southern or Western District.]

IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT

IN THE INTEREST OF:	)	
	)	
JOHNNY RAY JONES,	)	
Juvenile under the age of 17,	)	
	)	
SAM Q. ADAMS,	)	
DEPUTY JUVENILE OFFICER,	)	
	)	
Respondent,	)	
vs.	)	WD No. _____
	)	
MARTHA SUE JONES	)	
and JIMMY RAY JONES,	)	
	)	
Appellants.	)	

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI
_____ JUDICIAL CIRCUIT, JUVENILE DIVISION
Honorable _____, Judge

IN THE INTEREST OF:	)	
	)	
JOHNNY RAY JONES,	)	
Juvenile under the age of 17,	)	
	)	
SAM Q. ADAMS,	)	
DEPUTY JUVENILE OFFICER,	)	
	)	
Petitioner,	)	
vs.	)	Case No. _____
	)	
MARTHA SUE JONES	)	
and JIMMY RAY JONES,	)	
	)	
Respondents.	)	

RECORD ON APPEAL - TRANSCRIPT

APPEARANCES

[May go on next page if space does not permit them on cover.]

(Your Name) C.C.R. #0000
____ Judicial Circuit, Division ___
(City), Missouri

(Certificate for transcript on appeal in a juvenile case)

REPORTER'S CERTIFICATE

I, _____(Your Name)_____, Certified Court Reporter, certify that I am the official court reporter for Division _____ of the _____ County Circuit Court; that on (month/day/year), I was present and reported all of the proceedings IN THE INTEREST OF _____, Juvenile under the age of 17, [NAME OF JUVENILE OFFICER], Petitioner, vs. [NAME OF PARENT(S)], Respondent(s), Case No. _____. I further certify that the foregoing _____ pages contain a true and accurate reproduction of the proceedings transcribed.

In compliance with Supreme Court Rule 84.18, I further certify the cost of preparing this transcript as follows:

_____ pages @ $_____ per page . . . . . $_____*

_____

(Your Name) C.C.R. #0000

Transcript completed: _____

**Price is set per legal page (original and electronic version), and will be shown in the above manner throughout this publication. Refer to section488.2250, RSMo, for amount of fees to be charged per page.*

PROCEDURES
AND
TRANSCRIPT EXAMPLES
FOR
CRIMINAL CASES

Much of the following content is the same or similar to that in the section on civil trials. It has been included in this section for ease of reference.

THE TRIAL OF A CRIMINAL CASE

Following is a brief checklist of what a court reporter should expect when he/she reports a criminal case in the trial by jury. Rule 27.02 prescribes the order of trial by jury in felony cases as follows:

(a) The court shall read to the jury panel MAI-CR 3d 300.02.

(b) The voir dire examination shall be conducted.

(c) Before each recess or adjournment of the court, the court shall read to the jury the applicable portion of MAI-CR 3d 300.04.

(d) A qualified jury shall be selected as provided by law and shall be sworn well and truly to try the case.

(e) The court shall read to the jury MAI-CR 3d 300.06, 302.01 and 302.02.

(f) The attorney for the state shall make an opening statement. The attorney for the defendant may make an opening statement or it may be reserved.

(g) The attorney for the state shall offer evidence on behalf of the state.

(h) The attorney for defendant may move for judgment of acquittal.

(i) The attorney for defendant may make an opening statement if it has been reserved.

(j) Evidence may be offered on behalf of defendant.

(k) The parties, respectively, may offer evidence in rebuttal only, unless the court, for good cause shown or believing that the interests of justice will be served thereby, permits the parties to offer evidence upon their original cases.

(l) The attorney for defendant may move for judgment of acquittal.

(m) After conferring with counsel, the court shall instruct the jury in the manner provided by Rule 28.02.

(n) The court shall fix the length of time for the arguments and shall announce same to counsel. The attorney for the state shall make the opening argument, the attorney for defendant shall make an argument, and the attorney for the state shall conclude the argument. Each side may waive its right to argument.

(o) The original of all numbered instructions and all verdict forms shall be handed to the jury for its use during its deliberations and shall be returned to the court and filed at the conclusion of the jury's deliberations.

(p) MAI-CR 3d 312.10 may be given, when appropriate, after extended deliberation by the jury.

(q) For second stage proceedings in death penalty cases, the order of those proceedings shall be in accordance with Supplemental Notes on Use applicable to the 313.00 Series in MAI-CR 3d.

The parties named in the original caption of the case remain in the same order on appeal, but with the proper designation [Rules 81.03 and 81.04(b)]. Of course, the defendant would normally be the appellant in criminal cases; however, there are instances where the State can appeal.

The reporter's notes should show the time the jury retired to deliberate and the time MAI-CR 3d 312.10, often referred to as the “hammer” instruction (if deemed necessary by the court), are given; show the time of any questions and proceedings, whether in the courtroom or in chambers, relating thereto; and also note the time of the verdict. (See MAI-CR 3d 312.10, Notes on Use.)

Again, the record on appeal is divided into two parts, i.e., the "legal file" and the "transcript." The transcript shall contain the portions of the proceedings and evidence not previously reduced to written form.

The legal file, not the transcript, shall always include the following: the indictment or information, defendant's arraignment or waiver thereof and plea, the fact of defendant's presence at the trial, the verdict, any motion for new trial or other after-trial motion, the court's rulings thereon, the fact that allocution was accorded defendant, the judgment and sentence, and the notice of appeal with its date of filing [Rule 30.04(b)].

Any proceedings during deliberations, notes from the jury or otherwise, and polling of the jury should be included in the transcript. Noting the beginning and ending times of these proceedings during the deliberation process can prove helpful.

Appellant has 30 days after filing of notice of appeal within which to order the transcript from the reporter. The written order shall designate the portions of the proceedings and evidence which are to be included in the transcript. A copy of the written order shall be filed with the appellate court and served on the respondent [Rule 30.04(c)].

The form of the transcript, i.e., size of type, weight of paper, indexing, numbering of pages, exhibits, et cetera, is the same as for a civil transcript [Rule 81.12(c)].

“CLOSED" RECORDS IN CRIMINAL CASES

Since the enactment of Sections 610.100 to 610.120, RSMo, 1989, Arrest Records - Closed, When - the official reporter has been aware that he/she is not obliged "to furnish to any person or persons a transcript of all or any part" of court proceedings upon payment to him/her of the required fee, as stated in section485.050, RSMo, except as provided in section610.120.

Section 610.105 provides: "If the person arrested is charged but the case is subsequently nolle prossed, dismissed, or the accused is found not guilty or imposition of sentence is suspended in the court in which the action is prosecuted, official records pertaining to the case shall thereafter be closed records when such case is finally terminated except as provided in subsection 2 of this section and section610.120 . . .”

The opinion has been expressed and generally accepted that court reporter records in a criminal case come within the provisions of section610.105 and thereafter shall be closed records to all persons except the person arrested or charged and acquitted.

The official reporter must bear in mind that he/she may be found guilty of a misdemeanor if he/she violates the statute by furnishing a transcript of proceedings to anyone other than the defendant in a case in which the defendant has been found not guilty, or the case has been dismissed or nolle prossed.

Section 610.120 provides that, in addition to the defendant, closed records are available only to courts, law enforcement agencies, and federal agencies for purposes of prosecution, sentencing, parole consideration, criminal justice employment, child care employment, disabled care or nursing home employment, and to federal agencies for such investigative purposes as authorized by law or presidential executive order. When a transcript is ordered by the defendant of a closed record, it is **STRONGLY** suggested that the reporter request written authorization to prepare the transcript, signed by the defendant. Any law enforcement agency should likewise request the transcript in writing.

SECOND STAGE PROCEEDINGS IN CAPITAL CASES

When a jury returns a verdict or finding of guilty of capital murder under RSMo 565.030, the trial shall be resumed and a hearing conducted before the jury or judge, at which time the only issue shall be the determination of the punishment to be imposed; death or life imprisonment. In such hearing, subject to the rules of evidence, the judge or jury shall hear additional evidence in extenuation, mitigation, and/or aggravation of punishment.

The reporter's role remains the same as in any criminal case; reporting all evidence, arguments, and instructions, noting the time of deliberations, any questions from the jury, the time the verdict is returned.

(Cover page for transcript on appeal in criminal case.)

[Use proper district, i.e., Eastern, Southern or Western.]

IN THE MISSOURI COURT OF APPEALS
EASTERN DISTRICT

STATE OF MISSOURI,	)	
	)	
Respondent,	)	
vs.	)	ED No. _____
	)	
JOHN JONES,	)	
	)	
Appellant.	)	

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI *[See Note 1.]*
_____ JUDICIAL CIRCUIT, DIVISION ____
Honorable _____, Judge

STATE OF MISSOURI,	)	
	)	
Plaintiff,	)	
vs.	)	Case No. _____
	)	
JOHN JONES,	)	
	)	
Defendant.	)	

RECORD ON APPEAL – TRANSCRIPT

APPEARANCES:

For State/Respondent:

Ms. Mary Mason
3100 Broadway, Suite 110
St. Louis, Missouri 63101

For Defendant/Appellant:

Mr. Tom Smith
1208 East 17th Street
St. Louis, Missouri 63103

(Your Name) Certified Court Reporter No. ____
____ Judicial Circuit, Division ___
(City), Missouri

Note 1: For the City of St. Louis show: **IN THE CIRCUIT COURT OF CITY OF ST. LOUIS, MISSOURI**

(Cover page for transcript in the Supreme Court)

IN THE SUPREME COURT OF MISSOURI

STATE OF MISSOURI,	)	
	)	
Respondent,	)	
vs.	)	Supreme Court No. _____
	)	
THOMAS J. SANDS,	)	
	)	
Appellant.	)	

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI
_____ JUDICIAL CIRCUIT, DIVISION ____
Honorable _____, Judge

STATE OF MISSOURI,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. _____
	)	
THOMAS J. SANDS,	)	
	)	
Defendant.	)	

RECORD ON APPEAL -TRANSCRIPT
Volume 1 of 4 Volumes

APPEARANCES

For State/Respondent:	For Defendant/Appellant:
Mr. Sam Smith	Mr. John Jones
Assistant Prosecuting Attorney	Public Defender
Clay County Courthouse	Jackson County Courthouse
Liberty, Missouri 64068	Kansas City, Missouri 64106

_____ (Your Name) Certified Court Reporter No. ____
____ Judicial Circuit, Division ___
(City), Missouri

(Criminal Transcript Index)

I N D E X

	Page
VOLUME 1	1
Friday, August 8, 2025	
Motion to Suppress Hearing	1
Defendant's Evidence	
Jerry W. Hardy	
Direct Examination	3
Cross-examination	12
Redirect Examination	21
Motion to Suppress Overruled	21
Monday, August 11, 2025	
TRIAL, Day 1	21
Voir Dire Examination by State	23
Voir Dire Examination by Defendant	35
Individual Questions	40
Jury Sworn, MAI-CR 3d 300.06, and Instructions 1 & 2 read	43
State's Opening Statement	43
Defendant reserves Opening Statement	47
Court adjourned	47

(*Even though there may be a short page, for ease of reading* **do not** *split up the index of a witness' testimony on two pages).*

INDEX (continued)

Page

Tuesday, August 12, 2025

TRIAL, Day 2 48

State's Evidence

Leon Sharp

Direct Examination 48

Voir Dire Examination 55

Direct Examination (continued) 56

Cross-Examination 59

Frederick Monteague

Direct Examination 83

Cross-examination 110

Stipulation 120

Dr. George Percy

Direct Examination 125

Cross-examination 150

Redirect Examination 185

Carry Cargill

Direct Examination 193

State rests 194

Defendant's motion for judgment of acquittal 194

Motion overruled 195

Defendant waives opening statement 195

VOLUME 1 concluded 198

VOLUME 2 199

Defendant's Evidence

Irma Bowbrook

Direct Examination 199

Cross-examination 210

INDEX (continued)

	Page
James R. Taylor	
Direct Examination	240
Cross-examination	290
Molly LaRose	
Direct Examination	292
Cross-examination	295
Redirect Examination	298
Defendant rests	300
Defendant's motion for judgment of acquittal at close of evidence	300
Motion overruled	304
State's Rebuttal Evidence	
James Q. O'Rourke	
Direct Examination	305
State rests	315
Defendant's Surrebuttal Evidence	
J. Monroe McQuay	
Direct Examination	318
Cross-examination	326
Redirect Examination	332
Recross-examination	338
Further Redirect Examination	340
Defendant rests	348
Defendant's motion for judgment of acquittal at close of all evidence	349
Motion overruled	350
Court adjourned	350

INDEX (continued)

	Page
Wednesday, August 13, 2025	
TRIAL, Day 3	351
Instruction Conference	351
Instructions read	356
State's Opening Argument	356
Defendant's Closing Argument	360
State's Closing Argument	368
Verdict	375
Jury polled	376
Trial concluded	377
VOLUME 2 concluded	377
VOLUME 3	378
Tuesday, September 24, 2025	
HEARING	378
Defendant's Motion for New Trial	379
Defendant's argument	380
State's argument	384
Defendant's rebuttal argument	386
Motion overruled	389
Sentencing	389
Re: defendant's right to post-conviction relief	391
Re: ineffective assistance of counsel	394
Hearing concluded	396
Reporter's Certificate	397
VOLUME 3 concluded	397

(If there is more than one counsel conducting a cross-examination of a witness, the examination may be shown as follows:)

Jerry Smart

Direct Examination by Mr. O'Donnell	88
Cross-Examination by Ms. Brown	93
Cross-Examination by Mr. Johnson	94
Redirect Examination by Mr. O'Donnell	100
Recross-Examination by Ms. Brown	110

(Exhibit List in Criminal Cases)

(Volume 1 comprises pages 1 through 198)

(Volume 2 comprises pages 199 through 378)

(Volume 3 comprises pages 379 through 397)

EXHIBITS

Exhibit No.	Description	Offered	Received
State 1	Photo	72	73
State 2	Photo	75	75
State 3	Photograph	88	Refused
State 4	Photograph	Not offered	
State 5	Gun	101	102
Defendant's A	Photo	115	116
Defendant's B	Diagram	253	Withdrawn

If the transcript is comprised of more than one volume, annotate on the first page of the exhibit list the pages which comprise each volume. The annotation is helpful to the reader to quickly find the exhibits in the separate volumes. All pages shall be numbered consecutively from volume to volume. Exhibits shall be identified in the Index by number or letter and page and, in addition, shall be described so that the court can distinguish the exhibits [Rule 81.12(c)(3)].

(Criminal Trial)

[The trial proceedings may be in the following form when voir dire is EXCLUDED:]

T R I A L

The trial began on _____ (month/day/year), before the Honorable _____, Judge of Division No. _____ of the Circuit Court of _____ County, Missouri, at _____, and a jury.*

*(*If alternate jurors were selected, set forth here: and two alternate jurors)*

Mr. James Lawyer appeared on behalf of the State.

Mr. John Attorney appeared on behalf of the Defendant. The Defendant appeared in person.

(The following proceedings were held:) *[Note 1.]*

(MAI-CR 3d 300.02 was read to the venire panel.)

(Voir Dire Examination was completed.)

(In criminal cases the transcript shall show the defendant was present in person as well as by counsel). [See Rule 31.03(c).]

[Note 1. It is understood that all proceedings are held in the courtroom unless otherwise noted.]

[The trial proceedings may be in the following form when voir dire is INCLUDED.]

T R I A L

The trial began on _____ (month/day/year), before the Honorable _____, Judge of Division No. _____ of the Circuit Court of _____ County, Missouri, at _____, and a jury.*

*(*If alternate jurors were selected, set forth here: and two alternate jurors)*

Mr. James Lawyer appeared on behalf of the State.

Mr. John Attorney appeared on behalf of the Defendant. The Defendant was present in person.

(The following proceedings were held:)

(MAI-CR 3d 300.02 was read to the venire panel.)

(The venire panel was sworn to answer questions on voir dire examination as follows:)

[The examination may be set up in the following colloquy form:]

PLAINTIFF'S VOIR DIRE EXAMINATION

BY MR. LAWYER:

Good morning, ladies and gentlemen of the jury. My name is Jim Lawyer, and I represent the State in this cause. Is there anyone here who is acquainted with the defendant?

(Indication.)

MR. LAWYER: Yes, sir? Can you give your name, please?

VENIREPERSON SMITH: John Smith.

MR. LAWYER: How is it you know the defendant, Mr. Smith?

[During voir dire examination, the following parenthetical remarks are appropriate:]

(A show of hands.) *or* (Indications.) *or* (Indication.)

(No response.)

[In the event there are two or more members on the panel with the same last name, include at least the first name initial of the venireperson also.]

[If only a portion of the voir dire is requested, use the following parenthetical:]

(The venire panel was sworn to answer questions on voir dire examination, during the course of which the following proceedings, among others, were held:)

[The examination may be set up in the following colloquy form:]

THE COURT: Mr. Lawyer, you may proceed.

MR. LAWYER: Thank you, Your Honor.

PLAINTIFF'S VOIR DIRE EXAMINATION

BY MR. LAWYER:

Ladies and gentlemen, as the Court advised you, my name is John Lawyer. Is there anyone on the panel who is acquainted with Mr. Kay?

(Indication.)

MR. LAWYER: Your name, sir?

VENIREPERSON MOORE: Herbert Moore.

MR. LAWYER: Mr. Moore, you are acquainted with Mr. Kay?

VENIREPERSON MOORE: Yes. We work at the same place.

[Use the following upon returning to the courtroom following a break or recess in the proceedings:]

(The following proceedings were held in the presence of the venire panel:)

[During voir dire examination, the following parenthetical remarks are appropriate:]

(A show of hands.) *or* (Indication.) *or* (Indications.)

(No response.)

(Unidentified Venireperson.) Some judges feel it is the responsibility of the attorneys to identify veniremen through their questioning. Other judges feel the reporter should stop the proceedings to ask the attorneys to identify the veniremen. **The reporter should inquire of his/her judge to clarify what manner the situation is to be handled. It is extremely important that all speakers giving responses be identified.**

INSTRUCTIONS

[Upon completion of voir dire examination and the jury having been selected, MAI-CR 3d 300.06 and Instructions 1 and 2 (302.01 and 302.02, respectively) will be read immediately after the jury is sworn and before opening statements. Do not include the instructions in the transcript. Use the following parenthetical:]

(MAI-CR 3d 300.06 and Instruction Nos. 1 and 2 were read to the jury.)

Instructions are in writing and will be part of the legal file.

INVOKING THE RULE

[Although it is not a rule, per se, it has long been recognized to be within a court's discretion that witnesses may be excluded from the courtroom until it is their time to testify and that they are prohibited from discussing the case with anyone until such time they are called to testify. The purpose of the rule is to avoid influencing the testimony of other witnesses. The exception to this "rule" would be victims of the crimes being tried, who cannot be excluded according to the Constitution of the State of Missouri.]

(At the request of the State/Defendant, the exclusionary rule pertaining to witnesses was invoked.) *or* (At the request of the State/Defendant, the Rule was invoked.)

[When referring to this manual, keep in mind that "State" is used generally in criminal cases when reference is made to the plaintiff. However, the appropriate designations must be used in the transcript, i.e., plaintiff/defendant, for the caption.]

MOTIONS

Motions are in writing and will be part of the legal file. Do not copy motions in the transcript.

OPENING STATEMENTS AND CLOSING ARGUMENTS

If opening statements and/or closing arguments are requested to be omitted, use the following parenthetical remark when omitting opening statements or closing arguments:

(State's and Defendant's Opening Statements/Closing Arguments were made by counsel. Such are hereby omitted at the request of counsel.)

HEADINGS

Headings within the transcript may be in capital letters, centered, underscored and bold as demonstrated by the examples below.

STATE'S VOIR DIRE EXAMINATION
DEFENDANT'S VOIR DIRE EXAMINATION
STATE'S EVIDENCE
STATE RESTS
DEFENDANT'S EVIDENCE
DEFENDANT RESTS
STATE'S REBUTTAL EVIDENCE
STATE RESTS
DEFENDANT'S SURREBUTTAL EVIDENCE
DEFENDANT RESTS
INSTRUCTION CONFERENCE

INSTRUCTION CONFERENCE

All instruction conference proceedings with regard to given and refused instructions are to be included in the transcript. These conferences are typically held outside of the jury's presence. A parenthetical should be inserted to so indicate. Use of the following parenthetical is recommended for use at any time proceedings are conducted when the jury is not present.

(The following proceedings were held out of the presence of the jury:)

Conversely, when the jury returns to the courtroom, its presence should be noted also with a parenthetical.

(The following proceedings were held in the presence of the jury.)

INSTRUCTIONS AT CONCLUSION OF EVIDENCE

In order to preserve objections, the reporter shall report the reading of the instructions verbatim. The following parenthetical is an example of denoting in the transcript of the instructions given the jury.

(Instructions numbered 3 through ____, inclusive, were read to the jury.)

CLOSING ARGUMENTS

Omit closing arguments unless specifically requested.

(Counsel for state and defendant made their closing arguments. Such are hereby omitted at the request of counsel.)

WHEN THE JURY HAS QUESTIONS

The reporter should note the time and report all discussion when the jury returns a note.

(At 11:25 a.m., the jury sent out a note and the following proceedings were held:)

Following the conclusion of the proceedings concerning the jury's question or concern, it is helpful to indicate the time court recessed.

(At 11:55 a.m., a recess was taken.)

VERDICT AND JUDGMENT

The verdict and judgment are in writing and will be included in the legal file, not the transcript [Rule 81.12(a)].

POLLING THE JURY

When the jury is polled, the reporter shall report all of the proceedings. Use the following form in the transcript unless specifically requested to set out verbatim.

(Each juror, upon being asked by the Court, "Is this your verdict?" responded in the affirmative.)

(Certificate page for transcript on appeal in criminal case)

REPORTER'S CERTIFICATE

I, (Your Name) , Certified Court Reporter, hereby certify that I am the official court reporter for Division _____ of the _____ County Circuit Court; that on (month/day/year), I was present and reported all of the proceedings in STATE OF MISSOURI, Plaintiff, vs. _____, Defendant, Case No. _____. I further certify that the foregoing _____ pages contain a true and accurate reproduction [of the ordered portions *] of the proceedings transcribed.

In compliance with Supreme Court Rule 84.18, I further certify the cost of preparing this transcript as follows:

_____ pages @ $ per page . . . . . $_____

_____

(Your Name) C.C.R. #0000

Transcript completed: _____

** Indicates partial transcript.*

[See Rule 84.18 and RSMo 488.2250 for costs.]

TRANSCRIPT OF GUILTY PLEA PROCEEDINGS

Supreme Court Rule 24.03 directs the court reporter to report all proceedings in connection with a guilty plea and to prepare a transcript of such proceedings upon request. The transcript shall not be prepared otherwise unless a motion is filed under Rule 24.035. The circuit clerk shall notify the court reporter that the motion has been filed, and the transcript shall be prepared and delivered to the circuit clerk within thirty days from the date the reporter receives notice.

Only the original transcript is required. The fee is as provided in section488.2250, RSMo.

There is no requirement that the sentencing hearing, if held on a different date, be transcribed, although the defense may request that it be included. If the sentencing occurs following the guilty plea in the same hearing, it is suggested that the complete hearing be transcribed.

(Cover page for Guilty Plea Transcript)

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI
_____ JUDICIAL CIRCUIT, DIVISION _____
Honorable _____, Judge

STATE OF MISSOURI,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. _____
	)	
	)	
[NAME IN FULL CAPS],	)	
	)	
Defendant.	)	

TRANSCRIPT OF GUILTY PLEA PROCEEDINGS

On _____, (month/date/year), the above cause came on for hearing before the Honorable _____, Judge of Division _____ of the _____ County Circuit Court at _____, Missouri.

APPEARANCES

The State of Missouri was represented by _____, Prosecuting Attorney, _____ County, Missouri.

The Defendant was present in person and represented by (his/her) attorney, _____, Public Defender for the _____ Judicial Circuit of Missouri.

(Your Name), Certified Court Reporter No. ____
___ Judicial Circuit, Division ___
(City), Missouri

[When the sentencing hearing is included, the transcript title will read: **TRANSCRIPT OF GUILTY PLEA AND SENTENCING PROCEEDINGS.***]*

CONTENT GUIDELINES

[The transcript for guilty plea proceedings may be in the following form:]

HEARING

THE COURT: State of Missouri, Plaintiff, vs. _____, Defendant, Case No._____.

The State appears by _____, (Assistant) Prosecuting Attorney. The defendant appears in person and by his/her attorney, _____, (Assistant) Public Defender.

[The Court may inquire of the attorneys if there is a plea agreement and ask one of them to state it for the record. Before accepting a plea of guilty, the Court must advise the defendant and be satisfied that the defendant understands the charge against him, the penalty provided, his right to trial, et cetera. All of the proceedings should be on the record.]

THE COURT: If it is your desire to plead guilty to the offense of burglary in the first degree, please be sworn and take the witness stand.

PAUL J. JONES, having been first duly sworn by the deputy circuit clerk, (deputy court administrator, Court) testified:

EXAMINATION

BY THE COURT**:**

Q. Would you state your name for the record?

A. Paul L. Jones.

Q. You're here today to enter a plea of guilty to the class C felony of stealing by deceit; is that correct?

(Certificate for Guilty Plea Transcript)

REPORTER'S CERTIFICATE

I, (Your Name) , Certified Court Reporter, certify that I am the official court reporter for Division ____ of the _____ County Circuit Court of Missouri, at (city); [*on assignment to the _____ Judicial Circuit by special order of the Supreme Court dated (month/date/year)]; that on (month/date/year), I was present and reported all of the proceedings in STATE OF MISSOURI, Plaintiff, vs. JOHN CROOKS, Defendant, Case No. _____.

I further certify that the foregoing ____ pages contain a true and accurate transcription of the proceedings.

_____pages @ $_____ per page….$_____

/s/ Samuel R. Smith
Samuel R. Smith C.C.R. #0000

Transcript completed: _____

[The above signature is an example of signing the certificate page pursuant to Supreme Court Rule 41.08 when a reporter needs a signature on an electronic filing and does not have his/her own electronic signature.

[See RSMo 488.2250 for costs.]

*When assigned to another jurisdiction, the bracketed language may be inserted in the certificate.

GUIDELINES FOR FILING GUILTY PLEA TRANSCRIPTS

Pursuant to Supreme Court Rule 29.15(c), the circuit clerk is to notify the court reporter when a motion for post-conviction is filed, after which the court reporter then has 30 days to prepare the transcript of the movant's guilty plea and sentencing hearing and file it with the office of the circuit clerk within the judicial circuit in which said hearing took place. The transcript is filed electronically, typically in portable document format.

The court reporter shall be paid the sum set out in RSMo 488.2250.2 for an electronic version. If the public defender representing the petitioner also requests a paper copy of the transcript, the cost is already included in the fees as noted on the billing form.

All billing should be submitted on Form GN80, Request for State Payment of Transcripts, Pleas and Sentences, provided by the Missouri State Public Defender System. A copy of this form is contained in Appendix B, along with other forms for payment requests in indigent cases.

The fill-in form can be accessed through the Courts Information Center.

CIVIL CASE UNDER RULE 24.035 OR 29.15

The provisions of Rule 24.035 and Rule 29.15 may be invoked only by one in custody claiming the right to have a sentence vacated, set aside, or corrected. The case is an independent civil action and often referred to as post-conviction relief cases or hearings. The style of the case should read: JOHN DOE, Petitioner, vs. STATE OF MISSOURI, Respondent.

If the trial court's ruling is appealed, the transcript contained in the record on appeal will be prepared in accordance with Rule 81.12.

(Cover page for Rule 24.035/29.15 civil appeal)

[Use proper district, i.e., Eastern, Western, or Southern.]

IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT

RAYMOND TUCKER,	)	
	)	
Appellant,	)	
vs.	)	
	)	
	)	WD No. _____
	)	
STATE OF MISSOURI,	)	
	)	
Respondent.	)	

IN THE CIRCUIT COURT OF _____COUNTY, MISSOURI
_____ JUDICIAL CIRCUIT, DIVISION ____
Honorable _____, Judge

RAYMOND TUCKER,	)	
	)	
Petitioner,	)	
vs.	)	
	)	Case No. _____
	)	
STATE OF MISSOURI,	)	
	)	
Respondent.	)	

RECORD ON APPEAL – TRANSCRIPT
APPEARANCES

For Petitioner/Appellant:

Mr. John Jones
Assistant Public Defender
Office of Missouri Public Defender
1000 W. Nifong, Bld. 7, Suite 100
Columbia, Missouri 65203

For Respondent/Respondent:

Mr. Joe Smith
Assistant Prosecuting Attorney
Jackson County Courthouse
415 East 12th Street
Kansas City, Missouri 64106

(Your Name) Certified Court Reporter No. ____
____ Judicial Circuit, Division ____
(City), Missouri

(Cover page for Grand Jury Proceedings)

BEFORE THE CLAY COUNTY, MISSOURI, GRAND JURY

In re: In the Matter of Charles Stoner

TRANSCRIPT OF PROCEEDINGS

On _____, (month/date/year), the matter of Robert Holmes came before the Clay County Grand Jury, in the Clay County Courthouse, 11 South Water Street, Liberty, Missouri.

Mr. Larry Hennessey, Assistant Prosecuting Attorney, appeared on behalf of the State of Missouri.

Mr. Robert Holmes appeared in person.

Eleven members of the Grand Jury were present.

(It is not necessary to specify names of the members in attendance unless ordered by the Court to do so.)

(This should end page 1.)

(Page 2 may start substantially as follows:)

(Your Name) , official court reporter, was sworn by the Grand Jury Foreman to report the proceedings.

The witness, (Name) , was sworn by the Grand Jury foreman to answer questions truthfully and testified as follows:

Examination by Mr. Hennessey:

Examination by Grand Jury:

GUIDELINES FOR COURT REPORTER BILLING AND PAYMENT FOR TRANSCRIPTS PREPARED PURSUANT TO section488.2250, RSMo

RSMo 488.2250 provides that payment shall be made by the State directly to court reporters for certain transcripts when:

1) A transcript or any part thereof is ordered by the court at its discretion;

2) An appeal is taken in a criminal case and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript. The statute provides that the State shall pay for an original and an electronic version of the transcript for criminal indigent appeals. (In Forma Pauperis)

[See Supreme Court Rule 24.03 for preparation of guilty plea transcripts.]

The court reporter shall be paid the sum of $2.60 per page for the original transcript and the electronic version that is to be placed in the related files.

The forms for payment are included in the forms section. [See Appendix B.] Forms for payment submitted to the Office of the State Courts Administrator before the 10th of each month are generally paid at the end of the same month. Forms for payment requests can be accessed through the Courts Information Center.

The State will not pay for:

1) A transcript which has not been ordered by the court; or
2) More than an original and an electronic version of the transcript on appeal ordered on behalf of an indigent defendant; or
3) An additional copy of a guilty plea or sentencing transcript in a felony case unless there are copies required for other case files relating to the same defendant, as explained above; or
4) Any transcript requested by the prosecuting attorney, for whatever purpose. The prosecuting attorney is responsible for paying the court reporter an appropriate fee for any transcripts requested.

PREPARATION TIPS - BEFORE AND AFTER

REVIEW:

The reporter should review the court file, making special note of the pleadings, proper names that might be used in the trial, any technical or medical terms that might be used, and generally get an idea of the nature of the trial. A review of this type makes the reporter much more efficient because he/she is already familiar with the case and at least some of the terms that might be used in the trial. This is also the time to get the caption (the name of the cause of action) and the names of the attorneys of record, and for whom they are appearing. All of this information can be gleaned from the electronic file before trial.

The reporter's duties do not stop here, however. Prior to the trial, the reporter should go into the courtroom and check the reporter's desk to make certain all the necessary supplies, e.g., pencils or pens, exhibit stickers, and any other incidentals, are on hand. It is also important to have the reporting equipment (steno machine and/or laptop and mask) set up and ready.

The attorneys will probably be arriving about this time, and the reporter should check the record of appearances against the attorneys present in the courtroom and make any necessary corrections. If it is possible to make one, a seating chart is helpful in cases involving multiple attorneys. A seating chart is also helpful for quickly identifying members of the venire panel.

EXHIBITS:

This is also a good time to ask the attorneys if there are exhibits to be marked. When there is a large number of exhibits, if at all possible, try to have exhibits marked before the day of trial. Attorneys are often very helpful in getting this accomplished, making it easier for both them and you. If the exhibits are marked in advance, the trial can proceed without delay and the judge and counsel will appreciate this. If the attorneys mark the exhibits beforehand, request a copy of the exhibit list prior to the hearing or trial. During trial, counsel may decide to introduce an exhibit he/she had not originally planned to introduce, but if the bulk of the exhibits are marked before trial, it saves a lot of time. [See page 127.]

VOIR DIRE:

The reporter should obtain a list of the panel before the trial begins and check the list of names. Watch for two "Smiths" or "Browns" so that you properly identify them. Venirepersons with the same last name should be identified in the transcript with at least the first name initial included in the speaker designation. Check with your judge to see if he/she wants the reporter to interrupt the voir dire to obtain a venire name if the attorney does not ask for it. If the reporter sits in the same courtroom regularly, he/she readily knows the location of juror number 6, et cetera, and may use the juror's number rather than his name in their notes or tape. The jury administrator (or circuit clerk) usually prepares a list of jurors, and the reporter should be sure to have a copy delivered to them at the same time a copy is delivered to counsel and the court.

CASE LOG AND MEDIA STORAGE:

Every reporter keeps some type of information sheet containing the correct caption and number of the cases on each day's docket. The date, time, and appearances also should be included in the log. Sometimes other information pertinent to a case can be added to the information sheet for the sake of convenience. It is important to keep these logs up-to-date, not only for the reporter's own convenience but to assist in the timely filing of logs with the circuit clerk's office or downloading to the R: Drive repository. This is to be done at least every three months along with electronic storage of records of official reporters using paperless machines and voice writing method. Each year by July 1, a copy of the software dictionary is to be downloaded to the repository as well. [See COR 19.03.]

For court reporters using CAT and realtime systems, it is advisable to back up each day's record, perhaps multiple times in the event one media storage device fails or becomes corrupt. Having ample space, whether on steno machines or laptops, for the next day's hearings or trial is always a good idea.

TYPES OF EXAMINATION

Direct Examination

When an attorney calls a witness to the stand, the questions to the witness are called direct examination and the examination should be so headed. In a multi-defendant case, if a defendant calls a witness, other defendants may also examine him on direct, unless the Court specifically directs that such examination should be cross. The same pattern applies to redirect and recross.

Cross-examination

After the direct examination, the examination by the opposing party, or parties, is called cross-examination. Again, each opposing party, or defendant, conducts his own cross-examination.

Further Direct or Further Redirect Examination

When a witness has been examined and excused and then later recalled by the party who called him originally, the further testimony of the witness is labeled FURTHER EXAMINATION by the other side. If, however, the examination appears to be really a continuation of the redirect, it should be labeled FURTHER REDIRECT EXAMINATION.

Further Cross or Further Recross-examination

When a witness is recalled for additional cross or recross-examination, the examination should be labeled FURTHER CROSS-EXAMINATION or FURTHER RECROSS-EXAMINATION, as the case may be.

Voir Dire Examination

a) When a prospective juror is questioned to determine his qualifications to serve as a juror;
b) When the Court questions a witness for one or more transcript pages;
c) When counsel examines witness prior to an objection.

Examination (continued)

The word "continued" is included on the examination line when one or more pages of argument, voir dire examination, or a different day have interrupted questioning of the witness.

If the span of time is short, such as a break in testimony for a recess or a bench conference the following format can be used.

Q. (By Mr. Lawyer.) Before the break you were telling the jury what happened.

Offer of Proof

An offer of proof is testimony attempting to prove a fact or a set of facts surrounding one particular portion of the testimony. It differs from voir dire examination only by the fact it is referred to as an offer of proof by the judge or the attorneys.

If the testimony is given by the current witness, there is no need to insert the name before designating the examination, but it should be set out in the following format.

(The following proceedings were held out of the presence of the jury:)

OFFER OF PROOF

BY MR. LAWYER:

Q. I'm going to ask you some questions regarding the time of the incident.

A. Sure.

Once the offer of proof is completed, designate the previous examination as continuing.

(The following proceedings were held in the presence of the jury:)

DIRECT EXAMINATION (continued)

BY MR. LAWYER:

Q. Do you recall my question before the offer of proof?

A. I'm sorry, would you mind repeating it, please?

Q. Not at all.

If, however, another witness is called for purposes of the offer, the name and oath should be noted; otherwise start with noting the examination. This can be set out by the following format.

(The following proceedings were held out of the presence of the jury:)

OFFER OF PROOF

JACOB IAN MINER, having been first duly sworn by the Court (deputy circuit clerk, et cetera);

testified:

DIRECT EXAMINATION

BY MR. ATTORNEY:

Q. State your name, please.

A. Jacob Ian Miner.

In a jury trial the jury is usually excused while the offer is made and the witness is set up on direct examination. Upon completion of the offer, the jury is recalled and the regular proceedings are resumed. Usually, the testimony of the witness has been interrupted to make the offer of proof. When the jury is returned, the original examination is again set up as follows:

(The following proceedings was held in the presence of the jury:)

JOHN DOE resumed the stand and testified further:

DIRECT EXAMINATION (continued)

BY MR. ATTORNEY:

Q. Picking up where we left off, Mr. Doe, can you tell us where you were that night?

A. I was at the movies, I believe.

Direct Testimony

Direct Testimony is used as a subject heading in a transcript on those occasions when a litigant appears without an attorney takes the witness stand and proceeds to present his/her own direct case. It is treated in the same manner as direct examination, with opposing counsel being allowed to cross-examine. This situation also occurs occasionally when an attorney takes the stand for some testimony. This examination can be set up as follows:

THOMAS SMITH, having been first duly sworn by the Court (deputy circuit clerk); testified:

DIRECT TESTIMONY

BY THE WITNESS:

My name is Thomas Smith. I live at 4545 East Georgia Lane.

Questions By The Court

When an examination is interrupted for questions by the court, it should be in colloquy form as follows if the questioning is of short duration:

THE COURT: Did you ever exercise the power of attorney Mrs. Smith gave you?

THE WITNESS: Yes, sir; frequently.

THE COURT: Give me an example of when you exercised that?

THE WITNESS: Well, when I would trade in her individual stock account or our joint stock account, which transactions sometimes could amount to three or four times a day.

Q. (By Mr. Jones.) How would you sign the stock powers when you exercised the stock power of attorney?

A. In the margin account, those were verbal.

[This example is not to be confused with the examination of the defendant by the Court at a guilty plea. *See guilty plea example, page 108.]*

Setting Up Testimony

[The reporter should show that the court or a person having competent authority to administer the oath swore the witness. *See State of Missouri, Respondent, vs. Logan Burtchett, Appellant, 475 S.W. 2d 14.]*

JOHN JONES, having been first duly sworn by the court (deputy circuit clerk), testified:

DIRECT EXAMINATION

BY MR. LAWYER:

Q. Please state your name.

Witness Resumes The Stand

JOHN JONES resumed the stand and testified:

DIRECT EXAMINATION (continued)

BY MR. LAWYER:

Witness Recalled

JOHN JONES, recalled as a witness by the defendant, having been previously sworn.

Witness Called Out of Order

JOHN JONES, called as a witness by [plaintiff/defendant] out of order, having been first duly sworn by the deputy clerk, testified:

Adverse Witness

NICHOLAS SEARS, called as a witness under the provisions of section491.030, RSMo, having been first duly sworn by the deputy clerk, testified:

Affirmation Instead of Oath

If a witness declares that he or she has conscientious scruples which prohibit taking an oath, the form of affirmation as delivered by the court or deputy clerk may appear in the transcript, following which the witness would be set up.

THE CLERK: You do solemnly declare and affirm that the testimony you are about to give in the cause now pending before the court is the truth, the whole truth, and nothing but the truth, under the pain and penalties of perjury?

THE WITNESS: I do.

JOHN JONES, having been first duly affirmed by the deputy circuit clerk, testified:

DIRECT EXAMINATION

BY MR. LAWYER:

Q. Please state your name for the record.

A. John Jones.

Interpreter

When an interpreter is required to translate on behalf of a party, it is necessary for the interpreter to be sworn as well as the party. This may be indicated in the transcript in the following manner.

JOHN BRETT, being called as an interpreter in the [e.g.] Italian language, was duly sworn to translate into the Italian language all questions put to the witness, CARLO DE LUCA, and the answers of said witness into the English language.

and then

CARLO DE LUCA, having been first duly sworn by the circuit clerk, through the interpreter, testified:

[In some jurisdictions, more often the deputy clerk will administer the oath or affirmation to the witness; however, if the witness is sworn by the court, it should be so indicated.]

DIRECT EXAMINATION

BY MR. LAWYER:

Q. What is your name?

[If the interpreter answers, show:]

A. Carlo De Luca.

[If the witness answers in English before the Interpreter, show:]

THE WITNESS: Carlo De Luca.

[If both interpreter and witness answer, show it in colloquy as follows:]

THE WITNESS: Carlo De Luca.

THE INTERPRETER: Carlo De Luca.

[When counsel resumes questioning, show:]

Q. (By Mr. Lawyer.) Where do you live?

[If the interpreter is asked questions by court and counsel, other than directed through him to the witness, show it in the form of colloquy.]

THE COURT: Would you ask him to speak up, please?

THE INTERPRETER: Yes, Your Honor.

Voir Dire of Witness by Counsel During Examination

MR. GREEN: May I voir dire the witness, Your Honor?

THE COURT: You may.

VOIR DIRE EXAMINATION

BY MR. GREEN:

Q. Did you take this picture?

A. No, sir, I did not.

DIRECT EXAMINATION (continued)

BY MR. LAWYER:

Q. I want to take up where we left off, Mr. Smith.

Witness Called by the Court (Narrative Direct Examination)

JOHN JONES, called as a witness by the Court, having been first duly sworn by the deputy court administrator, testified:

THE COURT: Mr. Jones, I am going to let you tell in narrative form what you know about this contract.

DIRECT TESTIMONY

THE WITNESS: My name is John Jones. I am an attorney, licensed to practice in the State of Missouri. On December 2, 2015, Mr. John F. Smith, came to my office.

CROSS-EXAMINATION

BY MR. GREEN:

Q. When Mr. Smith met with you on the 2nd of December, was he alone or did he have someone accompany him on this visit?

DEPOSITIONS USED IN TRIAL

Depositions Read at Trial

A deposition read in its entirety at trial is not reported or transcribed unless requested and, in compliance with Rule 81.12(b), is not copied in the transcript.

Use the following form in the transcript:

(The deposition of JOHN JONES was read.)

If the deposition was marked as an exhibit, use the following form:

(Plaintiff's Exhibit No. 5, the deposition of JOHN JONES, was read.)

Occasionally, two attorneys/assistants will take the parts of the examiner and the deponent and read the testimony into the record. In the event such action is not explained to the jury, the following parenthetical may be used.

(The questions were read by Mr. Jones and the answers were read by Ms. Smith.)

Videotape Depositions at Trial [See Rule 57.03(c)]

A videotape deposition presented at trial is not reported or transcribed unless requested. It should be marked for identification as an exhibit and received into evidence. The written deposition should be in the court file, but see local court rules as they may not require this due to space limitation or other reasons.

Use the following form in the transcript when the videotape is presented:

(The jury viewed Plaintiff's Exhibit No. 5.)

Deposition Excerpts Read at Trial

Whenever an attorney reads excerpts from a deposition, the court reporter should take down the reading. The attorney should indicate the beginning of each question and answer by stating: "Question" or "Answer." If necessary, the reporter should request counsel to do so, as this will make a more accurate record in court. Sometimes the original deposition transcript of the examination is not available to verify whether it is a question or answer if the reporter is later called upon to transcribe the proceedings.

Usually the attorney who is reading from the deposition will make a record such as the following. If this is not the case, it is helpful to insert a parenthetical noting the deponent, the attorneys present and who was reading the excerpts.

MR. LAWYER: Members of the jury, I am going to read excerpts from the deposition of Mr. Glen Chapman, which was taken in this case on March 12, 2015, in my office.

Mr. Chapman's attorney, Mr. Gene Smith, was present. Mr. Chapman was sworn and made these answers to these questions by me under oath.

Use the following form when preparing the transcript:

MR. LAWYER: "QUESTION: State your name, please.

"ANSWER: Glen Chapman.

"QUESTION: Where do you live, Mr. Chapman?

"ANSWER: 312 North Fifth, Kansas City, Missouri.

"QUESTION: What do you do for a living?

"ANSWER: I work for Yellow Cab, Safety & Training Supervisor."

I'm going to page 15, line 5:

"QUESTION: Do you know who recovered the gun off the floor?

"ANSWER: I didn't see him, but I know Mr. Pearson did. I didn't see him actually pick it up."

MR. SMITH: Your Honor, I am going to ask that be stricken as speculative.

THE COURT: Sustained.

MR. LAWYER: "QUESTION: Do you remember . . ."

When excerpts of a deposition are read by the attorney offering the testimony and another attorney or assistant, the following format may be used.

(Questions read by Mr. Lawyer; answers read by Ms. Solomon.)

CAROL MARIE CASEY, testified by deposition as follows:

BY MR. LAWYER:

Q. Would you state your name for the record, please?

A. It's Carol Marie Casey.

MR. LAWYER: I'm going to page 14, line 2.

Q. Once you noticed that the artifact was missing, did you notify the authorities right away?

A. Yes. That was the first thing I did.

MR. LAWYER: Same page, line 23.

Q. What was the value of this item?

PROCEDURES, CONTENT LAYOUT, AND PARENTHETICALS

Form of Question and Answer

Each question and answer shall begin no more than five spaces from the left margin and have no more than five spaces between the “Q” and the “A” to the text. When the question or answer carries over to another line, it shall begin at the left margin. [See Rule 81.12(c)(4)(E).]

Q. And where are you employed and how long have you been employed, Mr. Smith?

A. I work for the Missouri Department of Revenue.

Q. When did you go see a doctor?

A. The next day, after I had the accident, I saw the doctor. I couldn’t get to the medical complex until then.

Off the Record

The reporter is often in a quandary about recording conversation between counsel at the bar. Oftentimes, the reporter hears a muttered "Conceded" or "I will agree to that" without having heard anything more than the sound of a whispered conversation, which he/she assumes has been the subject matter of the concession. The reporter should go off the record **only when directed by the judge.**

Ideally, Court and counsel should make a point to inform the reporter when to go "back on the record." However, this is rarely the case.

Most of us keep our hands exposed where counsel and the Court can see we are not writing or talking in the stenomask as we listen to the conversation at the bar. Try to determine when to go back on the record if Court or counsel fails to advise the court reporter of that fact. Remember, if you are unsure whether counsel wants something on the record, ask: "Is this for the record?" **It is better to take down unnecessary information than to miss something that later becomes important.**

Testimony Stricken From the Record

Often, an improper question is answered before counsel can make an objection, or for some other reason counsel may move certain evidence be stricken. It is not the reporter's duty to take this order literally. The testimony and the judge's direction to strike remain a part of the reporter's record. Upon appeal, the appellant may contend that the Court was in error in ordering testimony stricken. The appellate court must have before it the testimony ordered stricken in order to determine whether the trial judge's ruling in striking was correct.

Marking and Handling of Exhibits

The reporter should familiarize himself/herself with the local court rules relating to exhibits.

There is no one accepted way of marking exhibits. Exhibits for the plaintiff may be marked "Plaintiff's Exhibit 1, 2," et cetera; for the defendant, "Defendant's Exhibit A, B," et cetera.

Consult your local court rule and determine the judge's preference.

At the time of marking an exhibit, the reporter should note the exhibit number and a brief description of the item on his/her exhibit list. Generally, a simple "photo," "financial statement," et cetera, will suffice. Upon disposition following the offer in evidence, the appropriate ruling should be indicated on the exhibit sheet: admitted, refused, withdrawn, et cetera. Sometimes it is not physically possible to make the notation at the time of ruling. Try to keep it in your mind and note it on the sheet at the first opportunity.

All too frequently the reporter is expected to mark the exhibit, make the proper notation in his/her record, and record the marking on the exhibit list while the attorney is propounding his next question. It is important to observe this sequence in the handling of exhibits: (1) make your notation using your system of reporting; and (2) make exhibit list notation; and (3) mark the exhibit and return it to counsel. If you mark it first, counsel generally retrieve it and continue questioning; therefore, mark the actual exhibit last. It is helpful to the Court and the other attorneys if you say, "Plaintiff's Exhibit 1," or whatever applies, when returning the exhibit to counsel.

Multiple exhibits, such as a bundle of canceled checks, may present a problem for the reporter. He/she should not hesitate to ask the attorney how he/she wants the exhibit marked.

Counsel will sometimes offer in evidence an exhibit previously marked but not offered in evidence by the opposing party. The general rule is if the document has been marked and identified by

plaintiff, it remains a plaintiff's exhibit even though offered by defendant. If the exhibit has not been marked, it is marked in accordance with the party requesting the marking.

The physical characteristics of the exhibit will determine the type of marking to be applied. The gummed labels are easy to use and readily identify x-rays, documents of various types, even articles of clothing; the cardboard tag (to which a gummed label may be applied) is convenient for marking guns, knives, etc.

Supreme Court Rule 81.16 provides for the procedure for filing exhibits with the appellate court.

The following example shows a reasonable way of indicating the marking of exhibits for the record:

(Plaintiff's Exhibit No. 1 was marked for identification.)

Parenthetical Remarks

Parenthetical remarks in a transcript are the reporter's own words enclosed in parentheses and recording some action. Parenthetical remarks should be framed in the past tense.

Parenthetical remarks should be used as sparingly as possible in transcripts. When an action is made clear by the speaker's own words, no parenthetical remark should be used. Parenthetical remarks should be as short as possible, consistent with clarity and good English usage. The reporter should not inject his/her personal opinion into the parenthetical remark. Here are examples:

A. (The witness nodded his head.) Correct parenthetical.

A. (The witness nodded his head affirmatively.) Incorrect parenthetical. (The reporter is **assuming** the head nodding up and down is affirmative. It is up to the attorney to clarify any witness' answer. **Remember,** it is the attorney who is satisfied with the answer, not the reporter.)

Q. How long was the scar?

A. (The witness indicated.) Correct parenthetical.

A. (The witness indicated 4 inches.). Incorrect parenthetical. (Again, just the reporter's guess or interpretation.)

(Indicating.) Speakers often point to papers or other things during the course of a trial or hearing. Some reporters like to use the parenthetical remark (Indicating.) to show when this occurs, but there is usually no need for such a parenthetical remark, so use sparingly.

(*Demonstrating.)* Speakers may be asked how something sounded and reply by making a sound that you cannot write. (The witness demonstrated.) would be appropriate when this occurs.

(Interrupting.) There is no need for the parenthetical remark (Interrupting) in the reporter's transcript. When one speaker is interrupted by another in mid-sentence, we simply put a double dash at the end of the interrupted remark without a space.

Q. Were you on Fifth Street --

A. Yes.

Q. -- when the accident happened?

(*Witness or questioner pauses during question or answer.)* This may be shown by a double dash separated by one space.

Q. Did you say you went to -- how much money was involved?

A. I think it was about -- I just don't really remember.

(Continuing.) Neither is there any need for the parenthetical remark (Continuing.) in a reporter's transcript. If the interrupted speaker continues his remark at the end of the interruption, put a double dash at the point where he/she resumes.

(*Reading.)* Neither is there any need for the parenthetical remark (Reading.) in a reporter's transcript when a witness reads something into the record. The quotation marks that surround a direct quote make it absolutely clear that something is being read, and they are far less cumbersome than (Reading.).

Whereupon; Be it Remembered; Wherefore. Since a transcript sets forth the words and events of the trial or hearing in the order in which they occurred, there is no need to reassure the reader that what appears in the transcript did indeed occur next. We suggest the elimination of "Whereupon," "Be it Remembered," "At this time," "Wherefore," "Let the record reflect" and similar expressions in a parenthetical remark as surplusage.

Reading Back

Here are some simple ways of remarking parenthetically that the reporter read one or more questions and/or answers:

(The last question was read.)

(The last question and answer were read.)

(The last two questions and the intervening answer were read.)

(The next to the last question and answer were read.)

(The last sentence of the last answer was read.)

If the question and/or answer appear on a previous page, the reporter should restate the question and/or answer in full. This eliminates the necessity of the reader leafing back through the transcript to find that last question and/or answer.

Some reporters merely note that the testimony was read or the record was read. Such information in a parenthetical is too vague. The reporter should be specific.

(The pending question was read.) is satisfactory if the pending question is clearly identifiable and not too far back in the transcript. If both of those conditions do not apply, the following is the best procedure:

(The question was read as follows:)

"Q. Tell us the circumstances of the arrest."

If the reporter is called on during the proceedings to read a few questions and answers from an earlier part of the proceedings, the introductory sentence of the parenthetical remark is the same, with the substitution of testimony for question.

(The testimony was read as follows:)

"Q. Tell us the circumstances of the arrest.

A. At nine o'clock in the evening--

Q. Which evening is this?

A. Thursday evening, December 24th."

The Handing of Documents

The participants in trials and hearings routinely hand each other documents without the need for any parenthetical remarks. Either they say on the record that they are handing something, or the handing is of no concern to the reader.

Q. I hand you this paper and ask: Is this your signature?

A. Yes, that is my signature.

In the above example there is absolutely no need for any parenthetical remark. The speaker's actions are perfectly clear without further explanation. There are two types of occasions when a parenthetical remark is called for when something is handed from one person to the other.

A request or a direction is made for the handing of a paper, and the paper is then handed silently.

MR. JONES: I offer Plaintiff's Exhibit 1 in evidence.

Mr. SMITH: May I see it, please?

(Plaintiff's Exhibit 1 was handed to Mr. Smith.)

MR. SMITH: No objection.

Since Mr. Smith spoke immediately before and immediately after the handing of the document, instead of using a parenthetical remark, it is possible to simply paragraph at the point of the handing, which hints to the reader that the anticipated action has been performed at that point.

MR. JONES: I offer Plaintiff's Exhibit 1 in evidence.

MR. SMITH: May I see it, please? No objection.

When one person speaks immediately before the handing and a different person speaks immediately afterwards, it is, of course, not possible to show the handing by paragraphing.

The witness answers a question, the questioning attorney hands him a paper without saying that he/she is doing so, and then the witness changes his answer. Without a parenthetical remark, the reader will have no clue to the reason for the change in the witness' answer.

Q. How much was your income tax payment in 2024?

A. I think it was $4,000.

Q. How much (handing document to the witness)? Correct parenthetical.

Q. How much? (Handing document.) Incorrect parenthetical.

If the attorney had handed the tax return to the witness while he/she was asking the first question, and if he/she had then received the correct answer, we would not use a parenthetical remark. Witnesses

and other speakers often consult papers without mention being made of that fact in the record, either by a speaker or by the reporter.

Other Parenthetical Remarks

(There was a discussion off the record.) or (Discussion was held off the record.)

(Witness excused.) *or* (The witness was excused.)

(The witness left the stand).

(The witness resumed the stand.)

(Plaintiff's Exhibit No. 1 was handed to the jury.)

(The exhibits were handed to the jury.) If counsel omits making a record or it is unclear which exhibits are being passed, if possible, designate in the parenthetical the exhibit numbers or letters.

(The deposition of _____ was read, but not reported.) *Note exhibit number, if applicable.*

(Defendant's Exhibit B, the video deposition of _____, was played to the jury but not reported.)

(The testimony of the witness, _____, is omitted at the request of the appellant.)

(Counsel conferred off the record.)

Answers Without Words

Under certain conditions a parenthetical remark is required when a speaker points to something or, for that matter, performs certain actions. An attorney may ask a witness, in the course of his or her testimony, to do something like point to a spot on a photograph, indicate a certain distance, or demonstrate a certain action. If the witness does so without speaking, we transcribe in Q. and A. form both the attorney's request and the parenthetical remark indicating the witness' action, because the attorney is obtaining facts under oath from the witness, and because Q. and A. occur before and after the procedure.

The reporter should **NEVER** take it upon himself/herself in a parenthetical remark to specify any height or distance a witness may have indicated, the manner in which he/she may have demonstrated something, or the part of an exhibit he/she may have marked or pointed to. If a witness says, "It hurt me here," no parenthetical remark should be added. An attorney or judge will sometimes add the comment,

"Indicating the left shoulder," or "Indicating the curb," or wording to that effect. But, even if no one makes a comment on the record to clarify a vague answer, the reporter should **NEVER** set himself up as an estimator, whether of distance or of anything else. An error on his/her part might help one side or the other, with no way of correcting the error. By contrast, when one of the parties estimates something for the record, the others can hear him and contradict him on the spot, with the subject of discussion still before them. **It must be remembered that it is the attorney who is satisfied with the witness' response, not the reporter.**

(The witness complied.)

(The witness demonstrated.)

(The witness indicated.)

(An off-the-record discussion was held at the bench).

Bench conferences

(Counsel approached the bench and the following proceedings were held:)

(The proceedings returned to open court.)

In Courtroom Proceedings Jury Present/Absent

When the jury is present, use the following examples.

(The following proceedings were held in the courtroom in the presence of the jury:) *or* (The following proceedings were held in the presence of the jury:)

When the jury has been recessed, use the following examples.

(The following proceedings were held in the courtroom out of the presence of the jury:) *or* (The following proceedings were held out of the presence of the jury:)

When such proceedings occur during the voir dire process, substitute the term "venire panel" for the word "jury."

NOTE: *The reporter should* **never** *make a judgment as to whether something was in or out of the* **hearing** *of the jury. That would be a gross assumption on the reporter's part. It is not an assumption to state it was at the bench. It is not an assumption to state that it was in the presence of the jury.*

In Camera Proceedings

(The following proceedings were held in chambers, the defendant being present:)

(The following proceedings were held in chambers:)

Recesses

The Court must read MAI-CR 3d 300.04 to the jury prior to any recess or adjournment of court. The reporter must report this in its entirety and may use the following appropriate parenthetical remark in the transcript:

(The Court duly admonished the jury pursuant to MAI-CR 300.04 and a recess was taken.) *or* (The Court read MAI-CR 3d 300.04 and a recess was taken.)

(A recess was taken.)

(A recess was taken for the noon hour.)

Deliberations

(The jury retired to consider its verdict at 10 a.m.)

(The jury began deliberations at 5:10 p.m. At 6:05 p.m., they returned to the courtroom and the following proceedings were held:)

(The jury resumed their deliberations at 6:20 p.m. and at 9 p.m. returned to the courtroom with their verdict.)

(The case was given to the jury at 2:20 p.m. on (day), (month, day, and year) and the jury retired to deliberate on their verdict. During the course of deliberations, at 3:15 p.m., the jury indicated they wished to submit a question to the Court, and the following proceedings were held:)

(At 2:30 p.m., the jury sent out a note and the following proceedings were held:)

(At 5:45 p.m., the jury returned to open court with its verdict.)

Adjournments

(Court adjourned at _____ p.m. until _____ a.m.*, Friday, (month/day/year.)*

(The hour of adjournment having arrived, the jury, being admonished by the Court, by agreement is allowed to separate for the night, under the usual instructions of the Court, until (day), (month, day, and year), at _____ a.m.)

(The hour of adjournment having arrived, the jury, after being admonished by the Court and not being permitted to separate for the night, was taken to a local motel (hotel) by the court bailiff (or marshal), who was sworn to take said jury to spend the night and then return to the courtroom at ___ a.m. on (day), (month, day, and year).)

Other Possible Jury Parentheticals

(The venire panel was seated.)

(The venire panel was sworn by the clerk/Court.)

(The Court read MAI-CR3d 300.02, and the venire panel was sworn.)

(The jury and ____ alternate(s) were selected, sworn, and impaneled.)

(The jury was sworn.)

(The alternate juror was seated.)

(The venire panel was discharged.)

(The remainder of the venire panel was discharged.)

(The Court read MAI-CR3d 300.04.2 and a recess was taken.)

(The jury retired at 4:30 p.m.)

(The verdict was read.)

(The jury was polled.)

(The jury was discharged at 6:30 p.m.)

(Instruction No. 1 was read to the jury by the Court.)

(Instruction Nos. _____ through _____ were read to the jury by the Court.)

(The instruction was given to the jury by the Court.)

(At 3:45 p.m., the jury returned to the courtroom, and the Court read MAI-CR3d 312.10.)

(At 3:50 p.m., the jury returned to the jury room for further deliberations.)

Other Possible Parentheticals

The following example may be used as an opening for subsequent days of a trial or hearing under the heading, e.g., **TRIAL, DAY 3**.

(The trial resumed at 9 a.m., Thursday, May 19, 2016, there being present counsel and defendant/parties as heretofore noted; and the following proceedings were held:)

The following examples may be used when specific portion(s) of a proceeding is requested to be transcribed. If the request is made by a party to the proceedings, then replace counsel, et seq., *with just the party designation.*

(This transcript contains only those portions of the proceedings requested by counsel for the [plaintiff/defendant or petitioner/respondent].

(Following is that portion of the proceedings requested to be transcribed by counsel for the [plaintiff/defendant or petitioner/respondent].

(This concludes that portion of the proceedings requested by counsel.)

From time to time, there may be a lot of quoted material in a transcript. Occasionally, it may be inadvertently misread. The following example may be inserted at the top of the page before the heading of the index page(s).

(REPORTER'S NOTE: This transcript contains quoted material. Such material is transcribed as read or quoted.)

TRANSCRIPTS SUBJECT TO CHAPTERS 566 AND 595

[*The following notice was sent out effective January 1, 2017, as a guideline for protecting the private contact and identification information as outlined in Section 595.226 of victims of offenses defined under Chapter 566, RSMo*.]

When a transcript of proceedings is requested and the subject matter falls under Chapter 566, a notice should be included at the front of the transcript or with the transcript that outlines the requirement for redaction of specific information contained therein and the applicable law to which it applies. It is not the duty of the court reporter to do the redaction, but rather the person(s) receiving the transcript. At the end of this manual under the Appendices section is Appendix D, which informs the recipient of the transcript of their duty to comply with the statutes and Court Operating rule as stated in the notice.

N O T I C E

This transcript is a verbatim record of court proceedings which involves the victim of an offense under Chapter 566 or a victim of domestic assault or stalking.

Please be advised of Section 595.226 RSMo, which requires a redaction of specific information prior to disclosure to the public.

Section 595.226 reads as follows:

Beginning January 1, 2017--Identifiable information in court records to be redacted, when--access to information permitted, when--disclosure of identifying information regarding defendant, when.

595.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, including any visual or aural recordings that could be used to identify or locate any victim of an offense under chapter 566 or a victim of domestic assault or stalking shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number, place of employment, or physical characteristics, including an unobstructed visual image of the victim's face or body.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim, and only after providing reasonable notice to the victim and after allowing the victim the right to respond to such request.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a

case under chapter 566 or a case of domestic assault or stalking shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

R: DRIVE: PROCEDURES AND INDEXING

Indexing:

On the R Drive, please index all matters conducted on the record. If you have a high volume court, please link and scan your docket sheets. The most important fact is that you index everything you report. It is required under the Court Operating Rules. It is highly recommended that you back up your notes and index as often as you can, but it's mandatory that reporters be current within three months of each hearing.

R: Drive Procedures:

Attached are the procedures for the R: Drive. Management of files can be determined by the user but it is strongly recommended that reporters create a file for each calendar year and place, at a minimum, all raw notes and audio backups in the calendar year file.

- The Office of State Courts Administrator has provided a Network repository to secure the necessary materials for the indexing and storage of electronic and digital court reporter files. This is called the "R: Drive."
- Section 485.050 RSMo, provides: "It shall be the duty of the official court reporter under the direction of the judge to preserve all official notes taken in said court for future use or reference."
- It is the responsibility of the official court reporter of each division in the manner hereinafter set out to properly index and store his or her court reporter notes for future use or reference.

A chronological index should be maintained by each reporter by either: Use of an index sheet listing for each day, for each case reported, the following: Number and style of the case; or by scanning and attaching as their index the docket sheet indicating cases

heard on the record that day.

• Realtime files or completed transcripts may be stored on the Network repository.

• Each reporter should file electronic or digital files of stenographic notes, stenomask audio files and backup audio on the Network storage repository.

• Electronic stenographic notes should be read directly from the stenographic machine used, not having been read or translated into any software program.

• Digital stenomask audio files should be taken directly from the digital recorder used, not having been read or translated into any software program.

• On July 1 of each year, a new copy of the reporter's personal dictionary should be filed in the reporter's folder on the Network repository for that calendar year.

• Within five business days of the date that a reporter hired to cover the proceedings of court in the absence of the official reporter, the division reporter should obtain from the hired reporter their note and audio files for storage on the Network repository.

• The division reporter should index proceedings reported by a hired reporter and should note the name/CCR number of the hired reporter in the log sheet.

• Upon the death of a reporter, the judge should ensure all of the deceased reporter's stenographic electronic notes or stenomask electronic audio files, and backup audio, are properly stored on the Network repository (R: Drive).

• Electronic or digital files containing the official notes of the courtroom proceedings taken by any retired, terminated, or deceased reporter should be retained as set forth under the supervision of the current reporter in that division and/or the judge of that division.

(See Appendix C for Form GN35 to request access to R Drive files referenced above. The request form can be accessed through the CIC site also.)

How to Add an "R: Drive" Icon to Your Desktop:

1. Minimize or close all open windows so you are looking at your desktop.

2. Open Internet Explorer and go to the R: drive with this link: https://files.courts.mo.gov/login (you may have to copy and paste the web address) The R: drive log in page should open.

3. Partially minimize the web page you just opened so you can see part of your desktop.

4. At the web page you will see a little icon in the web address, immediately left of the "https."

5. Drag the little icon to an empty space on your desktop and release it. Another web page will open to that site, but at the same time you have created a shortcut to that web page.

6. Close all the web pages, then go back to your desktop and double click on the icon you just placed there. The R drive log in page should open.

You now have an icon on your desktop linking you directly to the R: drive log in page.

INDEXING AND PRESERVING STENOGRAPHIC NOTES

The following refers to storage of paper notes in the event this method is still being used.

Section 485.050 provides "It shall be the duty of the official court reporter . . . under the direction of the judge . . . to preserve all official notes taken in said court for future use or reference . . ."

In some circuits, local court rules have established specific procedures for preserving records, including court reporter notes. If no local court rule exists, the following can serve as a general guideline for storing court reporter notes and media files.

The reporter should clearly identify notes with the following information in words and figures:

(a) Date, (b) Case Number, (c) Style of Case, (d) Division Number,

(e) Judge's Name, (f) Reporter's Name, and (g) Attorneys' Names.

Identifying notes in criminal cases with a red "CRIMINAL" stamp may be helpful if in the future some provision may be made to destroy all notes in civil cases after a determined number of years.

A chronological index should be maintained by the reporter, listing for each day for each case reported the following: Number and style of case, and the box number in which such notes are stored.

Notes on Domestic Relations, Juvenile and Adoption matters, City Appeals, Driver License Revocations, and Arraignments in criminal cases need not be indexed as to individual cases provided such notes are keyed by number or letter to a copy of the docket of such cases for the particular day, and a copy of the docket filed with those notes and the appropriate entry (Domestic Relations, Arraignments, etc.) made for that date in the chronological index and listing the box number in which such notes are stored.

Storage of Paper Notes. After proper indexing, notes should be immediately stored in R-Drive file boxes (or other suitable boxes) which are consecutively numbered and shall bear the court reporter's name, division number, judge's name, beginning date and ending date.

When each box is filled, a copy of the chronological index of the notes in that box shall be enclosed and a copy kept on file in a notebook or other suitable file folder.

Notes of any substitute reporter shall be indexed and stored in the division, the same as for the official reporter. Remember that reporter notes are official court records and not the personal property of the reporter.

In a multi-county circuit, notes should be stored in a reporter's central office in the circuit.

(Following is a form that can be used for a chronological index. This is just a guideline, which can be modified for each reporter's individual preferences.)

COURT REPORTER'S INDEX *DIVISION NO.* _____

Date	Case No.	Style of Case	Box No.

DO AND DO NOT LIST

DO

DO number pages of transcript at bottom center.

DO double-space all typing in transcript. This includes land descriptions (Rule 81.12).

DO use Court of Appeals number on the cover page of the transcript. This number can be found in the case file or on Case.Net.

DO show circuit judge's name on cover page.

DO show appearances on cover page, if possible. When there is not enough space for multiple attorneys for each party, create a second page for appearances.

DO include complete indices in each volume.

DO designate multiple volumes on cover page as follows: Volume 1 of 6, Volume 2 of 6, Volume 3 of 6, et cetera.

DO begin each day of trial with a new page.

DO review case file before trial to become familiar with names, dates, et cetera.

DO number pages consecutively from volume to volume.

DO NOT

DO NOT bind more than 200 sheets in one volume (800 pages in page reduction format). It makes it convenient to place colored paper between the volumes when binding more than one volume in page reduction format.

DO NOT use a font less than ten characters per inch for fixed space, e.g., Courier New 12, or for a proportionally spaced font, e.g., Times New Roman 13 (Rule 81.12).

DO NOT use transcript paper lighter than 9-lb paper (Rule 81.12).

DO NOT change the style of the case by putting the defendant first if he/she is the appellant (Rule 81.03).

DO NOT send correspondence to Court of Appeals or Supreme Court without including its case number, which can be found in the case file or on Case.Net.

APPENDICES

(Forms)

COURT REPORTER STATEMENT

_____ Circuit Court No. _____
Respondent

v.

_____ Appeal No. _____
Appellant

EXTENSION REQUEST NO.: ☐ 1 ☐ 2 ☐ 3

I hereby certify and represent to the Court that:

- I served as the official court reporter in the trial of the above case.
- After the filing of the appellant's Notice of Appeal on _____, I received a written order for the transcript from appellant's attorney on _____.
- Check one: (a) ☐ In forma pauperis appeal or (b) ☐ I requested a deposit on _____. Appellant made a sufficient deposit for the transcript on _____.
- Please state concisely but specifically why the transcript will not be completed within the time required by Rule 81.19 or the time as previously extended by the court. If the preparation of other transcripts is involved in the delay, list each case, the date the transcript was ordered in each case, the approximate length of each transcript and the anticipated completion date. Illness, typist problems or other causes of delay should be similarly specified. **Compliance with this paragraph is mandatory**.

  _____

  _____
- I will complete the preparation of the transcript on appeal in this case on or before _____.
- I have delivered, on this date, a copy of this statement to my supervising judge, the Honorable _____.

_____ _____
Official Court Reporter Name Judge's Name

_____ _____
Official Court Reporter Signature & Date Judge's Signature (No e-signature allowed.)

_____ _____
Phone & e-mail for court reporter Date of Signature

Appendix A (This is merely an example of an extension request. Please access the fill-in form on Courts Information Center.)

Invoice for Payment
Indigent Criminal Appeal

BILL TO: Office of State Courts Administrator

EMAIL FORM TO: MSPD.ACCOUNTING@MSPD.MO.GOV

PAY TO: _____ _____

Court Reporter | SSN (Last Four Digits Only) – **REQUIRED FOR PAYMENT**

_____ _____

Street | City, State, Zip

_____ ☐ **PLEASE CHECK HERE IF THIS IS A NEW ADDRESS**

Phone

County Where Case Heard	Date Heard	Case Number
Style of Case VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Date Transcript Ordered	**TOTAL $_____**

County Where Case Heard	Date Heard	Case Number
Style of Case VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Date Transcript Ordered	**TOTAL $_____**

County Where Case Heard	Date Heard	Case Number
Style of Case VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Date Transcript Ordered	**TOTAL $_____**

PREPARED BY:	**VERIFIED BY:**	**GRAND TOTAL DUE & PAYABLE**
_____ Official Court Reporter Signature	_____ Missouri State Public Defender Signature _____ Date	**$ 0.00**

VERIFIED BY AND DATE	FUND	AGENCY	ORG	SUB ORG	APPR UNIT	ACTIVITY	FUNCTION	OBJECT	PAYMENT ID	AMOUNT
CODED BY AND DATE	**0101**	**100**	**2116**		**8689**	**BZ20**	**B03B**	**2505**		

Office of State Courts Administrator
2112 Industrial Drive
P.O. Box 104480
Jefferson City, MO 65110
EMAIL FORM TO: OSCA.FISCAL@COURTS.MO.GOV

Request for State Payment of Transcript
Judge Ordered Transcript

Payment to be made at $2.60/page for original and electronic version — Section 488.2250, RSMo

County Where Case Heard	Date Heard	Case Number
Style of Case vs.		_____ Pages Original @ $2.60 TOTAL $
Purpose of Transcript Ordered Under Section 488.2250, RSMo	Date Transcript Ordered	Reason for Copies

County Where Case Heard	Date Heard	Case Number
Style of Case vs.		_____ Pages Original @ $2.60 TOTAL $
Purpose of Transcript Ordered Under Section 488.2250, RSMo	Date Transcript Ordered	Reason for Copies

County Where Case Heard	Date Heard	Case Number
Style of Case vs.		_____ Pages Original @ $2.60 TOTAL $
Purpose of Transcript Ordered Under Section 488.2250, RSMo	Date Transcript Ordered	Reason for Copies

County Where Case Heard	Date Heard	Case Number
Style of Case vs.		_____ Pages Original @ $2.60 TOTAL $
Purpose of Transcript Ordered Under Section 488.2250, RSMo	Date Transcript Ordered	Reason for Copies

County Where Case Heard	Date Heard	Case Number
Style of Case vs.		_____ Pages Original @ $2.60 TOTAL $
Purpose of Transcript Ordered Under Section 488.2250, RSMo	Date Transcript Ordered	Reason for Copies

The amount claimed on this form is due and payable under the provisions of section 488.2250, RSMo.	**GRAND TOTAL**	**$**

CHECK PAYABLE TO:

_____ _____
Name SSN (Last Four Digits Only)

_____
Address

_____
City State Zip Phone Number

_____
Official Court Reporter Signature

JUDGE/COMMISSIONER CERTIFICATION

I certify that I ordered the above transcripts prepared at state expense under section 488.2250, RSMo for the purposes stated above.

_____
Judge/Commissioner Signature

_____ _____ _____
Circuit Division Date

VERIFIED BY AND DATE CODED BY AND DATE	FUND	AGENCY	ORG	SUB ORG	APPR UNIT	ACTIVITY	FUNCTION	OBJECT	PAYMENT ID	AMOUNT
	0101	100	3130		5274	BZ20	B03B	2505		

Request for State Payment of Transcripts Pleas and Sentences

Required by Supreme Court Rule 24.03

BILL TO: Office of State Courts Administrator

EMAIL FORM TO: MSPD.ACCOUNTING@MSPD.MO.GOV

County Where Case Heard:	Date Heard:	Date Transcript Ordered:	Case Number:
Type of Transcript: ☐ Guilty Plea ☐ Sentencing	If Guilty Plea, Date Motion Filed Under Rule 24.035:		Date Transcript Filed with Court/Requestor:
Style of Case: *State* VS			Pages Original ____ @ $2.60 = _____

County Where Case Heard:	Date Heard:	Date Transcript Ordered:	Case Number:
Type of Transcript: ☐ Guilty Plea ☐ Sentencing	If Guilty Plea, Date Motion Filed Under Rule 24.035:		Date Transcript Filed with Court/Requestor:
Style of Case: *State* VS			Pages Original ____ @ $2.60 = _____

County Where Case Heard:	Date Heard:	Date Transcript Ordered:	Case Number:
Type of Transcript: ☐ Guilty Plea ☐ Sentencing	If Guilty Plea, Date Motion Filed Under Rule 24.035:		Date Transcript Filed with Court/Requestor:
Style of Case: *State* VS			Pages Original ____ @ $2.60 = _____
The amount claimed on this form is due and payable under the provisions of section 488.2250, RSMo and Supreme Court Rule 24.03.		**GRAND TOTAL**	**$**

CHECK PAYABLE TO:	
Name SSN (Last Four Digits Only)	**PREPARED BY:**
Address	**VERIFIED BY:**
City State Zip	Missouri State Public Defender Signature
Phone Number	Signature Date

VERIFIED BY AND DATE	FUND	AGENCY	ORG	SUB ORG	APPR UNIT	ACTIVITY	FUNCTION	OBJECT	PAYMENT ID	AMOUNT
CODED BY AND DATE	**0101**	**100**	**2116**		**8689**	**BZ20**	**B03B**	**2505**		

Invoice for Payment
PCR Transcript (For Civil Hearing Only)

BILL TO: Office of State Courts Administrator

EMAIL FORM TO: MSPD.ACCOUNTING@MSPD.MO.GOV

PAY TO:

Court Reporter	SSN (Last Four Digits Only) – **REQUIRED FOR PAYMENT**
Street	City, State, Zip
Phone	☐ **PLEASE CHECK HERE IF THIS IS A NEW ADDRESS**

County Where Case Heard	Date Heard	Case Number
Style of Case VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Date Transcript Ordered	**TOTAL $_____**

County Where Case Heard	Date Heard	Case Number
Style of Case VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Date Transcript Ordered	**TOTAL $_____**

County Where Case Heard	Date Heard	Case Number
Style of Case VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Date Transcript Ordered	**TOTAL $_____**

PREPARED BY:	**VERIFIED BY:**	**GRAND TOTAL DUE & PAYABLE**
Official Court Reporter Signature	Missouri State Public Defender Signature Date	**$ 0.00**

VERIFIED BY AND DATE	FUND	AGENCY	ORG	SUB ORG	APPR UNIT	ACTIVITY	FUNCTION	OBJECT	PAYMENT ID	AMOUNT
CODED BY AND DATE	**0101**	**100**	**2116**		**8689**	**BZ20**	**B03B**	**2505**		

Invoice for Payment – Juvenile Transcript

BILL TO: DLS.CourtReporterInvoices@dss.mo.gov

PAY TO:

_____ Court Reporter	_____ SSN (Last Four Digits Only) – **REQUIRED FOR PAYMENT**
_____ Street	_____ City, State, Zip
_____ Phone	☐ **PLEASE CHECK HERE IF THIS IS A NEW ADDRESS**

County Where Case Heard	Date Heard	Case Number
Style of Case/In the Interest of: VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Reason Transcript Ordered	**TOTAL $_____**

County Where Case Heard	Date Heard	Case Number
Style of Case/In the Interest of: VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Reason Transcript Ordered	**TOTAL $_____**

County Where Case Heard	Date Heard	Case Number
Style of Case/In the Interest of: VS		____ Pages Original @ $3.50 =_____
Transcript Ordered By	Reason Transcript Ordered	**TOTAL $_____**

PREPARED BY:	**VERIFIED BY:**	**GRAND TOTAL DUE & PAYABLE**
_____ Official Court Reporter Signature	_____ DSS Representative Signature	**$ _____**
	_____ Date	

Request for Access to R Drive Files of Terminated, Retired, Incapacitated or Deceased Court Reporters

Request Date: _____ Requestor Name: _____

Judge: _____ Circuit/Division: _____ County: _____

Original Court Reporter Name: _____

Original Court Reporter Status: ☐ Terminated ☐ Retired ☐ Incapacitated ☐ Deceased

---

Access Requested

Name of Court Reporter Requesting R Drive Access: _____

☐ Temporary (Retired Court Reporter Only – Date Access Needed: _____)

☐ Temporary (Beginning Date: _____ End Date: _____)

☐ Long Term (**Please note:** The OSCA Server Group maintains the original R Drive files of the deceased or incapacitated court reporter. Files will be made available on the designated court reporter's R Drive for one year. At that time a new request must be submitted. Notice will be given to the Judge and the designated court reporter prior to the files being removed.)

Reason for Request

Original Court Reporter:

☐ Retired – Needs temporary access to complete transcript. (**Please note:** A password-protected link, to allow access to files, will be provided to judge or judge's designee with instructions for the retired court reporter regarding the link and files.)

☐ Retired and is unavailable to complete transcript request.

☐ Has been terminated, is incapacitated or deceased.

Transcript Information (if available):

☐ One Transcript ☐ Multiple Transcripts (over a period of time)

Name of File(s): _____

Case Number(s): _____

Style of Case(s): _____

Date(s) of Proceedings: _____

If you require additional space then please include the information on a separate sheet and attach it to this form.

_____ _____

Date Presiding Judge's Signature

_____ _____

Date State Courts Administrator or Deputy Signature

Email completed form to the OSCA Help Desk (OSCA.Help.Desk@courts.mo.gov)

N O T I C E

This transcript is a verbatim record of court proceedings which involves the victim of an offense under Chapter 566 or a victim of domestic assault or stalking.

Please be advised of Section 595.226 RSMo, which requires a redaction of specific information prior to disclosure to the public.

Section 595.226 reads as follows:

Beginning January 1, 2017--Identifiable information in court records to be redacted, when--access to information permitted, when--disclosure of identifying information regarding defendant, when.

595.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, including any visual or aural recordings that could be used to identify or locate any victim of an offense under chapter 566 or a victim of domestic assault or stalking shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number, place of employment, or physical characteristics, including an unobstructed visual image of the victim's face or body.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim, and only after providing reasonable notice to the victim and after allowing the victim the right to respond to such request.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a case under chapter 566 or a case of domestic assault or stalking shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.