

COURT REPORTER PROCEDURE

OFFICE OF THE STATE PUBLIC DEFENDER
APPELLATE DEFENDER OFFICE

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Appellate Procedure for Court Reporters

Court Reporters will receive an electronic request for production of transcripts and notice of appeal from the Appellate Defender Office (ADO).

Call the ADO if you receive any other oral or written requests for transcripts for Office of the State Public Defender appeals.

Procedure of the Public Defender Office and the Appellate Defender Office Requesting Transcripts

Upon filing a notice of appeal, a request for production of transcripts shall be filed with the Clerk of the District Court and served upon the appropriate court reporter. This request must be filed simultaneously with the filing of the notice of appeal. The court reporter shall also receive a copy of the notice of appeal. All requests and notices are sent electronically and made by the Appellate Defender Office unless a case has been conflicted to an outside attorney.

EXTENSIONS

Court Reporters have 40 days from the date of the notice of appeal to file with the Supreme Court the requested transcripts. If you need an additional 50 days to complete the requested transcripts, you can obtain the first extension from your district court judge and please send a courtesy copy to the ADO at ado@mt.gov. Each extension after the first 50-day extension has to be filed by defense counsel, and must contain an affidavit from the court reporter stating the reasons for the delay. If you need a second extension, please contact the ADO office and provide us with an original affidavit and we will file the extension request on your behalf. When requesting extensions in dependent/neglect or mental I appeals, all extension requests must be made through the defense attorney and be accompanied by an affidavit from the court reporter.

TRANSCRIPTS TO BE FILED WITH THE SUPREME COURT

The original (condensed copy) plus one dvd/r to the Supreme Court; one hard copy to the Attorney General and one searchable PDF copy to appellate counsel by emailing ado@mt.gov. The request for production of transcripts is specific as to who will get the defense counsel copy. It is your responsibility to distribute these copies to the appropriate parties.

PAYMENT OF TRANSCRIPT CLAIMS (Appellate)

In order to receive payment for the transcripts you must fill out the attached appropriate paperwork. (Miscellaneous Claim for Appellate Services Form and Transcript Claim Form). On the Miscellaneous Claim Form, you are the Claimant; you must fill out the name of the client and the total fees and costs. If you are claiming reimbursement for mailing costs, you must attach the original receipt. The ADO will fill in the Assigned OPD Client Number (**this number is not the case number, it is a special number used by the ADO for client tracking and billing**). This form must be signed and dated and then sent to the ADO for approval. You must send the original; no faxes will be accepted.

