

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE ATTORNEY GENERAL

M 273 *Court Rules Act*

I, Geoff Plant, Attorney General, after consultation with the Chief Justice of the Supreme Court, order that B.C. Reg. 222/84, the Official Reporters Regulation, is amended as set out in the attached Schedule.

16 October 2001
Date

P. Geoff Plant
Attorney General and Minister
Responsible for Treaty Negotiations

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Court Rules Act, R.S.B.C. 1996, c. 80, s. 5

Other (specify):

October 5, 2001

1182 /2001/22/ca

SCHEDULE

- 1** *Section 3 (b) of the Official Reporters Regulation, B. C. Reg. 222/84, is repealed and the following substituted:*

- (b) complete the transcript as soon as reasonably possible and no later than,
 - (i) if it is a transcript of oral reasons for judgment, an oral ruling or a charge to the jury, 5 business days after the transcript is ordered,
 - (ii) if it is a transcript or a transcript extract for appeal purposes, 60 days after bringing the appeal, unless further extensions are granted by the Court of Appeal,
 - (iii) if it is a transcript of reciprocal maintenance hearings, 14 business days after the transcript is ordered,
 - (iv) if it is a transcript of a preliminary inquiry, 22 business days after the transcript is ordered, or
 - (v) in any other case, 22 business days after the transcript is ordered.

- 2** *Schedule 1 of the regulation is repealed and the following substituted:*

SCHEDULE 1

FORMAT OF TRANSCRIPTS

(Section 3)

- 1** Each page of a transcript must be typed or reproduced on 8 1/2 by 11 inch paper of good quality, using only one side of the paper, and must be left justified unless otherwise provided in this Schedule.
- 2** All transcripts must be typed or reproduced using Courier New 12-point font type, or its equivalent.
- 3** There are to be no footers in a transcript, and the footer area must not be used to identify the authorized reporter who prepares the transcript.
- 4** A proceedings transcript must
 - (a) be prepared in paper format,
 - (b) be available in electronic format satisfactory to the registrar, and
 - (c) consist of the following:
 - (i) for the Supreme Court, a hard front cover;
 - (ii) a frontispiece;
 - (iii) an index of proceedings;
 - (iv) an index of exhibits;
 - (v) the text of the proceedings, including testimony and evidence;
 - (vi) the summation or submission of counsel, if required by the presiding judicial officer or if requested by counsel;
 - (vii) a hard back cover.
- 5** In a bound proceedings transcript
 - (a) the margins for all pages are to be 1 inch from the top, bottom and left edges of the paper and 1 1/2 inches from the right edge of the paper, and

- (b) the left and right margins on the cover, frontispiece and index pages are to be reversed for binding.
- 6** A proceedings transcript must be bound with cerlox bindings with all pages except the cover, frontispiece and indexes bound to the left hand side.
- 7** The hard cover of a transcript for the Supreme Court must be of Exact Vellum Cover/Bristol Tan cover stock or its equivalent.
- 8** The front cover of a proceedings transcript for the Supreme Court must include the following information, with spacing adjusted to fit on one page:
- (a) the court file number, right justified;
 - (b) the name of the registry of the court file, right justified, followed by two blank lines;
 - (c) the level of court, bold and centred;
 - (d) the title and surname of the presiding judicial officer, bold and centered, followed by two blank lines, and
 - (i) if there is more than one judicial officer with the same surname at the same level of court, the initials of the presiding judicial officer, and
 - (ii) if a jury is present, the words "and jury";
 - (e) the location where the court proceeding took place, right justified;
 - (f) the date of the court proceeding, or if the volume of transcript covers more than one continuous day, the dates of the court proceeding, in format mmm dd, yyyy, right justified, followed by two blank lines;
 - (g) the style of proceeding, shortened if necessary to permit the cover to fit on one page, followed by two blank lines;
 - (h) the type of transcript, centered;
 - (i) if the proceedings transcript is an excerpt, a short description of the contents of the excerpt, followed by two blank lines;
 - (j) the day number for multiple day hearings, and "original" or "copy" as applicable, bold and centered, followed by two blank lines;
 - (k) details of any ban or sealing order that applies at the time that the transcript is prepared, and "in private" if applicable, all highlighted in a box, bold and centered, followed by two blank lines;
 - (l) the name, address and telephone number of the authorized reporter who prepared the transcript, not including any logo;
 - (m) if applicable, the business name of the authorized reporter, not including any logo.
- 9** The front cover of a transcript of proceedings for the Supreme Court may include a facsimile number and an e-mail address of the authorized reporter.
- 10** The frontispiece may be more than one page if necessary and must include the following information:
- (a) all the information contained on the front cover as required under section 8;
 - (b) the full style of proceeding in the place of a shortened style of proceeding;
 - (c) after the details of any ban or sealing order, the following information followed by two blank lines:
 - (i) the names of counsel appearing and the names of the persons they represent;
 - (ii) the names of unrepresented parties appearing;
 - (iii) the method of appearance if a party appeared by electronic means;
 - (iv) the name of the clerk or recorder who recorded the proceedings.

- 11** The index of proceedings must include the following:
- (a) the names of witnesses called;
 - (b) whether the transcript is of examination in chief, cross-examination or re-examination and by whom;
 - (c) if a portion of the proceedings is not transcribed or is excerpted, an indication to that effect;
 - (d) all submissions by counsel, if transcribed;
 - (e) charges to the jury;
 - (f) any other significant happenings in the court proceedings;
 - (g) the page number of the transcript where each event starts.
- 12** The index of exhibits must follow immediately after the index of proceedings, starting on the same page if space is available, and the index of exhibits must include the following:
- (a) the exhibit numbers, including letters, if applicable;
 - (b) a description of the exhibits;
 - (c) the page number of each portion of the transcript at which the text indicates that an exhibit is entered into evidence.
- 13** If the index of proceedings and the index of exhibits together exceed one page, the pages must be numbered with small Roman numerals in the first line of the header, centered.
- 14** An excerpt of proceedings transcript that is less than 11 pages in length
- (a) must be prepared in paper format,
 - (b) need not be bound,
 - (c) if unbound, must be prepared so that the margins are 1 inch from the top, bottom and right edges of the paper and 1 1/2 inches from the left edge of the paper for all pages, with the pages stapled in the top left hand corner,
 - (d) if bound, must be prepared as described in section 4,
 - (e) must be available in electronic format satisfactory to the registrar,
 - (f) must be prepared so that the text of the transcript follows immediately after the frontispiece and two blank lines, and
 - (g) must consist of the following:
 - (i) a frontispiece as described in section 8 except for paragraphs (l) and (m) of that section;
 - (ii) the text of the proceedings, including testimony and evidence;
 - (iii) the summation or submission of counsel, if required by the presiding judicial officer or if requested by counsel;
 - (iv) a hard back cover.
- 15** A proceedings transcript must have a shoulder note in the header on each page of the transcript and the shoulder note must include the following, all left justified:
- (a) on the first line, the page number in Arabic numerals, beginning at page 1 on the first page of each volume;
 - (b) on the next line, "voir dire", if applicable;
 - (c) on the next one or two lines, a description of the court proceedings which are transcribed at the top of that page, including but not restricted to
 - (i) the name of the witness, the party on whose behalf the witness was tendered, the status of the examination and the name of counsel conducting the examination,

- (ii) the opening statements of counsel,
 - (iii) the charge to the jury,
 - (iv) submissions of counsel, and
 - (v) read in discovery or deposition testimony;
- (d) on the next line, any ban on publication or disclosure that applies at the time the transcript is prepared, including the section numbers, and "in private" if applicable.
- 16** For an unbound excerpt of proceedings transcript that is less than 11 pages in length
 - (a) the shoulder notes must start on the page of the transcript after the page on which the frontispiece ends,
 - (b) the numbering of the pages must be sequential from the first page of the transcript, and
 - (c) the actual page numbering must begin on the first full page of text.
- 17** Each page of a proceedings transcript must have 47 lines of text in the body of the transcript and each line in the body of the transcript must be consecutively numbered at the left margin.
- 18** If an unbound excerpt of proceedings transcript is less than 11 pages in length, the line numbering must start at the first line in the body of the transcript wherever the first line of text is situated on the page.
- 19** A proceedings transcript must be single spaced except that a single blank line must be inserted before and after notations, quotations and the swearing of witnesses, and before the line identifying counsel at the start of the examination of a witness.
- 20** Other than line numbering, all lines in the body of a proceedings transcript must be indented as follows:
 - (a) at the 1/2 inch indent, the identification of speakers and the question and answer during testimony;
 - (b) at the 1 inch indent, the verbatim transcript of what was said in the proceedings;
 - (c) at the 1 1/2 inches indent, all notations, quotations and marking of exhibits;
 - (d) at 3 spaces to the left of the centre of the page, the introduction and swearing or affirming of witnesses, and the lines identifying the place and date at the beginning of the proceedings transcript.
- 21** The first line on the first page of a proceedings transcript must contain the place of the hearing and the second line must contain the date of the hearing, both lines indented 3 spaces to the left of the centre of the page, with the third line blank.
- 22** If the proceeding includes a jury, a proceedings transcript must contain as the fourth line a notation indented 1 1/2 inches indicating whether the jury is present or absent from the courtroom, followed by another blank line.
- 23** In a transcript of testimony each question must be preceded by the letter "Q", and, beginning on a new line, the answer must be preceded by the letter "A".
- 24** In the text of a proceedings transcript
 - (a) there must be at least 50 letter spaces in each full line,
 - (b) all letter spaces must be used unless a paragraph has been completed or filling all spaces involves improperly breaking a word, and
 - (c) the last line of every paragraph must contain only the number of letter spaces that are required for the completion of the paragraph.

- 25** The name or description of a person speaking, other than during examination of a witness, must be typed in capital letters at the 1/2 inch indent, followed by a colon and two spaces, and the statement or submission must start at the third letter space after the colon.
- 26** All notations in a transcript must be indented 1 1/2 inches, in capital letters and enclosed in parentheses, and must include, but are not restricted to, the following:
- (a) adjournments;
 - (b) reconvening;
 - (c) proceedings not transcribed in the proceedings transcript,
 - (d) exhibits,
 - (e) the presence or absence of a jury in the courtroom at the beginning of the proceedings being transcribed, a change in that presence or absence, and all jury notations between the end of the charge to the jury and the time that the jury returns a verdict must include the time of day,
 - (f) when persons are participating in the proceedings by electronic means,
 - (g) when audio or video recordings were played but the verbatim recording is not included in the proceedings transcript,
 - (h) whenever audio recorded proceedings are played back or a reporter reads back from their notes, with an indication of what was played or read back.
- 27** A proceedings transcript must be certified, in a form acceptable to the registrar, in each volume of the proceedings transcript by the reporter who prepared that volume.
- 28** If more than one reporter prepares the contents of a volume of a proceedings transcript, the certification of each reporter must appear at the end of the portion of the transcript which each reporter prepared.
- 29** If the last line of the verbatim text extends beyond line 37 on the last page of a proceedings transcript, and the closing notations and certification of the reporter cannot all fit on that page, the last line of the verbatim text must be typed or reproduced on the next page, followed by the closing notations and the certification of the reporter.