

## **Form AO 38 Instructions and Crosswalk to AO 40A:**

The AO 38 provides court reporters (CR) with a simple tracking sheet to help in the completion of the AO 40A at the end of each reporting period. For all the hours that are reported on the AO 40A, there is a corresponding box on the AO 38. Definitions are provided below. CR should record time on the AO 38 to the nearest quarter of an hour rounding up. Reporting on the AO 40A should be done to the nearest hour.

### Definitions:

- 7d.** List the number of hours you were in attendance reporting official proceedings before judges, magistrate judges, or other judicial officers. Reporting time does not include lunch periods or recesses. Include courtroom set-up time (including for realtime), standby, or wait time while in the courtroom or chambers. But, do not include waiting for the jury or other standby time during which you attended to any other task. Time spent performing other tasks while waiting should be included in another category. Include reviewing pleadings, building realtime dictionaries, and updating realtime dictionaries for ongoing proceedings. “Judges” includes Active, Senior and Visiting Article III Judges. “Magistrate Judges” includes CVB proceedings. “Other” includes reporting of Magistrate Judge proceedings initially recorded electronically (report time spent preparing the transcript in 9a), reporting for Special Masters, investitures or other special ceremonies at the court.
- 7e.** List the number of hours your paid substitutes were in attendance reporting official proceedings before judges, magistrate judges, or other judicial officers. Reporting time does not include lunch periods or recesses. Include courtroom set-up time, standby, or wait time while in the courtroom or chambers. But, do not include waiting for the jury or other standby time during which you attended to any other task. Time spent performing other tasks while waiting should be included in another category. Also list the number of hours substitute reporters were employed by you to assist in the production of expedited, daily and hourly transcripts as well as the number of hours your paid substitutes were employed by you for absences due to illnesses, vacations, or other reasons. Round all hours up to the next whole number. Include reviewing pleadings, building realtime dictionaries, and updating realtime dictionaries for ongoing proceedings. “Judges” includes Active, Senior and Visiting Article III Judges. “Magistrate Judges” includes CVB proceedings. “Other” includes reporting of Magistrate Judge proceedings initially recorded electronically (report time spent preparing the transcript in 9a), reporting for Special Masters, investitures, or other special ceremonies at the court. **NOTE:** Only official court reporters who are not under the Leave Act may employ substitutes for absences from the court.

**8a.** Court reporting administrative hours - As a condition of employment, official, temporary, and combined-position reporters are required to perform administrative duties related to their court reporting work. List the number of hours you personally spent performing all administrative duties listed below. Include all time spent on these activities during and outside of your regular tour-of-duty.

- billing for official transcripts ordered and prepared, including binding,
- administering travel, including arrangements, vouchers and the like,
- delivering and/or mailing of transcripts,
- docketing transcripts,
- keeping financial and other records,
- preparing and filing of all required local and AO reports,
- answering telephone calls from other court personnel, attorneys, and litigants,
- responding to correspondence,
- training, research and other skills development/maintenance activities (including practicing and activities performed to maintain certifications),
- buying and maintaining equipment and software,
- purchasing supplies,
- providing cost estimates,
- making backups of steno notes on external storage devices,
- backing up audio, if any,
- getting judges to sign CJA-24 transcript order forms or transcript requests,
- calendaring courtroom proceedings for future reference,
- answering prisoner mail,
- supervising other court reporters, and
- supervising scopists or other contractors hired by court reporters to support transcript production duties.

**8b.** Other duties as assigned - In field 8b, include such other duties as required by the court or the clerk's office not included in 8a.

**9a.** List the number of hours you spent transcribing proceedings for which you received compensation outside of your judiciary salary. This includes all time you personally spent typing, dictating, scoping, proofreading, checking and verifying case citations, medical and technical terms, and all other aspects of transcribing proceedings. Include all time spent on these activities during and outside of your regular tour-of-duty. Include the hours of transcribers, scopists or other supporting personnel employed by you. Include time spent preparing rough drafts.

**9b.** List the number of hours you spent transcribing proceedings other than those in 9a, but not including private reporting activities such as grand jury proceedings and the taking of depositions. This includes all time you personally spent typing, dictating, scoping, proofreading, checking and verifying case citations, medical and technical terms, and all other aspects of transcribing proceedings. Include all time spent on these activities during

and outside of your regular tour-of-duty. Include the hours of transcribers, scopists or other supporting personnel employed by you provided the work would have been covered by your salary if you performed it yourself. Include time spent preparing rough drafts.

- 10.** Enter the number of hours (compute each trip to the nearest hour) spent traveling to and from places of holding court away from your official duty station. Do not include time spent commuting between your residence and official duty station.