I.R.C.P. 84.g. Payment of Fee - Preparation of Transcript.

Idaho Rules for Civil Procedures Rule 84(g). Payment of Fee - Preparation of Transcript.

(1) Preparation of Transcript Not Previously Transcribed. Unless otherwise ordered by the district court, any transcript required by this rule to be prepared from previously untranscribed proceedings shall be prepared in the following manner:

(A) Payment of Transcript Fee. Unless otherwise ordered by the district court, the petitioner shall pay the estimated fee for preparation of the transcript as determined by the transcriber prior to filing of the petition for judicial review, and the petitioner shall pay the balance of the fee for the transcript upon its completion. If the agency has a statute, rule, ordinance or other provision setting forth a fee for the preparation of transcripts, the petitioner shall tender that fee for the preparation of the transcript; otherwise, the petitioner shall pay a sum per page for the original and two (2) copies of the transcript to be prepared by the transcriber equal to the dollar amount per page provided for the cost of a transcript prepared by a court reporter under Idaho Code Section 1-1105. This sum shall be paid to the person preparing the transcript or such other person as designated by the agency. If the transcript is prepared by a transcriber or reporter privately retained by petitioner, the cost shall be paid by the petitioner as agreed, and for purposes of taxing costs, the cost shall be the same as provided in this rule. The district court may order a transcript prepared at agency expense if governing statutes so provide or may order the transcript paid from district court funds upon a finding of indigency.

(B) Preparation of Transcript. The transcriber shall give a receipt to the person paying the fees and shall thereafter prepare the transcript and lodge it with the agency within fourteen (14) days from the date of the filing of the petition. The transcriber may apply to the district court for an extension of time in which to prepare the transcript, which shall be granted only for good cause shown.

(C) Certificate. The transcript must be examined and certified by the transcriber by a certificate in substantially the following form:

CERTIFICATE OF TRANSCRIPTION

The undersigned does hereby certify that he or she correctly and accurately transcribed and typed the above transcription from the recording of the _____ [describe hearing: e.g., hearing before hearing officer X, oral argument before Commission Y, etc.] which was recorded on _____(date)____ in the above entitled proceeding.

Dated and certified to this _____ day of _____.

_____

(2) Certification of Transcript Previously Transcribed. Unless otherwise ordered by the district court, if a transcript was prepared for use of the agency in making its decision, a copy of that transcript may be used upon judicial review to the district court subject to the following conditions:

(A) Payment of Transcript Fee. Unless otherwise ordered by the district court, the petitioner shall pay the estimated fee for preparation of the transcript prior to filing of the petition for judicial review, and the petitioner shall pay the balance of the fee for the copy of the transcript upon its completion. If the agency has a statute, rule, ordinance or other provision setting forth a fee for the copying of a previously prepared transcript, the petitioner shall tender that fee for the copying of the transcript; otherwise, the petitioner shall pay a sum of $1.00 per page for a copy of the transcript, to be prepared by the agency or transcriber. This sum shall be paid to the person preparing the copy or such other person as designated by the agency. The district court may order a copy of the transcript prepared at agency expense if governing statutes so provide or may order the transcript paid from district court funds upon a finding of indigency.

(B) Preparation of Copy of Transcript. Upon the payment of the estimated copying fees, the transcriber shall give a receipt to the party paying such fees and shall thereafter prepare the transcript and lodge it with the agency within fourteen (14) days from the date of the filing of the petition. The transcriber may apply to the district court for an extension of time in which to prepare the copy of the transcript, which shall be granted only for good cause shown.

(C) Certificate. The transcript must be examined and certified by the person furnishing the copy by a certificate in substantially the following form:

CERTIFICATE OF TRANSCRIPTION

The undersigned does hereby certify that he or she correctly and accurately copied the transcript previously furnished the (agency), which transcript was transcribed and typed from the recording (or the reporter's notes) of the _____ [describe hearing: e.g., hearing before hearing officer X, oral argument before Commission Y, etc.] which was recorded (reported) on __(date)_____ in the above entitled proceeding.

Dated and certified this _____ day of _____.

_____

Reporter (or other person)

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