I.A.R. 25. Reporter's Transcript - Contents

Idaho Appellate Rule 25. Reporter's Transcript - Contents.

The reporter's transcript shall contain those portions of the record designated by the parties in conformance with and as defined in this rule.

(a) Designation of Transcript. The parties are responsible for designating the proceedings necessary for inclusion in the reporter's transcript on appeal. Parties are encouraged and expected to specify a transcript more limited than the standard transcript where appropriate. All requests for transcripts, including a request for a standard transcript in a criminal appeal, must identify the name of the court reporter(s) along with the date and title of the proceeding(s), and an estimated number of pages.

(b) Partial Transcript. The partial transcript shall consist of those portions of the testimony and proceedings specifically designated in the notice of appeal, notice of cross-appeal, or request for additional reporter's transcript under Rule 19.

(c) Standard Transcript – Civil Appeals. There is no standard transcript in civil appeals. Requested proceedings must identify the name of the court reporter(s), along with the date and title of the proceeding(s), and an estimated number of pages.

(d) Standard Transcript – Criminal Appeals. If any party requests the reporter’s standard transcript, the transcript shall include all testimony and proceedings reported by the reporter in the trial of the action or proceedings or the hearing at which the guilty plea was entered and the sentencing hearing, except the following which shall not be included in a standard transcript:

(1) The voir dire examination of the jury.

(2) The opening statements and closing arguments of counsel.

(3) The conference on requested instructions, the objections of the parties to the instructions, and the court's ruling thereon.

(4) The oral presentation by the court of written instructions given to the jury and reported by the reporter. While the written requested instructions and the written instructions given by the district court in an action shall not be included in the reporter's transcript, they shall be included in the clerk's record if specifically requested pursuant to Rules 19 or 28(c).

(5) All other hearings and proceedings which were heard by the trial court at some time other than during the course of the trial. Transcripts of pre-trial and post-trial proceedings other than the entry of a guilty plea or sentencing must be specifically designated and requested.

(6) Oral arguments on appeal to the district court.

(e) Standard Transcript in Death Penalty Cases. In criminal appeals in which the death penalty was imposed the standard transcript shall include all hearings and proceedings held in the trial court of every nature and description.

(f) Depositions or Statements. Depositions or statements which are read into the record shall be reported by the reporter and shall be included in the reporter's standard transcript or when specifically requested by a party. Depositions or statements which are admitted as exhibits in evidence but not read into the record, and depositions or statements which are not read into the record but which are considered by the court in the trial of the action or by an administrative agency in a proceeding, or in connection with any motion in the action or proceedings, shall not be included in the reporter's transcript, but shall be included in the clerks or agency's record if specifically requested pursuant to Rules 19 or 28 (c).

(g) Recorded Testimony. Any audio recording or audio-visual recording of testimony given under oath and played during the proceeding shall be reported by the reporter and included in the reporter's standard transcript in the same manner as other testimony of the trial or hearing.

(Adopted March 25, 1977, effective July 1, 1977; amended March 31, 1978, effective July 1, 1978; amended March 30, 1984, effective July 1, 1984; amended March 20, 1985, effective July 1, 1985; amended June 15, 1987, effective November 1, 1987; amended April 3, 1996, effective July 1, 1996; amended March 18, 1998, effective July 1, 1998; amended March 1, 2000, effective July 1, 2000; amended March 21, 2007, effective July 1, 2007; amended March 19, 2009, effective July 1, 2009; amended March 18, 2011, effective July 1, 2011; amended November 20, 2012, effective January 1, 2013.)

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