

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN
POLICY REGARDING NORMAL AVAILABILITY AND UNAVAILABILITY OF OFFICIAL
COURT REPORTERS – CRC 2.956(b)(1)**

Effective November 7, 2023

For all Kern County Court locations, court reporters are provided for Felony Criminal, Juvenile, Limited Family Law Matters Related to Termination of Parental Rights and Adoption, and Limited Probate Matters, **as long as court reporters are available**. Parties, however, may be required to pay for reporting services pursuant to Government Code § 69953. There is also a court reporter assigned to the monthly Superior Court -Appeals Court session held the first Friday of every month in the court’s Bakersfield Metropolitan Division. Court reporters are **not** provided for Unlimited and Limited Civil, Small Claims, Misdemeanor, Family Law Matters (not identified above), Domestic Violence proceedings in the Metropolitan Division, cases arising under the Mentally Disordered Offenders (MDO) Act, Mental Health Civil Case types, including Lanterman-Petris Short Act Conservatorship cases, and Traffic Court, due to the lack of available court reporters. For more information on court provided reporter services, see: <http://www.kern.courts.ca.gov/>

METROPOLITAN DIVISION (Assignments and Availability Subject to Change)				MULTI-DIVISIONAL COURTS (Assignments and Availability Subject to Change)	
DEPT	1415 METRO	DIV	1215 JUSTICE BLDG	DIV	BRANCH
1	Court Reporter Assigned	A	No Court Reporter Assigned	NORTH	DELANO/McFARLAND
2	Court Reporter Assigned	B	No Court Reporter Assigned	A	Court Reporter Assigned
3	Court Reporter Assigned	C	No Court Reporter Assigned	B	Court Reporter Assigned Wednesdays & Thursdays
4	Court Reporter Assigned	D	No Court Reporter Assigned	C	Court Reporter Assigned
5	Court Reporter Assigned	E	No Court Reporter Assigned	SHAFTER / WASCO	
6	Court Reporter Assigned	F	No Court Reporter Assigned	A/B	Court Reporter Assigned Criminal Matters Only
7	Court Reporter Assigned	G	No Court Reporter Assigned	SOUTH	
8	Court Reporter Assigned	H	No Court Reporter Assigned	ARVIN/LAMONT	
9	Court Reporter Assigned	J	No Court Reporter Assigned	A	Court Reporter Assigned
10	Electronic Recording	K	Electronic Recording	B	Court Reporter Assigned As Needed
11	Electronic Recording	L	Electronic Recording	EAST	
12	Electronic Recording	Court Reporter Assigned for: <ul style="list-style-type: none"> All Adoptions and Abandonments 		MOJAVE	
13	Court Reporter Assigned			A	Court Reporter Assigned
14	Court Reporter Assigned if Available			B	Court Reporter Assigned (Wednesdays Only)
15	Court Reporter Assigned if Available			C	No Court Reporter Assigned
16	Court Reporter Assigned for Felony Arraignments at 3 p.m.			RIDGECREST	
17	No Court Reporter Assigned			A & B	Court Reporter Assigned (except for Wednesdays)
18	Court Reporter Assigned			JUVENILE JUSTICE	
DEPT	ARROW ST. (TRAFFIC)			Probate	No Court Reporter Assigned
T1	Electronic Recording			J2	Court Reporter Assigned
T2	<ul style="list-style-type: none"> Electronic Recording Court Reporter assigned for Criminal Trials 			J3	Court Reporter Assigned
		J4	Court Reporter Assigned		

There are a number of factors that have impacted the court’s ability to assign court reporters to the proceedings identified

above. Due to its geographic size, the County of Kern has 9 separate courthouses presently in use. There are 40 Judicial seats, along with 8 Commissioners, who preside over cases in these courthouses. The court had 34 authorized court reporter positions in 2020. Currently the court has 26 court reporters. But on any given day approximately 2 to 3 court reporters are out on authorized leaves. This leaves only 23 reporters on average to serve the entire county.

Since January 2020 the court has lost a total of seventeen court reporters for various reasons, five of which left their court employment in the last year. Recruitment efforts have been extensive. In addition to the usual posting practices, over the last two years court reporter positions have been posted to LinkedIn, Handshake, Indeed, and JobSpeaker, and announced on the Court's Twitter newsfeed. Positions have also been sent to the Judicial Council of California's list serve. Since 2019 the Court has participated in fourteen job fairs. The normal practice, until this year, was to have a court reporter present at job fairs to answer questions. But due to the lack of staffing, a court reporter was unable to attend two out of the last four job fairs this year.

In addition to the full-time positions, the court has attempted to fill for years, on December 20, 2022 the court posted for a part-time, extra help court reporter. But to date the court has not received any applicants with the required credentials. The efforts to hire additional court reporters have included meeting with a local lawmaker and the owners of two of well-respected court reporting firms in Kern County. The court has also obtained a seat on the Board of Directors of WESTEC, the local court reporter school, in an effort to generate more interest in working for the court.

The Court has also taken steps to ensure that its court reporter positions are competitive with the public sector. Effective October 1, 2022, court reporters received an eleven percent pay increase. At the same time the differential paid for Court Reporter Realtime delivery increased by two percent. Effective October 1, 2023, court reporters also received a one percent increase in longevity pay for each service level they reached. In spite of extensive recruitment efforts, a competitive salary and good benefits, the court has been unable to hire any court reporters to fill any of its existing vacancies.

As a general matter, the court reporter shortage is not limited to Kern County. The Judicial Council of California (JCC) has recognized the declining availability of California-licensed court reporters throughout California. See [JCC Fact Sheet: Shortage of Certified Shorthand Reporters in California](#), March 2023, attached as Appendix A; see also Standing Order No. [STO-22-0009](#), issued on April 15, 2022, attached as Appendix B.

As a result of the court reporter shortage, the Court has been forced to discontinue offering court reporters for non-mandated court proceedings. As a matter of policy, court reporters have not been provided for general family law matters since September 14, 2020. Effective January 18, 2022 the Court announced it would not be able to provide court reporters for Family Law Domestic Violence proceedings in the Metropolitan Division. See [STO-21-0014](#). Since that date the only Family Law case types for which a court reporter is provided are Termination of Parental Rights hearings, Contempt hearings, and Adoptions. See [STO-21-0014](#). Since April 18, 2022 the Court stopped providing court reporters in cases arising under the Mentally Disordered Offenders (MDO) Act and mental health civil case types, including Lanterman-Petris Short Act Conservatorship cases. See [STO-22-0009](#) and [STO-22-0010](#). Effective November 3, 2023 the Court also announced it would not be able to provide court reporters for Family Law contempt proceedings. See [STO-23-0012](#).

For any matter in which the Court does not provide a Court reporter and electronic recording is not authorized, a party may arrange for a Certified Shorthand Reporter to serve as an official pro tempore reporter in accordance with the Kern County Superior Court [Official Reporter Pro Tempore Policy](#) [CtSup-2020-1A]. The party will be responsible for payment of a privately retained court reporter pro tempore. The court requires that each party file a statement ten (10) days before the trial date indicating whether the party requests the presence of an official court reporter. If a party requests the presence of an official court reporter and it appears that none will be available, the clerk will notify the

party of that fact as soon as possible before the trial. If the services of official court reporters are normally available, the clerk will notify the parties to a civil trial as soon as possible if it appears that those services will not be available.

Parties shall be required to pay for Court provided Court reporters in accordance with Government Code § [69953](#). The cost for a court provided court reporter shall be \$300 per half day and \$600 per full day in accordance with Government Code § [68086\(a\)\(1\)\(B\)](#) and the court's fee schedule. A \$30 fee will be charged for each proceeding that is one hour or less in duration, pursuant to Government Code § [68086\(a\)\(1\)](#).

In compliance with *Jameson v. Desta* (2018) 5 Cal.5th 594, an exception applies for fee waiver litigants, for whom an official court reporter will be made available, upon request, in unlimited jurisdiction civil, family law or probate proceedings. A request must be made in writing in a separate document filed with the Court at least ten (10) days before the date of the trial or hearing. A *Court Reporter Services Request by a Party with a Fee Waiver* form, (optional form KRN SUP CRT-CIV-0025, available [here](#)), may be used for this purpose. The Court presiding over a particular trial or hearing, for good cause, may shorten or waive the ten (10) day requirement. If a fee waiver litigant requested the presence of an official court reporter and it appears that none can be made be available, the proceeding will be continued until such time as an official court reporter can be made available. The Court will not be responsible for any court reporter pro tempore's fees, if that reporter pro tempore was privately retained by a fee waiver litigant.

The Court is not obligated to provide court reporter transcripts to fee waiver litigants free of charge. A fee waiver litigant may be able to obtain assistance through the Transcript Reimbursement Fund. (See [Bus. & Prof. Code §§ 8030.1-8030.8](#); see also *Jameson*, 5 Cal.5th at pp. 623-624). That fund compensates for transcript preparation fees. The Transcript Reimbursement Fund Application is available at the Court Reporter Board's website. There are limited funds available for fee waivers under the program.

Pursuant to [Government Code § 68630\(c\)](#) et seq. the Court may recover previously waived fees if a litigant has obtained a judgment or substantial settlement. In addition, if the Court provides an official court reporter in cases in which a fee waiver recipient requests such a reporter, the Court is permitted to impose a pro rata share of the costs of such an official reporter on the parties in those cases who can afford to pay official court reporter fees, just as in other cases in which the Court provides an official court reporter. (See [Government Code § 68086, subd. \(a\)\(2\)](#)); *Jameson*, 5 Cal.5th at p. 619, FN 18).

Effective May 14, 2018, all court reporters of the Kern County Superior Court, acting either in an official reporter or pro tempore capacity, are required to follow the Kern County transcript format for all transcripts submitted to the court and parties. The transcript layout as well as formatting information and instruction videos are accessible on the court's G-drive for official reporters regularly employed by the Court. The relevant information will be provided to outside reporters pro tempore by the court reporters' office. In addition, all court reporters are required to file all transcripts electronically in each case for which a transcript is prepared. Payment of the e-file provider fees shall be the sole responsibility of each court reporter.