

1 SUPERIOR COURT
2 COUNTY OF SAN BERNARDINO
247 West Third Street, Eleventh Floor
3 San Bernardino, CA 92415
4
5
6
7

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**
10

11 IN RE:)
12) GENERAL ORDER #GO22-31
13 COURT REPORTER AVAILABILITY)
POLICY FOR CIVIL CASES) AMENDED GENERAL ORDER
14) OF THE PRESIDING JUDGE
15)
16)
17)

18 Official court reporters are required for reporting all proceedings in felony criminal
19 and juvenile cases. Court reporters are not statutorily required to be provided by the
20 courts in civil, family law, probate, misdemeanor criminal, and traffic cases. With the
21 exception of limited civil, misdemeanor and infraction cases, Government Code section
22 69957 prohibits the courts from providing electronic recording in civil, family law and
probate courtrooms.

23 The Superior Court of San Bernardino County has been suffering from a severe
24 lack of court reporters. Available court reporters are unable to routinely cover non-
25 mandated case types, including civil cases. Official court reporters are not normally
available for reporting trials in unlimited cases. Official court reporters are also not

1 normally available for reporting law and motion matters in unlimited jurisdiction cases,
2 except as specifically listed on the court's website.

3 Consequently, parties to a civil matter who want to memorialize a hearing or trial
4 may arrange, at their own expense, for the presence of a court reporter given the
5 likelihood under the present circumstances that the court will NOT be able to provide an
6 official court reporter. (Gov. Code § 68086, subd. (d)(2) and Cal. Rules of Court, rule
7 2.956(c).) For trial, a party must comply with Cal. Rules of Court, rule 2.956(b)(3).

8 To the extent an official court reporter is available to be assigned to a civil matter,
9 priority will be given in the following order, and the parties will be notified:


- 10 a) civil unlawful detainer cases where possession is an issue;
- 11 b) five-year cases; and
- 12 c) the oldest civil case.

13 The Court finds good cause to allow the parties and counsel in civil cases desiring
14 a court reporter's services for which the court does not make a court reporter available to
15 arrange for the appointment of a privately retained certified shorthand reporter, who will
16 be designated as the Official Court Reporter for the purposes of their trial. If an
17 arrangement for a court reporter is made under this General Order, it is the responsibility
18 of the arranging party or parties to pay the reporter's fees for attendance at the
19 proceedings. (Cal. Rules of Court, rule 2.956(c).)

20 A party who has received a fee waiver may request an official court reporter
21 pursuant to California Rules of Court, rule 2.956(c)(2). The request must be made by
22 using Judicial Council form FW020, and should be filed at least ten calendar days before
23 the hearing or trial for which the reporter is requested. If the requesting party received
24 less than ten days' notice of the hearing or trial, the requesting party must file the request
25 as soon as practicable. If a request is timely submitted, the clerk will notify the requestor
as soon as possible if no official court reporter will be available. Given the limited
availability of official court reporters, notice of the availability of a court reporter may not
be given until the day of the trial or hearing. (FW-020)

1 This order is effective December 7, 2022. It shall remain in effect until December
2 31, 2023, or otherwise revoked.

3 Dated this 7th day of December 2022.

4
5 
6 R. Glenn Yabuno
7 Presiding Judge of the Superior Court
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25