

Procedure for Preparing and Filing a Statement on Transcript

Attached is a sample statement on transcript that may be used to comply with the appellate rules. You should follow these steps in completing the statement on transcript.

1. Decide whether a transcript is necessary for the appeal. A transcript is a word-for-word record of testimony or argument made in court. If you did not appear in court (for example, if the judge dismissed your complaint without holding a hearing), a transcript is not necessary for the appeal, and all you need to do is check the first box and sign and date the statement on transcript.
2. If the transcripts you need have already been filed with the clerk of circuit court, check the second box and sign and date the statement on transcript. As the appellant, you must arrange for a copy of the transcripts to be served on the opposing party, if that has not already been done.
3. If testimony or arguments were made in the trial court and you want the court of appeals to review a transcript of this testimony or argument, check the third box and follow the remaining directions.
4. Find the name of the court reporter who transcribed the testimony (check with the clerk of the circuit court for the name). Contact the court reporter and make arrangements to pay for the transcript. The clerk of the circuit court is not required to contact the court reporter for you. The court reporter must fill out and sign the bottom portion of the statement on transcript to certify that you have requested the transcript and made arrangements for payment. THE STATEMENT ON TRANSCRIPT WILL NOT BE ACCEPTED IF YOU CHECKED THE THIRD BOX BUT DID NOT FILL OUT THE BOTTOM PORTION OF THE STATEMENT AND DID NOT OBTAIN THE COURT REPORTER'S SIGNATURE.
5. The court reporter must certify that the transcript will be filed within 60 days of the date it is requested and arrangements made for payment. THE STATEMENT ON TRANSCRIPT WILL NOT BE ACCEPTED IF THE COURT REPORTER STATES THAT THE TRANSCRIPT WILL BE FILED ON A DATE MORE THAN 60 DAYS AFTER THE DATE IT IS REQUESTED. NOTE: TRANSCRIPTS FROM POSTCONVICTION PROCEEDINGS MUST BE FILED WITHIN 20 DAYS OF HAVING BEEN REQUESTED.
6. List the transcripts you have requested (i.e. pre-trial proceedings, trial, motion hearing, etc.) and the dates on which the hearing or trial occurred.

File the original statement on transcript with this office and send a copy to the clerk of circuit court and the opposing party or parties. The appeal may be delayed if you file a statement on transcript that is not properly completed. If you fail to file a proper statement on transcript, the court may prohibit you from requesting the transcript and you will be unable to refer to the transcript in your brief.