

HOUSE No. 1453

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker and Alice Hanlon Peisch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act concerning furnishing transcripts of notes and fees.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------------|---|------------------|
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> | <i>1/20/2023</i> |
| <i>Alice Hanlon Peisch</i> | <i>14th Norfolk</i> | <i>1/20/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/20/2023</i> |
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | <i>1/24/2023</i> |
| <i>John J. Cronin</i> | <i>Worcester and Middlesex</i> | <i>1/25/2023</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>1/26/2023</i> |
| <i>Steven George Xiarhos</i> | <i>5th Barnstable</i> | <i>2/1/2023</i> |
| <i>Steven Owens</i> | <i>29th Middlesex</i> | <i>2/2/2023</i> |
| <i>Peter Capano</i> | <i>11th Essex</i> | <i>2/3/2023</i> |
| <i>Jacob R. Oliveira</i> | <i>Hampden, Hampshire and Worcester</i> | <i>2/6/2023</i> |
| <i>Jennifer Balinsky Armini</i> | <i>8th Essex</i> | <i>2/6/2023</i> |
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>2/10/2023</i> |
| <i>Michelle L. Ciccolo</i> | <i>15th Middlesex</i> | <i>2/13/2023</i> |
| <i>James Arciero</i> | <i>2nd Middlesex</i> | <i>2/16/2023</i> |
| <i>Russell E. Holmes</i> | <i>6th Suffolk</i> | <i>2/22/2023</i> |

HOUSE No. 1453

By Representatives Decker of Cambridge and Peisch of Wellesley, a petition (accompanied by bill, House, No. 1453) of Marjorie C. Decker, Alice Hanlon Peisch and others relative to furnishing transcripts of notes and audio recordings taken at trials or hearings. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act concerning furnishing transcripts of notes and fees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out, in line 2, the word, "stenographer" and
3 inserting in place thereof the word: "transcriber."

4 SECTION 2. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
5 Official Edition, is hereby amended by striking out, in line 2, the words, "his notes" and inserting
6 in place thereof the words: "their notes or audio recording."

7 SECTION 3. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
8 Official Edition, is hereby amended by striking out, in line 3, the word, "he" and inserting in
9 place thereof the word: "they."

10 SECTION 4. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
11 Official Edition, is hereby amended by striking out, in line 4, "\$3" and inserting in place thereof:
12 "\$5."

13 SECTION 5. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
14 Official Edition, is hereby amended by striking out, in line 4, "\$1" and inserting in place thereof:
15 "\$1.67."

16 SECTION 6. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
17 Official Edition, is hereby amended by striking out, in line 5, the word: "additional."

18 SECTION 7, Section 88 of chapter 221 of the General Laws, as appearing in the 2020
19 Official Edition, is hereby amended by striking out, in line 5, the words: "at the same time."

20 SECTION 8. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
21 Official Edition, is hereby amended by striking out, in line 6, the word, "stenographer" and
22 inserting in place thereof the word: "transcriber."

23 SECTION 9. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
24 Official Edition is hereby amended by striking out, in line 7, "\$5" and inserting in place thereof:
25 "\$8.35."

26 SECTION 10. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
27 Official Edition, is hereby amended by striking out, in line 9, the word, "open source" and
28 inserting in place thereof the word: "open-source."

29 SECTION 11. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
30 Official Edition, is hereby amended by striking out, in line 10, the words: "additional paper."

31 SECTION 12. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
32 Official Edition, is hereby amended by striking out, in line 11, "\$.10" and inserting in place
33 thereof: "\$.20"

34 SECTION 13. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
35 Official Edition, is hereby amended by striking out, in line 12, the word, "daily" and inserting in
36 place thereof the word: "rush."

37 SECTION 14. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
38 Official Edition, is hereby amended by striking out, in line 13, "\$4.50" and inserting in place
39 thereof: "\$7.50."

40 SECTION 15. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
41 Official Edition, is hereby amended by striking out, in line 13, the word: "copy."

42 SECTION 16. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
43 Official Edition, is hereby amended by striking out, in line 13, "\$1.50" and inserting in place
44 thereof: "\$2.50."

45 SECTION 17. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
46 Official Edition, is hereby amended by striking out, in line 14, the word: "additional."

47 SECTION 18. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
48 Official Edition, is hereby amended by striking out, in line 15, the word, "stenographer" and
49 inserting in place thereof the word: "transcriber."

50 SECTION 19. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
51 Official Edition, is hereby amended by striking out, in line 16, "\$5" and inserting in place
52 thereof: "\$8.35."

53 SECTION 20. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
54 Official Edition, is hereby amended by striking out, in line 17, the words: "additional paper."

55 SECTION 21. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
56 Official Edition, is hereby amended by striking, in line 19, the words, "\$.10 per page" and
57 inserting in place thereof the words: "\$7.50 for the original and \$.20 per page for each copy."

58 SECTION 22. Section 88 of chapter 221 of the General Laws, as appearing in the 2020
59 Official Edition, is hereby amended by inserting after paragraph one the following paragraph:

60 Section 88a.

61 Beginning on the first day of July 2028, and on the first day of each fifth July thereafter,
62 the rates and fees set forth in section 88 shall be increased to reflect changes in the Consumer
63 Price Index as follows: The rates and fees set forth in section 88 shall be multiplied by a fraction,
64 the denominator of which shall be the Consumer Price Index for March 1993 and the numerator
65 of which shall be the Consumer Price Index for the March immediately preceding the applicable
66 July 1. For the purposes of this section, the Consumer Price Index shall mean that table in the
67 Consumer Price Index published by the United States Department of Labor, Bureau of Labor
68 Statistics, now known as: Consumer Price Index for All Urban Consumers (CPI-U): Indexes and
69 percent changes for selected periods, Boston-Cambridge-Newton, Ma.-N.H. (1982-84=100
70 unless otherwise noted) (not seasonally adjusted). If this Consumer Price Index shall be
71 discontinued, then the presiding justice of the administrative office of the trial court shall
72 designate any successor Consumer Price Index of the United States Bureau of Labor Statistics, or
73 any successor agency thereto for Boston-Cambridge-Newton, Massachusetts-New Hampshire.
74 The (1) office of transcription services or (2) the presiding justice of the administrative office of
75 the trial court shall issue directives to implement the purposes of this section.