

Order

Michigan Supreme Court
Lansing, Michigan

March 11, 2020

Bridget M. McCormack,
Chief Justice

ADM File No. 2018-35

David F. Viviano,
Chief Justice Pro Tem

Amendment of Rule
8.108 of the Michigan
Court Rules

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 8.108 of the Michigan Court Rules is adopted, effective May 1, 2020.

[Additions to the text are indicated in underlining and
deleted text is shown by strikeover.]

Rule 8.108 Court Reporters and Recorders

(A)-(D) [Unchanged.]

(E) ~~Preparing~~Furnishing Transcript. The court reporter or recorder shall ~~prepare~~furnish without delay, in legible English, a transcript of the records taken by him or her (or any part thereof):

(1) to any party on request. The reporter or recorder is entitled to receive the compensation prescribed in the statute on fees from the person who makes the request.

(2) on order of the trial court. The court may order the transcript prepared without expense to either party. Except when otherwise provided by contract, the court reporter or recorder shall receive from the appropriate governmental unit the compensation specified in the statute on fees for a transcript ordered by a court.

(F) Filing Transcript.

- (1) After preparing a transcript upon request of a party or interested person to a case or On order of the trial court, the court reporter or recorder shall promptly file the~~make and file in the clerk's office a~~ transcript of the proceedingshis or her records, in legible English, of any civil or criminal case (or any part thereof) without expense to either party; the transcript is a part of the records in the case.
- (2) After an official transcript is filed, copies shall be made only from the official transcript filed with the court~~Except when otherwise provided by contract, the court reporter or recorder shall receive from the appropriate governmental unit the compensation specified in the statute on fees for a transcript ordered by a court.~~

(G) [Unchanged.]

Staff comment: The amendment of MCR 8.108 clarifies the rule regarding preparation and filing of transcripts including that a court reporter or court recorder shall file their transcripts with a court when produced for a party or for the court.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 11, 2020

Clerk