

How to Order a Transcript for Appeal to the Court of Appeal for Ontario or Divisional Court

Overview of the Change in Transcript Ordering Process:

Previous Transcript Production Model (Pre-June 9, 2014)	Current Transcript Production Model (effective June 9, 2014)
<p>In the previous model, ordering parties placed their order with the court office. Typically, the transcript was produced and certified by the court reporter.</p> <p>Ordering parties did not have a choice with respect to who produced and certified the transcript.</p>	<p>In the current model, ordering parties place their transcript order with the independent, authorized court transcriptionist (ACT) of their choosing.</p> <p>All aspects of the ordering including availability to produce the transcript within the required timeline, deposits, payment and delivery options are arranged and agreed to directly between the ordering party and the ACT.</p>

Q 1. How do I choose an ACT?

- A.
- i. Access the Authorized Court Transcriptionists for Ontario website (www.courttranscriptontario.ca)
 - ii. Select your preferred language (English or French)
 - iii. On the welcome page, select "Search"
 - a) If you know the name of the ACT that you want to place the order with:
 - Enter the ACT's name, company or ACT ID in the "Keyword" field
 - b) If you do NOT know the name of an ACT that you want to place the order with:
 - Filter the list of ACTs who meet your criteria to produce the transcript (i.e. location where the proceeding was heard; level of Court (OCJ or SCJ); type of proceeding; if the matter was a bilingual proceeding, if you require enhanced service delivery, etc.)
 - iv. View an ACT's website profile by selecting the name
 - v. Choose an ACT and contact that individual directly (by telephone or email)
- Note: The names of ACTs listed for each court location appear in random order each time you search.*

Q 2. Are there restrictions with respect to which ACT I can place my order with?

- A. Once the list has been filtered to only those ACTs who meet your criteria, you may choose any ACT on that list. Depending upon the length of the proceeding, you may choose to select more than one ACT and separate the order into two or more transcript orders.
- Note: If the court office advises the ACT that you have selected that all or part of the proceeding was previously ordered or transcribed by another ACT, the ACT you have selected is required to advise you of the previous order. It will be up to you as the ordering party how you want to proceed.*

Q 3. What information will the ACT require?

- A. The ACT will need to know:
- i. **Name of the Case**
 - ii. **Date(s) of Proceeding**
 - iii. **Name of the Presiding Official and/or the Courtroom number**
 - iv. **Type of proceedings (i.e. Criminal, Civil, Family, etc.)**
 - v. **Appeal number**
 - vi. **What is specifically required to be transcribed?**
For appeal purposes, an order of the appellate court or written approval of all other parties is required if you wish to include pre-trial motions and submissions of counsel.
 - vii. **The number of certified transcripts and electronic copies required.**
In accordance with the transcript fees outlined in O. Reg. 94/14, ordering parties are charged \$4.30 per page for the first certified copy of the transcript. The Ministry shall print copies of court transcripts required for the Court of Appeal for Ontario or the Divisional Court at no cost to the ACT or the ordering party.
 - viii. **The date on which the completed, certified transcript is required for delivery.**
 - ix. **The ordering party's name and contact information.**
- Note: Accuracy in completing the form and providing full details with respect to the proceedings required will avoid delays in identifying and locating the recordings required for transcription. All details required on the Transcript Order Form should be discussed between the ACT and the ordering party. The Transcript Order Form may only be forwarded by the ACT to the court location where the proceedings took place.*

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Q 4. What are some questions that I could ask the ACT when placing an order?

A. All aspects of the transcript order are between the ordering party and the ACT. In order to ensure transcripts are on time, the ordering party should:

- i. Negotiate the terms of the contract up front with the authorized court transcriptionist;
- ii. State the requirements of the order with the ACT in writing;
- iii. Negotiate the terms of payment, delivery and timeframes up front.

Before placing the transcript order, ensure that the terms of the order are agreed to and understood.

For example:

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| Timelines: | a) Can the ACT have the transcript completed by the date you have specified?
<i>(See Q5 for timelines related to transcripts for appeal to the Court of Appeal)</i> |
| | b) Will the ACT be able to prepare the entire transcript on his/her own in order to meet the timelines or will the work be shared with other ACTs? |
| Payment: | a) What fee is the ACT going to charge? <i>(i.e. first copy fee to transcribe the proceeding, copy rate, enhanced fee)</i> |
| | b) Is a cost estimate required? If so, when would the ACT be able to provide that information? |
| | c) Does the ACT require a deposit? If so, how much and when is it payable? |
| | d) Will there be any other charges? |
| Delivery: | a) How will the transcripts be delivered? |
| | b) Will there be an additional charge for delivery? |

Q 5. Are there any requirements regarding timelines for transcript completion by the Court of Appeal?

A. The Court of Appeal for Ontario's Practice Direction Concerning Timely Hearing of Criminal Appeals indicates as follows:

- i. It is anticipated transcripts will be completed within 90 days of the date of being ordered, subject to extensions for exceptional circumstances;
- ii. The ACT is responsible for advising the ordering party if a transcript cannot be completed within the 90 day timeline. Upon being so advised, the ordering party is responsible for contacting the Court of Appeal to advise them of the delay and to request additional time. The ACT should not contact the Court of Appeal.

Q 6. Once all aspects of the transcript order are agreed upon, who completes the transcript order form?

- A. Depending upon the arrangements agreed to with the ACT, the ordering party may either:
- i. Download the transcript order form <https://www.courttranscriptontario.ca/home/resources>, complete the details and email the form to the ACT who will complete the form; or,
 - ii. Provide the required details of the order directly to the authorized court transcriptionist who will complete the transcript order form

Q 7. How can I obtain updates on the status of the transcript I have ordered?

A. The ordering party contacts the authorized court transcriptionist directly with inquiries pertaining to the transcript order, including status updates on the progress of their transcript. Scheduled status updates must be arranged directly between the ordering party and the ACT.

Contact information for the ACT is posted on the ACT's profile page on the Authorized Court Transcriptionists for Ontario website.

Q 8. What if I have questions about the ordering process?

A. If an ordering party requires further information with respect to ordering a transcript or for assistance accessing the List of Authorized Court Transcriptionists, helpdesk services are available in both English and French through Arkley Professional Services at:

Email: info@courttranscriptontario.ca **Phone:** 1-800-645-8113