

Superior Court of California County of Santa Clara

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FREQUENTLY ASKED QUESTIONS

Deposit of Advance Jury Fees
Court Reporting Services Under One Hour
(Sen. Bill 1021)
Effective June 27, 2012

COURT REPORTING SERVICES UNDER ONE HOUR (Gov. Code, 68086(a))	
Q: What case types are eligible for this fee?	A: This fee applies to Civil, Family and Probate proceedings initiated by a party to the action. Proceedings initiated by the Court, such as case management conferences, status reviews and compliance hearings are not eligible for this fee.
Q: Is the \$30.00 fee for court reporting services in proceedings lasting under one hour collected from one party or from all parties?	A: Only one \$30.00 fee is collected for each proceeding. The party initiating the proceeding is responsible for paying the fee.
Q: When does the Court collect the fee?	A: For moving papers filed on July 12, 2012 and after, the \$30.00 fee will be collected from the initiating party when the moving papers are filed with the clerk. For moving papers filed prior to July 12, 2012, the initiating party may be advised at the beginning of their hearing to pay the \$30.00 in the clerk's office when the hearing is concluded. This fee is non-refundable even if the proceeding is taken off calendar.
Q: Are public entities exempt from paying court reporter per diem fees?	A: No. The \$30.00 fee, as well as the court reporter fees for proceedings exceeding one hour will be collected from a public entity.
Q: May the parties waive the services of a court reporter to be ineligible for the \$30.00 fee?	A: No. The payment of the fee is not subject to the request of the party.
Q: May the Court waive the \$30.00 fee because of a party's financial condition?	A: Yes. The court may (but is not required to) waive fees itemized in the Request To Waive Court Fees (FW-001).

ADVANCE JURY FEE

Q: What are the primary changes related to the deposit of the advance jury fees?

A: The four primary changes related to the deposit of the advance jury fees are:

- The fee is fixed at \$150.00 rather than limited to \$150.00.
- The fees must be deposited earlier than previously required.
- Fees deposited after June 27, 2012 will be non-refundable.
- The fees will no longer be credited to the actual jury fees and costs paid by the party on the second day of trial.

Q: What are the new deadlines for depositing the advance jury fees?

A: Beginning June 28, 2012, the advance jury fees must be deposited:

- On or before the date scheduled for the initial case management conference in the action; or
- If no case management conference is scheduled, no later than 365 days after the filing of the initial complaint; or
- If the party has not appeared before the initial case management conference or has appeared more than 365 calendar days after the filing of the initial complaint, at least 25 calendar days before the date initially set for trial; or
- If the case is for unlawful detainer action, at least five days before the date set for trial.

Q: Are public entities exempt from paying the advance jury fee?

A: No. The advance jury fees, as well as the daily jury fees will be collected from a public entity.