

House Bill 357

By: Representatives Lindsey of the 54<sup>th</sup> and Willard of the 49<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 14 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to general provisions regarding court reporters, so as to provide for certain notice  
3 requirements regarding a party's access to a court reporter; to amend Article 3 of Chapter 6  
4 of Title 15 of the Official Code of Georgia Annotated, relating to practice and procedure of  
5 state courts, so as to provide for a requirement when providing a court reporter; to provide  
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 14 of Title 15 of the Official Code of Georgia Annotated, relating to  
10 general provisions regarding court reporters, is amended by adding a new Code section to  
11 read as follows:

12 "15-14-8.

13 (a) In all cases tried in a state court of record, the judgments of which are subject to  
14 appellate review, the trial judge thereof shall instruct any pro se party of his or her right to  
15 a court reporter and that failure to obtain a transcript of a proceeding could adversely  
16 impact such party's ability to appeal any adverse ruling by the court. If, after such notice,  
17 a pro se party waives his or her right to a court reporter, he or she shall verify in writing  
18 that he or she has been advised of his or her right to a court reporter and such waiver shall  
19 be filed with the court.

20 (b) Attorneys representing litigants in any action tried in a state court of record, the  
21 judgments of which are subject to appellate review, shall notify his or her client in writing,  
22 prior to the commencement of any such proceeding, that the client has a right to have the  
23 proceeding recorded by a court reporter and that the failure to have the proceeding recorded  
24 will result in not having a transcript thereby adversely impacting the client's ability to  
25 proceed with appellate review."

26

**SECTION 2.**

27 Article 3 of Chapter 7 of Title 15 of the Official Code of Georgia Annotated, relating to  
28 practice and procedure of state courts, is amended by revising subsection (b) of Code Section  
29 15-7-47, relating to the providing of court reporters, as follows:

30 "(b) Reporting of any trial may be waived by consent of the parties in a manner consistent  
31 with Code Section 15-14-8."

32

**SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.