

SENATE BILL NO. 936

June 20, 2024, Introduced by Senator IRWIN and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 1491 (MCL 600.1491), as added by 1998 PA 249.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1491. (1) A court reporter, court recorder, stenomask
- 2 reporter, or owner of a court reporting firm shall not do either of
- 3 the following:
- 4 (a) Enter into or arrange for any financial relationship that
- 5 compromises the impartiality of court reporters, court recorders,

1 or stenomask reporters or that may result in the appearance that
2 the impartiality of a court reporter, court recorder, or stenomask
3 reporter has been compromised.

4 (b) Enter into a blanket contract with parties, litigants,
5 attorneys, or their representatives unless all parties to the
6 action are informed on the record in every deposition of the fees
7 to be charged to all parties for original transcripts, copies of
8 transcripts, and any other court reporting services to be provided.
9 This subdivision does not apply to contracts for court reporting or
10 recording services for the courts, agencies, or instrumentalities
11 of local units of government, this state, or the United States.

12 (2) A court reporter, court recorder, stenomask reporter, or
13 owner of a court reporting firm shall not do any of the following:

14 (a) Give, directly or indirectly, any incentive, reward, or
15 anything else of value to attorneys, clients, or their
16 representatives or agents, except for nominal items that do not
17 exceed \$25.00 per transaction or \$100.00 in the aggregate per
18 recipient each year.

19 (b) Charge more than 2/3 of the price of an original
20 transcript, **exhibit, or other attachment** for a copy of that
21 transcript, **exhibit, or other attachment**.

22 (c) **Charge a processing or shipping fee for any copy that is**
23 **transmitted electronically.**

24 (d) **Charge a party that was not responsible to notice or**
25 **schedule a deposition an additional fee for the use of any remote**
26 **and online format.**

27 (e) **Charge a party that was not responsible to notice or**
28 **schedule a deposition any additional costs for support, processing,**
29 **or convenience, unless the nonscheduling party is aware of and has**

1 consented to those costs in writing.