



Judicial Council of California

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ASSEMBLY FLOOR ALERT

Assembly Bill 882 (Papan) Electronic court reporting Oppose, unless Amended – File Item # 223

The Judicial Council opposes Assembly Bill 882, which minimally expands electronic reporting (ER) authority to a very limited number of proceedings and only through January 1, 2028. The bill places burdensome restrictions on utilizing that authority, prohibits the purchasing or leasing of any necessary equipment to implement the bill, encourages litigation against the courts, and raises serious separation of powers issues by requiring a general order containing specified components be issued before using ER and to revoke any such general order under specified conditions, as well as by dictating court administrative practices and procedures, including collective bargaining and personnel practices, and interfering with the ability of the courts to monitor the performance and demeanor of subordinate judicial officers.

AB 882 is opposed by legal aid practitioners, the civil plaintiffs and defense bar, and the Judicial Council.

In its 2018 *Jameson v Desta* ruling, the California Supreme Court stated that “the absence of a verbatim record of trial court proceedings will often have a devastating effect” on a litigant’s ability to have an appeal decided on the merits.

As documented on the [Court Reporter Shortage data dashboard](#), since January, 2023, more than 1.5 million family, probate, and unlimited civil hearings have gone without a verbatim record. This undermines the constitutional rights of those parties to seek meaningful appellate review of their cases.

The Judicial Council urges amendments to authorize ER in all civil case types when a court reporter is not available and to remove the inappropriate and burdensome administrative and hiring components from the bill.

Vote NO on Assembly Bill 882 unless amendments are taken to provide a real solution.

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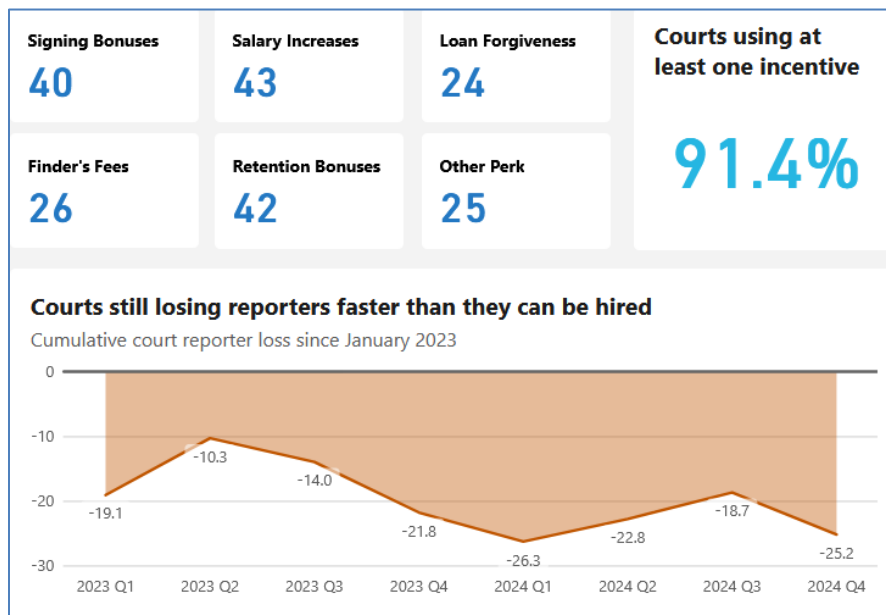
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- ER is not AI but rather a digital recording to preserve the record that can later be transcribed if a party requests a transcript.
- ER does not replace court reporters as the authority to use ER only applies when a court reporter is not available. So, efforts to recruit and retain more court reporters can continue while at the same time ER can be made available in all civil case types to make sure parties have access to their record (and their rights to appeal).
- Since 1975, California courts have been authorized to use ER (when a court reporter is not available) in only 3 case types: infractions, misdemeanors, and limited civil. ER is NOT authorized by statute in any other case types. [GOV 69957](#)
- Over the last few years—using \$30 million on-going funding provided by the Legislature—the trial courts have been implementing a variety of incentives to recruit and retain court reporters. For example, Los Angeles is offering a \$50,000 signing bonus and \$15,000 finder’s fee for court employees who refer a court reporter, Riverside offered up to \$32,500 in retention payments over three years, and Contra Costa provides a \$50,000 tuition reimbursement fund for existing court employees to use toward pursuing court reporter certification.
- The median total salary plus benefits of court reporters employed by the courts is \$200,101. Additionally, transcripts must be purchased from court reporters. In FY 2023–24, California courts spent \$23.7 million purchasing transcripts.
- Certified Shorthand Reporters (more commonly referred to as official court reporters, if they are employed by the court, or pro tem reporters, if they are an independent contractor) are the preferred way to provide a record; however, the number of court reporters licensed by the California Court Reporters Board is not keeping pace with the need.

Year	New Licenses Issued
FY 2015-16	72
FY 2016-17	75
FY 2017-18	86
FY 2018-19	32
FY 2019-20	66
FY 2020-21	39
FY 2021-22	35
FY 2022-23	68
FY 2023-24	123

- While last year's number is up—likely due to the 2022 authorization for voice writers to be licensed—it does not address the steady decline (26 percent) in the total number of licensees since 2010 (a loss of over 1,900 reporters) and the need, [according to the LAO in their 2024 report](#), of an estimated 691 additional full-time court reporters to cover all non-mandated case types where electronic recording is not allowed.
- Despite widespread use of incentives, courts continue to lose reporters faster than they can hire them and faster than the state can license them. Los Angeles Superior Court currently has over 100 court reporter vacancies—the state isn't licensing enough new reporters to staff L.A., let alone the rest of the state. And to make the shortage worse, more than half of our approximately 1,200 official court reporters were licensed more than 30 years ago and are currently eligible to retire.
- From January 1, 2023 to December 31, 2024, California courts reported that 187.5 (FTE) court reporters were hired, but 40.0 of those new hires came from other courts (21 percent of all hires) and 212.7 court reporters left positions at the courts, resulting in a **net loss of -25.2 (FTE) reporters**.

Number of courts using each type of incentive¹



- The Judicial Council shares a mutual commitment to maintaining the integrity of, and access to the judicial record and wants to work in collaboration with the Legislature and all

¹ Court reporter data and charts can be found on the [Judicial Council's Court Reporter Shortage data dashboard](#).

interested stake holders to increase the number of qualified licensed court reporters. This is a critical access to justice issue in the courts.

- The court reporter shortage threatens access to justice for Californians who cannot afford to pay thousands of dollars per day to hire their own private court reporter.