

By Mr. Dempsey of Haverhill, petition of Brian S. Dempsey relative to contracts between court reporters and attorneys. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT RELATIVE TO CONTRACTS BETWEEN COURT REPORTERS AND ANY ATTORNEY, PARTY OR PARTY HAVING A FINANCIAL INTEREST IN AN ACTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 221 of the General Laws, as appearing in the most
2 recent edition, is hereby amended by inserting after section 91C
3 the following section:—

4 Section 91D.

5 (a) The following words and phrases as used in this section,
6 unless the context otherwise requires, shall have the following
7 meanings:—

8 “Court Reporter”, a shorthand reporter or voice reporter.

9 “Practice of Court Reporting”, the making of a verbatim record
10 of any Massachusetts trial, legislative public hearing, state agency
11 public hearing, deposition, examination before trial, hearing or
12 proceeding before any grand jury, referee, board, commission,
13 master or arbitrator, or any testimony given under oath.

14 (b) Contracts entered into pursuant to the practice of court
15 reporting, not related to a particular case or reporting incident,
16 between a court reporter or any person with whom a court reporter
17 has a principal and agency relationship and any attorney at law,
18 party to an action, party having a financial interest in an action, or
19 agent for an attorney at law, party to an action, or party having a
20 financial interest in an action are prohibited. Attorneys shall not
21 be prohibited from negotiating or bidding reasonable fees, equal
22 to all the parties, on a case-by-case basis. This section shall not

23 apply to contracts entered into pursuant to the practice of court
24 reporting for the courts, agencies or divisions of the
25 Commonwealth of Massachusetts.