

CHAPTER 275

AN ACT to repeal and recreate chapter 254, laws of 1951, section 11, relating to the phonographic reporter for the county court of St. Croix county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Chapter 254, laws of 1951, section 11, is repealed and recreated to read:

(Chapter 254, laws of 1951) Section 11. COURT REPORTER. The county judge may appoint a phonographic reporter skilled in the art of shorthand reporting for said court and may remove him at pleasure and appoint another in his place. Every person so appointed shall be deemed an officer of the court and shall, before entering upon the duties of his office, take and subscribe the constitutional oath, and file the same duly certified with the clerk of the circuit court of St. Croix county. The reporter shall attend the county court whenever requested by the county judge and perform such duties as the county judge may require. It is the duty of the reporter, when requested by the county judge, to take and transcribe all testimony, given or taken before the court or the judge thereof in any and all actions, hearings, examinations or proceedings pending or being tried, determined or disposed of before the court or the judge thereof, under this act or under any other law of this state. It is the duty of the reporter to assist the judge in recording, copying, comparing, filing and indexing all records of all actions, hearings, examinations or proceedings before the court or the judge thereof under this act or under any other law of this state. In all matters heard or determined by the county court under this act, the reporter's shorthand notes shall be filed in lieu of the minutes of testimony required by law to be taken by justices of the peace in like proceedings; provided, that in case of appeal in civil actions, the reporter, when requested by either party, shall file a transcribed copy of his shorthand notes, which shall be returned as the testimony in the case, and the fee therefor shall be paid to the reporter by the party requesting the transcript and the fees shall be taxed as part of the costs in the circuit court. In criminal cases tried before said county court, which are appealed to the circuit court, a transcribed copy of the reporter's notes shall, upon the request of either the district attorney or the defendant, be certified with the record to the circuit court as the testimony in the case, and the fee therefor shall be paid to the reporter by the county upon the order of the county court and certification of the clerk of the circuit court, and in case of conviction of the defendant in the circuit court, the cost of such transcript may be taxed with the other taxable costs in the case. In preliminary examinations held and conducted before said county court or the judge thereof, when the defendant is held for trial in the circuit court, a transcribed copy of the reporter's notes shall be transmitted with the record to the circuit court as the testimony in the case and the fee therefor shall be paid to the reporter by the county upon the order of the county court and certification of the clerk of the circuit court, and in case the defendant is convicted in the circuit court and costs are taxed against him, then the costs of such transcript shall be taxed in the circuit court with the other taxable costs in the case. The reporter shall receive the salary fixed by the county board of said county to be paid monthly out of the county treasury as the salaries of other county officers are paid. In all contested cases, including preliminary examinations, a reporter's fee at the rate of \$5 per

one-half day for the time actually consumed on the trial shall be taxed as part of the costs in the case and shall be in lieu of the fees allowed by law to justices of the peace for taking testimony, and such reporter's fees in criminal actions, preliminary examinations and other criminal proceedings shall be paid by the county upon the order of the court and certification of the clerk of the circuit court. The reporter's fees and all fees for transcribing testimony in civil actions and criminal actions and proceedings appealed to the circuit court shall be paid over to the reporter and shall be in addition to his salary, and fees for transcribing testimony in civil actions appealed to the circuit court and in criminal proceedings and preliminary examinations shall be the same as those provided by law for transcript of testimony in circuit court. Section 327.11 of the statutes shall apply to transcribed copies of the testimony and proceedings taken by the reporter under this act in the county court.

SECTION 2. This act shall take effect June 1, 1957.

Approved July 1, 1957.
