

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

PLAN FOR THE COORDINATION OF ACTIVITIES
OF OFFICIAL COURT REPORTERS

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A. Introduction.

At its meeting in March 1982, the Judicial Conference of the United States adopted a series of proposals relating to court reporters recommended by the Conference's Committee on Court Administration. Among the proposals adopted was one recommending that the Circuit Councils require each district court to prepare and implement a plan for the day-to-day management of court reporters. This Plan was prepared and adopted to meet the Conference's recommendations.

B. Supervision of Court Reporters.

The responsibility for (1) coordinating the daily assignments of official reporters, (2) maintaining such statistics as are required to ensure that each official reporter provides the Court with in-court hours established by this Plan and (3) performing such auditing functions as are required in order to ensure that the standards adopted in this Plan relating to formats, fees, delivery times and use of exchange reporters are met, is delegated to the Clerk of Court. The Chief Judge and the judge designated as the supervisory judge for court reporters will act as direct liaison between the Clerk and the Court in matters concerning the implementation of this Plan.

C. Appointment of Official Reporters.

Official reporters of this Court will be appointed in accordance with the provisions of 28 U.S. §753. An appointment as an official reporter shall constitute an appointment as an official reporter for the whole Court.

When a vacancy exists for the position of official reporter, the vacancy will be posted in accordance with the provisions of the Court's Equal Employment Opportunity and Affirmative Action Plan. A committee will be established, consisting of the judge designated as the supervisory judge for court reporters and four other judges designated by the Chief Judge. One of the four will be the judge or judge-designate who will be the newly-appointed reporter's primary assignment as provided for in Section I.1. of this Plan.

The committee will (1) review all applications, (2) circulate the names of all applicants meeting minimum requirements among the official reporters for comment, (3) conduct such interviews as it considers necessary and (4) recommend to the Chief Judge the candidate for the vacancy it considers best qualified. The Chief Judge, acting on the Court's behalf, will make the appointment to fill the vacant position.

D. Qualification of Official Reporters.

In order to qualify for appointment as an official reporter, applicants must meet the following minimum requirements:

1. Applicants must have at least four years of prime court reporting experience in the free-lance field of service or service in other courts, or a combination of the two.
2. Applicants must submit an evaluation of their work and recommendations from at least one judge and at least three members of the bar of this Court.
3. Applicants must present a copy of a registered professional reporter certificate from the National Shorthand Reporters Association or evidence of passing an equivalent qualifying examination.
4. Applicants must present a copy of a certificate indicating that the applicant is currently a Certified Shorthand Reporter of the State of Illinois, provided that where the applicant previously served in some other state, a copy of an equivalent certificate from such state may be substituted.

E. Tenure of Official Reporters.

The tenure of an official reporter shall not be affected by a judge's resignation, taking of senior status, elevation to another court, retirement or death.

Any person appointed as an official reporter shall serve a probationary period of one year, commencing with the date the reporter enters on duty. At the end of the one-year period, a written evaluation of the reporter shall be prepared by the judge last designated as the reporter's primary assignment pursuant to Section I.1. of this Plan. In addition, the Clerk shall prepare a written review of the official reporter's compliance with transcript and reporting requirements established by the Judicial Conference and by this Plan.

The judge's evaluation and the Clerk's review are forwarded to the supervisory judge for court reporters. Copies of both documents shall be concurrently provided to the reporter. The reporter is entitled to file a written response to the judge's evaluation and the Clerk's report. The response must be delivered to the supervisory judge no more than ten calendar days after the reporter receives the document to which the response is made.

Based on the information collected, the supervisory judge shall prepare a report and recommendation regarding the official reporter. The report may find that the reporter has successfully completed the one-year probation, recommend that the probationary

period be extended for a period not to exceed six months, or recommend that the reporter be terminated.

The report and recommendation of the supervisory judge shall be forwarded to the Chief Judge. A copy of the report will be concurrently provided to the official reporter. Within ten days of receiving the copy of the report, the official reporter may file a written request for review of the matter by the Chief Judge. The request for review shall include the official reporter's response to the recommendation of the supervisory judge.

If no request for review is filed within ten calendar days of the date the report is submitted to the Chief Judge, the recommendation of the supervisory judge may stand as filed. If a request for review is filed, or, in the absence of such a request, if the Chief Judge determines that a review is necessary, the Chief Judge shall use the report and recommendation of the supervisory judge and the response of the official reporter in determining whether the recommendation of the supervisory judge is to be accepted, amended, or rejected. Where deemed appropriate by the Chief Judge, a further inquiry into the matter may be conducted. Such inquiry may be conducted by the Chief Judge or by any other judicial officer appointed by the Chief Judge. The decision of the Chief Judge regarding the action to be taken shall be final.

Any official reporter who has successfully completed the one-year probationary period may be removed from office only in accordance with the provisions of Section S. of this Plan.

F. Contract Reporters.

Contract reporters will only be used where the court reporter supervisor determines that no official reporter is reasonably available to provide the reporting services required by the court.

G. In-Court Service Requirements.

1. Minimum In-Court Service Time.

Court reporters will be required to meet such standards for the number of hours of in-court service provided as may be established by the Judicial Conference of the United States.

2. In-Court Time Defined.

For the purposes of this Plan, in-court time in connection with the recording of proceedings is limited to those periods when court is in session. For each official reporter in-court time shall include the following:

- a. The actual time spent by that official reporter recording proceedings before a judge, magistrate judge or special master of this Court, or before a visiting judge;
- b. The actual time spent by an exchange reporter whose salary or fees are paid by that official for assistance in recording proceedings before a judge, magistrate judge or special master of this Court; and
- c. Any time spent by that official or exchange reporter in attendance at such proceedings where the need to record them is temporarily halted, but the continuing presence of the reporter is required by the court.

H. Reports Concerning Attendance, Transcripts, Receipts, and Earnings.

Pursuant to Judicial Conference policy, official reporters must submit regular reports concerning attendance, transcripts furnished, and fees charged, as well as their receipts and earnings.

Reports must be submitted on forms prescribed by the Director of the Administrative Office of the United States Courts. Reports must be submitted to the Clerk in a timely manner as prescribed by the Judicial Conference. Should an official reporter fail to submit a report within 45 days after the date prescribed by the Judicial Conference, the court reporter supervisor will notify the supervisory judge for court reporters and the judge designated as the reporter's primary assignment concerning the reporter's failure to comply with the reporting requirements of the Court. If the report is not submitted within 60 days after the date prescribed by the Judicial Conference, the Clerk shall contact the Court Administration Division of the Administrative Office and request that the official reporter's salary be withheld until such time as the delinquent report is received.

I. Assignment of Official Reporters.

1. Primary Assignment of Official Reporters.

Each official reporter will be given the primary assignment of covering the in-court reporting needs of an active judge of this Court, a senior district judge who is receiving a full share of new civil and criminal case assignments, or more than one senior district judge, where the judges are receiving less than a full share of new cases. The Chief Judge may also

assign an official reporter to a floating position, *i.e.*, without the primary assignment of providing reporting service to a specific judge or judges. If there are more judges than reporters, all active judges will be designated as primary assignments before any senior judges are so designated. The Chief Judge, on behalf of the Court, will fix the primary assignments of the official reporters and authorize changes in those assignments. Any judge of this Court not designated as a primary assignment for an official reporter, and any visiting district judge, magistrate judge, or special master requiring the services of an official reporter for recording proceedings, will be designated as a secondary assignment of the official reporters.

If there are official reporters assigned to senior judges or floating positions when a new district judge enters on duty, the new judge will normally be expected to select a primary assignment reporter from that group.

Where the primary assignment of an official reporter changes, the judge designated as the reporter's new primary assignment will prepare a written evaluation of the reporter's performance six months after the change in assignment becomes effective. The evaluation shall be forwarded to the supervisory judge, with a copy being provided concurrently to the reporter.

2. Priorities in Assigning Official Reporters.

Whenever the need for reporting services arises before both primary and secondary assignments, official reporters will generally be required to provide services for their primary assignments, provided that where the primary assignment involves recording routine motion calls and the secondary assignment involves recording evidentiary hearings or trials, an official reporter may be assigned to serve a secondary assignment if the primary assignment judge approves.

3. Priorities of Work Performed by Official Reporters.

Official reporters may assist other official reporters with transcript work under such terms as the reporters involved may agree upon. However, the providing of such assistance may not serve as grounds for not providing in-court reporting services for any judge or magistrate judge.

J. Use of Reporters Other Than Official Reporters.

1. Official Reporter to Attend Proceedings.

Except where an exchange reporter is used to assist an official reporter pursuant to part 2 of this Section, official reporters shall attend in person all proceedings to which they are assigned.

2. Official Reporters and Exchange Reporters.

Official reporters may employ exchange reporters at their own expense to assist them in providing in-court service in connection with the recording of proceedings. Under no circumstances may an exchange reporter be used as the primary provider of the in-court services for which the official reporter is responsible.

Exchange reporters must meet the qualifications required for official reporters by Part 4 of Section D of this Plan. Official reporters intending to use exchange reporters will file a statement with the Clerk indicating the name of the person whom they wish to use as an exchange reporter. This statement must be accompanied by copies of any documents necessary to establish that the person meets the minimum qualifications established by the Plan. Once exchange reporters' names and the documents indicating that they meet the minimum requirements have been filed with the Clerk, they are eligible to serve as exchange reporters for any official reporter of the Court.

3. Restriction on Use of Reporters.

Only official reporters, exchange reporters designated in accordance with the terms of this Plan, and contract reporters may provide in-court recording services for proceedings of this Court(See 28 U.S. §753(b), paragraph 5).

K. Proceedings Held Before a Magistrate Judge.

The Clerk is responsible for maintaining a system for the electronic recording of proceedings held by magistrate judges. The Court will reproduce tapes on its own duplicating equipment or on commercial equipment and will provide copies of electronic sound recording tapes made as the official record to the public at the prevailing rate prescribed by the miscellaneous fee schedule in effect. This provision does not apply to reporters' backup tapes.

Magistrate judges may request the services of an official or contract court reporter to record evidentiary hearings or trials scheduled before them.

The Court may have transcripts of electronic sound recordings prepared by professional transcription services. The Court Reporter Supervisor will monitor the quality and timeliness of transcript delivery as set forth in Section L.2.

L. Transcript Rates.

1. Definitions.

The following definitions in sections a through e are those promulgated by the Judicial Conference of the United States and apply to this Plan. These definitions are taken from Volume 6 of the Guide to Judiciary Policies and Procedures.

- a. *Ordinary transcript:* A transcript delivered within thirty (30) days after the receipt of the order.
- b. *Expedited transcript:* A transcript delivered within seven (7) days after the receipt of the order.
- c. *Daily transcript:* A transcript to be delivered following the adjournment and prior to the normal opening hour of the court on the following morning, whether or not it is actually a business day for the court.
- d. *Hourly transcript:* A transcript ordered under unusual circumstances to be delivered within two (2) hours.
- e. *Page of transcript:* A page of transcript shall consist of 25 lines of transcript on paper 8-1/2 by 11 inches in size, with a 1-3/4 inch margin on the left side and a 3/8 inch margin on the right side, and typed in ten pitch, i.e., ten characters to the inch.

2. Order and Delivery of Transcripts.

Except as otherwise directed by the Chief Judge, orders for the preparation of transcripts of court proceedings where an assigned official reporter recorded the proceedings shall be placed with the official reporter. All other orders for the preparation of transcripts shall be placed with the court reporter supervisor. Where a person or a party other than the government orders a transcript from an official reporter or contract reporter, the reporter may require a deposit before starting work on the transcript. The amount of the deposit may not exceed the estimated cost of the transcript ordered. Where a deposit is required, the reporter shall notify the person ordering the transcript of the requirement at the time the transcript is ordered.

If a reporter requires a deposit to be paid prior to preparing the transcript, the reporter shall notify the Clerk whenever the deposit is not received within a week of the date of the order.

For the purposes of the definitions set out in part 1 of this Section, the date of the receipt of the order shall be taken as the actual date of receipt where the request was for a transcript to be paid for by the government or where no deposit is required, or the date of the receipt of the deposit where one is required. Where transcript preparation requires the transcribing of an electronic recording of proceedings, the date of receipt of the order shall be taken as the actual date the recording is received by the transcriber.

Except as otherwise directed by the court, persons requesting a daily or hourly transcript of a trial or other evidentiary proceeding that may reasonably be expected to last more than one day shall place the order with the court reporter at least five business days prior to the first day of such proceedings.

The routine apportionment of transcript costs among parties in criminal cases is prohibited.

Reporters are responsible for making arrangements for the timely delivery of the transcript to the party who requested its preparation.

Pursuant to 28 U.S. §753(b), official reporters are required to file with the Clerk a copy of each transcript they prepare for a private party, the government, or the court. The transcript copy shall be filed in a timely manner as established by the Judicial Conference. In addition, 28 § U.S.C. 753 (b) requires the reporter or other individual designated to produce the record to file a transcript of arraignments, pleas, and sentencings within 30 days of the close of the proceeding unless they were recorded on electronic sound recording equipment, in which case the electronic recording, accompanied by a certification by the reporter shall be filed as soon as the recording tape has been used to capacity. The certification shall be made using a form provided by the Court Reporter Supervisor.

The Clerk is required by the Judicial Conference to verify that the financial reports filed by reporters are accurate and that fees charged for transcripts comply with Conference guidelines. So that the Clerk may comply with these requirements, the Conference directs that official reporters provide the Clerk with copies of transcript invoices. Accordingly, before the close of business on the second Friday of each calendar month, official reporters are to provide the court reporter supervisor with copies of invoices for all transcripts delivered to requesting parties during the preceding calendar month.

3. Maximum Transcript Rates.

Pursuant to 28 U.S.C. §753(d)(2), the Judicial Conference of the United States prescribes the fees to be charged by reporters for transcripts. Pursuant to the resolution adopted by the Conference at its meetings in September 1986 and September of 1990 the actions of the full Court met in executive session on Thursday, 23 October 1986, and Thursday, 24 September 1992, the maximum rates per page of transcript that official reporters of this Court may charge are as follows:

<u>Type of Transcript</u>	<u>Original</u>	<u>First Copy to Each Party</u>	<u>Each Additional Copy to the Same Party</u>
Ordinary transcript	\$3.00	\$0.75	\$0.50
Expedited transcript	\$4.00	\$0.75	\$0.50
Daily transcript	\$5.00	\$1.00	\$0.75
Hourly transcript	\$6.00	\$1.00	\$0.75

The Conference further provided that the maximum rates chargeable by contract reporters are those rates specified in the contract entered into between the Director of the Administrative Office of the United States Courts and the contractor.

4. Reduction of Rates for Late Delivery of Transcripts in Appeal Cases.

- a. Where a transcript for a case on appeal is not delivered within (I) thirty (30) or (ii) sixty (60) days of the date ordered and payment received therefor, or within such other time or times as may be prescribed by the Circuit Council, the reporter may charge only 90 percent of the prescribed fee if the delivery took between thirty and sixty days, and only 80 percent of the prescribed fee if the delivery took sixty (60) or more days. Where a transcript is subject to F.R.A.P. Rule 11(b), the reduction in fees may be waived by the Clerk of the Court of Appeals for good cause shown.
- b. Nothing in paragraph (a) above shall be construed as permitting the charge of a fee higher than the fee corresponding to the actual delivery time. Further, nothing in paragraph (a) shall be construed as sanctioning untimely delivery of transcripts. The provisions of paragraph (a) shall not be considered the only penalty that could be imposed by the Court or the Circuit Council against reporters who habitually take longer to deliver transcripts in cases on appeal than the periods defined in part 1 of this Section.

M. Filing of Notes and Electronic Tape Recordings.

The Judicial Conference requires official reporters to file their original records of court proceedings, *i.e.*, notes and/or electronic tape recordings with the Clerk of Court. If no transcript of the proceedings has been ordered, original records must be filed no more than ninety days after the completion of the proceedings. If a transcript has been ordered, the original records must be filed no more than ninety days after the delivery of the transcript to the requesting party.

N. Leave for Official Reporters.

1. Tours of Duty and Leave for Official Reporters.

Effective the first pay period following the designation by an official reporter of a tour of duty pursuant to Part 3 of this Section, the reporter earns annual and sick leave in accordance with the provisions of the Leave Act, 5 U.S. §6301 et. seq. During the hours of the tour of duty the official reporter may generate transcripts but may not perform any private (freelance) work of any kind.

2. Tours of Duty.

For the purposes of this Plan the tour of duty shall consist of forty hours per week, exclusive of lunch break and shall start no later than 9:30 a.m. and end no earlier than 3:30 p.m. Official reporters shall remain in the courthouse during the hours of their tour of duty provided that they may leave the courthouse (a) for lunch or emergencies or, (b) where the official reporter, in order to work on a transcript backlog or provide expedited transcript service, pays for an exchange reporter to perform in-court reporting services. Official reporters or exchange reporters designated in accordance with this Plan shall be available to perform in-court reporting services in accordance with the provisions of this Plan during the hours of their tour of duty on all regular business days unless they are on approved leave status.

3. Designation of Tour of Duty by Official Reporter.

Each official reporter shall select a tour of duty and file a written statement with the Clerk indicating the hours of the tour of duty selected. An official reporter may change the tour of duty selected by filing with the Clerk a written statement indicating the new tour of duty, provided that no more than two such changes may be made in any calendar year. The tour of duty of an official reporter failing to file a designation as provided for by this

subsection shall be 8:30 a.m. to 5:00 p.m., which includes one-half hour for lunch.

4. Procedures for Requesting Leave; Leave Records.

The Clerk is responsible for the maintenance of leave records for official reporters and for handling reporters' requests for leave. Regulations governing the use of leave by official court reporters may be revised subject to the approval of the Chief Judge.

5. Replacing Reporters Absent on Approved Sick Leave.

Where an official reporter is absent on approved sick leave; another official reporter, or, if no official reporter is available, a contract reporter will be assigned to provide in-court services for the judge designated as the official reporter's primary assignment.

O. Limitations on Use of Facilities Provided by the Court.

The court will provide facilities to each official reporter in accordance with the guidelines established by the Judicial Conference. The use of such facilities is restricted to work related to the position of official reporter. For the purposes of this Section work related to the position of official reporter is restricted to the following:

1. The recording of proceedings before a judge, magistrate judge or special master of this Court;
2. The recording of depositions arising out of proceedings pending before this Court;
3. The transcribing of such proceedings and depositions;
4. The business activities associated with such recording and transcribing; and
5. Such other work as is required in performing the duties of official reporter as established by statute or the Court.

P. Travel by Court Reporters.

To minimize unnecessary travel by court reporters, reporting services in the Western Division will normally be provided by the official reporter whose duty station is located in the Western Division. Where it is necessary to assign a reporter whose duty station is in the Eastern Division to provide reporting services in the Western Division, priority will be given to any reporter whose current average of in-court service is less than the minimum established by Section Part 1 of Section G of this Plan.

Q. Coordination of Inquiries and Complaints Regarding Court Reporters.

1. Publication of Rates, Etc.

The Clerk will publicly post copies of Section L of this Plan on all courtroom floors. The posting directs persons who believe a transcript they ordered has not been prepared in compliance with Section L to notify the Clerk.

2. Investigation of Complaints.

The Clerk will promptly investigate any allegation that a reporter has violated Section L of this Plan. The Clerk will discuss the allegation with the official reporter involved and incorporate the reporter's comments in any subsequent report. Within ten days of the receipt of the allegation, the Clerk shall file a report of the investigation with the supervisory judge for court reporters. The report shall be in the form of a memorandum setting forth the alleged violations, the actions taken by or at the direction of the Clerk, the information gathered, and such recommendations as the Clerk deems appropriate. The Clerk shall notify the person making the allegation and the official reporter that the report has been forwarded to the supervisory judge for consideration in accordance with Section S of the Plan.

R. Clerk to Verify Compliance with the Plan.

1. Authority of the Clerk to Obtain Documents.

For the purpose of verifying compliance with the provisions of this Plan, the Clerk is authorized to examine and/or audit any records maintained by official or contract reporters in connection with their operations as official or contract reporters for this Court.

2. Periodic Verification of Compliance.

From time to time, the Clerk shall take a sample of no less than ten transcripts filed in different cases and verify that the standards established by this Plan with respect to format, delivery date and charges were complied with in preparing them. If the findings of the audit suggest a violation of the standards, the Clerk will discuss them with the official reporter involved and incorporate the comments of the official in any subsequent report. The Clerk shall file a report summarizing the findings of the audit with the supervisory judge for court reporters. If the report indicates violations of the standards set by the Plan, the supervisory judge will take such action as is required by Section S of the Plan.

S. Disciplinary Actions Against Reporters.

1. Administrative Nature of Disciplinary Action.

Disciplinary actions brought under this Plan are administrative proceedings.

2. Supervisory Judge to Conduct Hearing.

The supervisory judge for court reporters shall conduct the proceedings, provided that where the supervisory judge is absent or unable to serve, the Chief Judge will designate another judge or a magistrate judge to conduct the proceedings. For the balance of this Section of the Plan, the term “supervisory judge” shall refer to the judge conducting these proceedings.

3. Reporter’s Right to Notice of Hearing.

Reporters against whom disciplinary proceedings are initiated shall be given notice of the proceedings and shall have the right to a hearing on any charges made against them. They shall also have the right to be represented at such hearing.

4. Initiation of Disciplinary Proceedings.

Disciplinary proceedings may be initiated only after the filing of any of the following with the supervisory judge:

- a. A report filed by the Clerk pursuant to Section Q.2 of the Plan.
- b. A report filed by the Clerk pursuant to Section R.2 of the Plan in which a violation of the Plan’s standards is indicated.

- c. A written complaint by a judge or magistrate judge of this Court, a copy of which has been served on the official reporter, alleging one or more violations of the Plan's standards and/or incompetency.

Following the receipt of a report or complaint, the supervisory judge will set a date for a hearing. Both the reporter referred to in the report or complaint and the person filing it will receive notice of the hearing.

5. Report and Recommendation.

Within fourteen days of the conclusion of the hearing, the supervisory judge will file a report with the Chief Judge. A copy of the report will be given to the reporter involved and to the person filing the initiating document.

The report will summarize the supervisory judge's findings and make recommendations for actions to be taken by the Chief Judge on behalf of the Court. The recommendations may include any of the following:

- a. Dismissal of the disciplinary proceedings.
- b. A written reprimand of the reporter.
- c. Where the reporter violated the Plan's standards and the violation resulted in an overcharge to the person purchasing the transcript, a refund of the overcharge.
- d. Where the reporter violated the Plan's standards by failing to deliver the transcript in cases not on appeal within the time required, a refund to the parties in the following amount:
 - (1) Where an hourly, daily, or expedited transcript was ordered, the refund of not more than the difference between the cost of the transcript computed at the maximum rate for the type of transcript ordered and the maximum rate for ordinary transcript.
 - (2) Where an ordinary transcript was ordered and the transcript was delivered more than thirty (30) but less than sixty (60) days after receipt of the order, a refund not to exceed ten percent of the cost of the transcript computed at the maximum rate for ordinary transcripts.
 - (3) Where an ordinary transcript was ordered and the transcript was delivered sixty (60) or more days after receipt of the order, a refund not to exceed twenty percent of the cost of

the transcript computed at the maximum rate for ordinary transcripts.

- (4) When extensions of time to prepare a transcript are granted by a court, the number of days authorized by the extension will be excluded from the calculations of delivery time under (2) and (3) above, provided that if the supervisory judge determines that the number of extensions requested by the official reporter in the current twelve months was excessive, the supervisory judge may recommend that some or all of the days included in the extension be included in the calculation of delivery time.

- e. Where the supervisory judge finds substantial violations of the standards established by the Plan and/or incompetency on the part of an official reporter, the judge may recommend that the reporter be terminated. If the finding of violation or incompetence concerns a contract reporter, the supervisory judge may recommend that the contract be terminated.

6. Review of Report and Recommendation.

Within ten days of the receipt of a copy of the supervisory judge's report and recommendations, the reporter involved may file a written request for review by the Chief Judge. The request shall be filed with the Chief Judge and shall briefly indicate the portions of the report and recommendations the reporter wishes to be reviewed.

7. Action by the Chief Judge.

Where no request for review is filed within the time required, the Chief Judge need take no action and the report and recommendation of the supervisory judge will stand as filed. Where a request for review is filed, the Chief Judge may conduct a review hearing, may designate one or more judges to conduct the review hearing, or may determine on the basis of the report and recommendation and the request that no hearing is needed for the review. Within fourteen days of the review hearing or the determination that no review hearing is required, the Chief Judge will file a statement indicating which of the recommendations of the supervisory judge are accepted, rejected, or amended. The statement of the Chief Judge is dispositive of the disciplinary proceedings.

8. Files Relating to Disciplinary Proceedings.

A file consisting of the initiating documents, the report and recommendations of the supervisory judge, the report and recommendations

of the review panel, if any, the statement of the Chief Judge, and any other documents relating to the proceedings shall be maintained by the Clerk for each disciplinary proceeding initiated. Where the result of the proceedings is dismissal of the proceedings, the file shall be confidential and its contents available only pursuant to order of the supervisory judge or Chief Judge. Where disciplinary action is taken, the file will be treated as an extension of the personnel file of the reporter involved and as such is subject to the rules regarding access to such files.