

- SUBJECT:** Deadline for filing an official transcript of a trial
- COMMITTEE:** Judiciary and Civil Jurisprudence — committee substitute recommended
- VOTE:** 11 ayes — Jackson, Lewis, Bohac, Castro, S. Davis, Hartnett, Madden, Raymond, Scott, Thompson, Woolley
- 0 nays
- WITNESSES:** (*On original version:*)  
For — (*Registered, but did not testify:* John Foster; Glenda Fuller; Shelly Holmes; Susan Simmons)
- Against — Lee Parsley
- BACKGROUND:** Texas Rules of Appellate Procedure, Rule 35.1 provides that the appellate record must be filed in the appellate court within 60 days after the judgment is signed. Rule 26.1 provides that the notice of appeal must be filed within 30 days after the judgment is signed. Attorneys often wait the entire 30 days to file a notice of appeal. This means that a court reporter effectively has 30 days to file the appellate record with the court, since an appellate record generally is prepared only when a case is appealed.
- DIGEST:** CSHB 3393 would add a provision to the Government Code stating that a court reporter could not be required to file an official transcript of a trial before the 60th day after the date a notice of appeal was filed.
- The bill would not apply to an official transcript required for an accelerated appeal or an interlocutory appeal.
- The bill would control over a conflicting rule of procedure. The Supreme Court or the Court of Criminal Appeals could not amend or adopt a rule in conflict with the bill.
- The bill would take effect on September 1, 2011, and would apply only to a notice of appeal filed on or after the effective date.

NOTES: The substitute differs from the original by specifying that the bill would not apply to an accelerated appeal or an interlocutory appeal.