

Court Transcription — Overview

This Court Transcription Overview has been developed as a high-level review of required processes and practices related to court transcript production in Ontario.

Although this review is a fulsome refresher and the printable materials will be a valuable resource for Authorized Court Transcriptionists (ACTs), the Court Transcript Standards and Procedures Manual contains the comprehensive materials and is the authority for transcription production standards in Ontario.

Transcript Format	Transcripts must adhere to formatting rules summarized in <i>R 4.09</i> of the Rules of Civil Procedure and as otherwise required by the Ministry.
Page	Each page of transcript must be 216 millimetres by 279 millimetres (8.5" X 11") in size with a margin 25 millimetres wide on the left side delimited by a vertical line.
Lines per Page	<p>Thirty-two lines per page, numbered in the margin at every fifth line.</p> <p>Note: The header at the top of the page as well as the page number do not count as one of the 32 lines of text.</p> <p>Headings inserted in the transcript where there is an extra line required are included as one of the 32 lines per page.</p>
Font	The provincial standard font for transcripts is Courier 12. Line spacing must be set at 1.5 which will produce the required 32 lines of text per page.

Headings within the Body of a Transcript

Headings within the body of the transcript (i.e., a witness being sworn, examination in-chief or cross-examination) shall be capitalized and separated from the preceding text by the space of a numbered line.

The number of lines of text on the page may be reduced by one for each heading that appears on the page.

Example:

enter the witness box and be sworn.

(Space counts as a line)

FLORENCE CROSS: SWORN

(Space counts as a line)

EXAMINATION IN-CHIEF BY MR. SMITH:

5

Q. Good morning, Mrs. Cross.

A. Good morning, counsel.

Q and A

Every question shall commence on a new line and shall begin with the designation “Q.”, followed, within 10 millimetres (Imperial equivalent is .40 or .3937”), by the text of the question;

Every answer shall commence on a new line and shall begin with the designation “A.”, followed, within 10 millimetres, (Imperial equivalent is .40 or .3937”) by the text of the answer.

The first line of a question or answer shall be indented 35 millimetres from the margin and shall be 130 millimetres in length (5.12”).

In a transcript of evidence taken in court;

Every line of a question or answer, other than the first line, shall begin at the margin and shall be 165 millimetres (6.5”) in length.

Example:

EXAMINATION IN-CHIEF BY MR. BROWN:

30 Q. Officer Bell, I understand that you are a
peace officer, is that correct?

A. Yes, sir, it's correct.

Colloquy

All lines of text other than questions and answers shall be indented 35 millimetres from the margin and be 130 millimetres in length. (1.38" x 5.12")

Example:

10	<p><u>COWAN, J.</u> (Orally):</p> <p style="padding-left: 40px;">In this case, I have been asked to construe a clause in a policy of insurance issued by the defendant to the plaintiff, referred to as a homeowner's policy. The policy provides coverage to the insured for personal property.</p>
----	--

Interpreters

If a witness requires an interpreter, the interpreter is normally sworn first, and then the witness is sworn through the interpreter:

Example:

10	<p><u>JEANNE MARIE SIMONE</u>: INTERPRETER SWORN - French/English</p> <p><u>DANIEL LAFLEUR</u>: SWORN</p> <p>(Testifying through interpreter - French/English)</p>
----	---

Exhibits

- No additional line spaces before or after the entry of the exhibit
- All numbering used in exhibits is numerical.
- Description of the exhibit should be as precise as possible and be identical to the description in the table of contents page (followed by “ – produced and marked”)
- Even if the exhibit number is not mentioned in court, the exhibit must be noted in the transcript at the point where it was tendered.
- Enter the complete exhibit number (including sub-numbering - Exhibit 8(a)).

Example:

```
THE COURT:  Yes, I will allow them to be filed.
CLERK REGISTRAR:  Exhibit Number 4 will be the
copy of the lease agreement.
THE COURT:  Yes, Exhibit 4.
EXHIBIT NUMBER 4: Copy of lease agreement -
produced and marked.
CLERK REGISTRAR:  And Exhibit Number 5 will be the
rental agreement.
THE COURT:  Mark it as Exhibit 5(a) for now.
EXHIBIT NUMBER 5(a): Rental agreement - produced
and marked.
```

The name of the court and location must be set out on a single line no more than 15 millimetres (0.59”) from the top of the first page, and:

Every transcript of evidence taken in court or out of court shall have,

- (a) a cover page setting out,
 - (i) the court,
 - (ii) the title of the proceeding,
 - (iii) the nature of the hearing,
 - (iv) the place and date of the hearing
 - (v) the name of the presiding judge or officer, and
 - (vi) the names of the lawyers representing the parties.

Table of Contents

Every transcript shall have a table of contents setting out:

- (i) the name of each witness with the page number at which the examination, cross-examination and re-examination of the witness commence,
- (ii) the page number at which the charge to the jury, the objections to the charge and the re-charge commence,
- (iii) the page number at which the reasons for judgment commence,
- (iv) a list of the exhibits with the page number at which they were made exhibits, and
- (v) at the foot of the page, the date the transcript was ordered, the date it was completed and the date the parties were notified of its completion.

The pages of the Table of Contents must be numbered using lower-case Roman numerals in parentheses, (i.e., (i), (ii)).

<p>Page Numbers</p>	<p>All pages in the body of the transcript, including the first page, must be numbered with Arabic numerals followed by a period (e.g. 150.) Page numbers must be centred at the top of the page.</p>
<p>Day and Date</p>	<p>The day of the week and date are inserted in UPPER CASE and underlined at the beginning of page 1. The date should be inserted directly below the short horizontal line of the template at the top of the page.</p> <p>Example:</p> <p><u>THURSDAY, JULY 25, 2013</u></p>
<p>Transcribing that a Playback Occurred</p>	<p>Include the following notification in the transcript if a playback occurred during the proceedings:</p> <div data-bbox="699 971 1734 1118" style="border: 1px solid black; padding: 10px; text-align: center;"><p>...PLAYBACK PROVIDED AS REQUESTED BY THE COURT</p></div> <p>The content of the playback is indicated and not transcribed. Should an ordering party wish a transcript of the content that was played back, the transcription must be from the original testimony, inserted in the transcript where it took place and not be transcribed from the playback.</p>

Page Headers

Include a short page header describing the proceedings. The header is placed at the top of each page (i.e., witness and type of examination, *voir dire*, committal, reasons for judgment, and reasons for sentence). The page header should be centred immediately beneath the page number.

14.
Reasons for Sentence

When the examination of a witness is indicated in the header, the full first name and last name must be set out as follows:

7.
Douglas Bell - in-Ch.
Douglas Bell - Cr-ex.

Note: When the court allows further cross-examination after completion of examination in-chief, cross-examination and re-examination, the page header should indicate “Cr-ex.” and not “Re-Cr-ex.”

Example of header setting out a witness testifying on a *voir dire*:

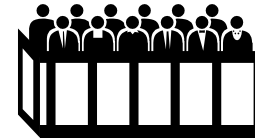
22.
Douglas Bell - Cr-ex.
(*Voir Dire*)

Noting Times in a Transcript

Time notations are only included in the transcript if the trial is before a judge and jury.

There must be a time notation made for the following:

- Opening and closing of court
- Adjournment at the end of the day
- Recess and Upon Resuming
- Jury Enters or Jury Exits from the courtroom



The time must be noted in brackets and right-aligned.

Example:

5	THE COURT: This is probably a good time to take the morning recess. The jury may retire.	
	... JURY RETIRES	(11:00 a.m.)
	R E C E S S	(11:02 a.m.)
	U P O N R E S U M I N G	(11:40 a.m.)
	THE COURT: Admit the jury.	□
	... JURY ENTERS	(11:42 a.m.)

Description of Parties	Civil	Plaintiff/Defendant or Applicant/Respondent
	Family Court	Applicant/Respondent
	Divorce	Petitioner/Respondent
	Appeals	Appellant/Respondent
	Other Parties	Plaintiff or Defendant by Counterclaim Third Party, Fourth Party
	<p>Indication of the party type as per the above proceedings should be set out on the front page of the transcript as in the following example of a Family Court proceeding.</p> <p>Example:</p> <div style="border: 1px solid red; padding: 10px; margin: 10px 0;"> <p>B E T W E E N:</p> <p style="text-align: center;">JANE MARY DOE</p> <p style="text-align: right;">Applicant</p> <p style="text-align: center;">- and -</p> <p style="text-align: center;">JOHN JOSEPH DOE</p> <p style="text-align: right;">Respondent</p> </div>	

Objections and Submissions

Objections by counsel or unrepresented parties and the submissions with respect to those objections are not transcribed in appeal transcripts. They are also not transcribed in transcripts ordered for other purposes, unless the ordering party requests that they be included. The ruling with respect to the objection, however, must be included in the transcript.

Objections and submissions should be indicated as follows:

Example:

```
...OBJECTION BY MR.SMITH  
...SUBMISSIONS BY MR.WILSHIRE
```

Restricted Transcripts

Before preparing a transcript ensure that the ordering party is authorized to receive it. If the ordering party is not authorized to receive the transcript, contact the party immediately and inform them of the access restriction. Do not prepare the transcript.

The chart below sets out restrictions to transcripts that must be adhered to.



Restrictions
Chart_7_May_2015.c

Front and Back Cover Requirements				
COURT	TYPE OF PROCEEDING	FRONT COVER	BACK COVER	AUTHORITY
ONTARIO COURT OF JUSTICE	Criminal	None	Light Blue	Rule 4.07 (2) - Rules of the Ontario Court of Justice in Criminal Proceedings Note: Rules of the Ontario Court of Justice in Criminal Proceedings apply to OCJ Family transcripts.
	Family	None	Light Blue	
SUPERIOR COURT OF JUSTICE	Criminal	None	Red	Rule 4.07 (2) - Superior Court of Justice Criminal Proceedings Rules
	Civil	None	Light Grey	Rule 4.07 (4) - Rules of Civil Procedure
	Family	None	Light Grey	
APPEAL TRANSCRIPTS	All	Red	Red	Rule 4.07 (4) - Rules of Civil Procedure Rule 4.07 (4) - Superior Court of Justice Criminal Proceedings Rules

Printing and Binding

Use the electronic transcript page template [[AG 0087](#)].

Transcripts may be printed double-sided unless otherwise instructed. but must be printed consistently throughout each volume of the proceedings.

Transcripts for the Court of Appeal for Ontario may be printed double-sided unless otherwise instructed.

The transcript may also be reproduced in mini-script if so requested on the transcript order.

[\(Practice Direction - Dec 18, 1995\)](#)

It is the responsibility of the transcriptionist to have the transcript reproduced and bound unless the transcript is for the purpose of an appeal to the Court of Appeal for Ontario or Divisional Court. For transcript reproduction for those courts follow the procedures in the Court Transcript Standards and Procedures Manual.



Print Requisition -
Court Transcripts.doc

Multiple Volumes

Lengthy transcripts must be separated into volumes.

The ideal number of pages per volume is 200 double-sided sheets to a maximum of 250 double-sided sheets.

The volumes must be numbered when there is more than one.

Publication Bans

Transcripts with publication bans must contain a warning on the cover page, on the table of contents page and an indication of “Publication Ban” in the footer of each page of the transcript.

A publication ban does not imply a transcript may not be produced, nor does it place a restriction on who may receive a transcript. There must be a specific court order restricting access. It is, however, incumbent upon the ordering party to ensure that the ban is complied with unless and until the publication ban is lifted.

Example:

INFORMATION CONTAINED HEREIN CANNOT BE PUBLISHED,
BROADCAST OR TRANSMITTED PURSUANT TO
SECTION 486 OF THE CRIMINAL CODE OF CANADA
BY ORDER OF JUSTICE R. L. THOMAS,
SUPERIOR COURT OF JUSTICE, DATED AUGUST 23, 2010

The Ministry website may also be accessed for an [Overview of Publication Bans](#).

Youth Warning

All youth court matters must have a warning designated by the *Youth Criminal Justice Act*. This warning prohibits the publication of the name of the youth and any evidence that may identify the youth. As well, it prohibits the publication of the name of a child or young person, or any other information related to a child or young person that may identify the child or young person as having been a victim or a witness in connection with an offence committed by a young person.

The youth warning must be placed on the title page and table of contents page along with any publication ban warnings.

In addition to the warning under the *Youth Criminal Justice Act*, the justice may impose an additional publication ban, which would then ban publication of all, or specified portions of the evidence. Proceedings under the *Parental Responsibility Act* that refer to a transcript of a youth proceeding must also contain this warning.

Example:

INFORMATION CONTAINED HEREIN IS PROHIBITED FROM
PUBLICATION PURSUANT TO SECTIONS 110 AND 111 OF THE
YOUTH CRIMINAL JUSTICE ACT

IL EST INTERDIT DE DIFFUSER L'INFORMATION CONTENUE
DANS LES PRÉSENTES, CONFORMÉMENT AUX ARTICLES
110 et 111 DE LA *LOI SUR LE SYSTÈME DE JUSTICE PÉNALE
POUR LES ADOLESCENTS*

Child Protection
and Adoption
Proceeding
Warnings

All transcripts produced for either a child protection or adoption hearing must have a warning placed on the title page and the table of contents of the transcript

Example: Child Protection Proceedings:

INFORMATION CONTAINED HEREIN IS PROHIBITED
FROM PUBLICATION PURSUANT TO
SECTION 45 (7) and 45 (8) OF THE
CHILD AND FAMILY SERVICES ACT

IL EST INTERDIT DE DIFFUSER L'INFORMATION CONTENUE
DANS LES PRÉSENTES, CONFORMÉMENT AU
PARAGRAPHE 45(7) ET 45(8) DE LA *LOI SUR LES SERVICES
À L'ENFANCE ET À LA FAMILLE*

Example: Adoption Proceedings:

INFORMATION CONTAINED HEREIN IS PROHIBITED
FROM PUBLICATION PURSUANT TO SECTIONS 151(1),
151(2), 156(6), 162(2) AND 165(1) OF THE *CHILD AND FAMILY
SERVICES ACT*

IL EST INTERDIT DE DIFFUSER L'INFORMATION
CONTENUE DANS LES PRÉSENTES, CONFORMÉMENT AUX
PARAGRAPHES 151(1), 151(2), 156(6), 162(2) ET 165(1) DE
LA *LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE*

Certification of Transcripts that have been Judicially Reviewed

Only rulings, reasons for judgment, reasons for sentence and the charge to the jury are to be submitted for judicial review. If the justice has made any edits to these sections, the Authorized Court Transcriptionist is able to add a disclaimer as set out in the Court Transcript Standards and Procedures Manual, Section 5.2 which states:



*This certification does not apply to the (Rulings, Reasons for Judgment, Reasons for Sentence, or Charge to the Jury) which was/were judicially edited.

Note: Only set out the portion actually judicially edited in the notation below the certification; (i.e. ruling or reasons for judgment, etc.).

Prepare reasons for judgment, reasons for sentence, rulings, and/or charge to the jury first, in order to allow time for judicial review while the remaining portions of the transcript are being prepared. It is imperative that portions of transcript submitted for judicial review are never released until approved by the judicial official.

Retain a copy of the portions that were submitted and returned from the judicial official.

Use the form below when submitting transcripts for judicial review.

 <p>Transcripts for Judicial Approval (Enc</p>	 <p>Transcripts for Judicial Approval (Fre</p>
---	---

Neutral Case Citations

Neutral citations are to be assigned to any rulings or reasons of the Superior Court of Justice (with the exception of Small Claims Court). A neutral citation number is only assigned when directed to be assigned by the justice. Once a citation is directed to be assigned, the judicial secretary will insert the citation number on the reviewed transcript prior to it being returned to the ACT. ACTs must then insert the neutral citation into the final transcript.

Example:

9.
Reasons for Judgment
Lancaster, J.

CITATION: Smith v. Crossways 2010, ONSC 6454

R E A S O N S F O R J U D G M E N T

LANCASTER, J. (Orally):

I am required to consider whether or not the plaintiff had a financial obligation to ensure that the property under its control, through an agreement with the defendant, was left vulnerable

Inclusions and Exclusions

Depending on the type of case, the purpose of the transcript, and the details of the transcript order, portions of the proceedings may or may not be included in the transcript.

If the transcript order does not indicate which sections of the transcript to include or exclude, use the charts in Section 4 of the Court Transcript Standards and Procedures Manual as a guide.

In all cases, the judicial official may order that a section be included in an appeal transcript even though it would normally be excluded by the rules. The judicial official may also provide direction to omit part of the transcript that would otherwise be included.

Note: The charts in the Court Transcript Standards and Procedures setting out those portions of the proceedings to be included/excluded for transcripts for appeal to the Court of Appeal of Ontario must be adhered to unless:

- (a) there is consent of the respondent and the other party/parties, or
- (b) there is an order of the Court of Appeal for Ontario specifying portions which are normally excluded to be included.

Transcript Timelines

Type of Transcript	Timeline
Bail hearings ordered for the purpose of a bail review should be transcribed within 48 hours when the ordering party advises it is their intention to schedule a bail review in that timeframe. Pursuant to Section 520 and 520 (2) of the Criminal Code of Canada a bail review is able to be scheduled with two days notice.	48 hours
Application for Stay	7 days
Reasons for Judgment or Sentence	7 days
Disposition Hearings (other than automatic transcripts)	7 days
All Other Transcripts (non-Court of Appeal)	30 days
Court of Appeal Transcripts (See the following Practice Directions): a) Court of Appeal Practice Direction respecting the timely hearing of criminal appeals b) Practice Direction Concerning Civil Appeals in the Court of Appeal	90 days
Refer to the Court Transcript Standards and Procedures Manual for other information regarding timelines for the following CSD internal transcript orders: <ul style="list-style-type: none"> ▪ Sentence to a provincial correctional institution on level one offences ▪ <i>Interjurisdictional Support Order Act</i> hearings ▪ Section 44 <i>Family Law Act</i> hearings ▪ <i>Divorce Act</i> - Section 18 and 19 hearings ▪ Mental disorder disposition hearings ▪ Sentence of incarceration in a federal penitentiary ▪ Dangerous offender/long-term offender applications ▪ Judicial review of parole eligibility 	

Appeal and Completion Certificates	
Appeals to Divisional Court	Form RR 0384 Certificate/Proof of Ordering Transcript for Appeal.
	Form RR 0551 Certificate of Completion
Summary Conviction Appeals to the Superior Court of Justice	Form CSR-2C-40.08 Court Reporter's Certificate Respecting Evidence
	Form 2D Certificate of Completion
Criminal Appeals to the Court of Appeal for Ontario	Form RR 0384 Certificate/Proof of Ordering Transcript for Appeal
	Form RR 0551 Certificate of Completion
Civil Appeals to the Court of Appeal for Ontario	Form RR 0384 Certificate/Proof of Ordering Transcript for Appeal
	Form RR 0551 Certificate of Completion
Ontario Court of Justice (Family Court) Appeals to the Superior Court of Justice	Form RR 0384 Certificate/Proof of Ordering Transcript for Appeal
	Form RR 0551 Certificate of Completion

Inmate Appeals Ordered by the Court of Appeal

[Section 25 \(1\) Criminal Appeals Rules](#) sets out the process regarding inmate appeals for which Court Services Division is invoiced as the ordering party on behalf of the Registrar of the Court of Appeal for Ontario.

The portions of transcript required for an inmate appeal, and the number of copies to be forwarded, are set out in the letter from the Registrar of the Court of Appeal. In most instances only the Reasons for Sentence only are required for the appeal.

Transcripts ordered by the Registrar of the Court of Appeal are ordered by and invoiced to Court Services Division. Please note that these transcripts are to be provided to the Court of Appeal within 30 days.

Note:

Transcripts ordered by any other party with respect to an appeal on behalf of an inmate of a correctional facility are invoiced to that ordering party and do not fall under [Section 25 \(1\) of the Criminal Appeals Rules](#).

Jury Selection Process

When a transcript of a jury selection process is ordered, the selection process is excluded with an indication that the jury was selected and sworn. However, if specifically requested to be transcribed, jury panel members must be identified by their assigned jury panel identification number.

Note: Should a jury panel member be addressed by his or her name, the name should be transcribed as stated and not edited in any way.

Example:

8.
Jury Selection

CLERK REGISTRAR: Number 11445, Michael Smith.
JUROR NUMBER 11445: Yes, I would ask to be excused from this panel, please.
THE COURT: Mr. Smith, we will deal with your request once the Registrar has completed calling the names of the 20 potential jurors forward.
JUROR NUMBER 11445: Yes, thank you, Your Honour.
CLERK REGISTRAR: Number 31922, Adele Tompkins.
JUROR NUMBER 31922: Yes, I'm here

Use of (ph) and [sic]

1. If a word is obviously misspoken in court, insert *[sic]* (square brackets) after the word. The Latin adverb *sic* (in full: *sic erat scriptum*, or "thus was it written") added immediately after a quoted word or phrase, indicates that the quotation has been transcribed exactly as in the original source, complete with any erroneous spelling or other nonstandard presentation, and is not a transcription error.
2. If the correct spelling of a name has not been provided and it is impossible to check, insert (ph) after the name to indicate a phonetic spelling.
3. If you have inserted either (ph) or *[sic]* in a transcript, insert a legend on the Table of Contents page setting out what those terms indicate as follows:

English Version:

Legend
<i>[sic]</i> - Indicates preceding word has been reproduced verbatim and is not a transcription error.
(ph) - Indicates preceding word has been spelled phonetically.

French Version:

Légende
<i>[sic]</i> - Indique que le mot précédent a été reproduit tel quel et qu'il ne s'agit pas d'une erreur de transcription.
(ph) - Indique que le mot précédent a été épilé phonétiquement.

Punctuation and Grammar

The Punctuation and Grammar document in the attached materials has been developed by Court Reporting Services as a reference tool. The document sets out general punctuation and grammar rules

It must be noted that punctuation marks are “signals” from the writer to the reader. Proper punctuation enables the reading of a document to be smoother, and the understanding of its content easier, than if incorrect punctuation is used. Some sentences may be punctuated in more than one way. In some instances, a punctuation mark may or may not be used at the discretion of the transcriptionist.

At times there are options as to the correct punctuation. The key is to be consistent in the use of punctuation and numeric style and to accurately reflect the intent of the speaker in the transcript. Transcribe exactly what was said and do not alter or make grammatical corrections.

The guidelines for correct punctuation, grammar and spelling set out in this tool are to be used as a reference for achieving consistency in transcription.

It is recommended that a transcriptionist have access to at least one recognized Canadian English grammar guide. Spelling should be applied as per the Canadian-Oxford dictionary and not English (U.S.) spelling.

Note: Punctuation use in rulings, reasons and the charge to the jury are subject to judicial editing which should always be followed when the punctuation deviates from these guidelines

Punctuation and Grammar

There is an abundance of reference materials accessible via the internet to assist with punctuation and grammar.

Note:

As there are often varying rules that apply to punctuation and grammar for English or American text, be sure to use the English (Canada) rule or suggestion.

Listed below are some resources:

Punctuation and Grammar Resource Books

1. Oxford Practice Grammar, New Edition, Oxford University Press (1999)
2. [The Blue Book of Grammar and Punctuation](#)
4. [The Ontario Public Service Correspondence Style Guide](#)

Spelling and Vocabulary

Transcriptionists must exercise caution to insert the correct word or phrase that is required in the context of what was intended to be conveyed. To do so, comprehension is an important component to transcription, in order to discern the correct word or phrase that is required in the context of what was spoken.

Homophones and **Oronyms** are types of words or phrases that sound the same but completely alter the context of what was spoken if the transcriptionist does not use comprehension skills to ascertain the proper word/s.

Homophones are words that are [pronounced](#) the same but differ in meaning. The words may be [spelled](#) the same or differently.

intense	intents
vain	vein
taut	taught
carrot	carat, karat or caret
rose (a flower)	rose (the river rose)

Oronyms are generally a pair of words or a phrase that are pronounced similarly due to phonological structure such as:

ice cream	I scream
euthanasia	youth in Asia
the sky	this guy
four candles	fork handles
some others	some mothers or smothers
real eyes	realize

Below is a tool to assist with spelling, vocabulary, homophones and oronyms.



Spelling, Vocabulary
and Homophones.dc

Legal Terminology (Latin Terms and Legal Maxims)

Legal terminology — Latin words or phrases and maxims (an established principle or proposition) are often referred to in court proceedings.

There are numerous resources available to assist transcriptionists with spelling and meaning of these terms and phrases.

Following are hyperlinks to some traditional legal transcription resources:

[Black's Law Dictionary](#)

[Canadian Criminal Code](#)

[Duhaime's Law Dictionary](#)

[Glossary of Parliamentary Procedure](#) (Houses of Commons Canada)

[CanLII](#) (Canadian Legal Information Institute) is a non-profit organization managed by the Federation of Law Societies of Canada. CanLII's goal is to make Canadian law accessible for free on the Internet. This website provides access to court judgments, tribunal decisions, statutes and regulations from all Canadian jurisdictions

Ministry of the Attorney General's [Glossary of Legal Terms](#)

Computer-Aided Tools – Default Language

Always verify the default language on your computer is set to English (Canada).

In Windows 7 (applies to Office 2007, 2010, and 2013)

1. Click **Start**, and then click **Control Panel**.
2. Under **Clock, Language, and Region**, under **Region and Language**, click **Change keyboards or other input methods**.
3. In the **Region and Language** dialog box, on the **Keyboards and Languages** tab, click **Change keyboards**.
4. In the **Text Services and Input Languages** dialog box, under **Default input language**, click the language that you want to use as the default language, and then go to [Set the default editing language in Office](#).

If the language that you want to use as the default input language is not listed, complete Steps 5 through 8.

5. Under **Installed services**, click **Add**.
6. Expand the language that you want to use as the default input language, and then expand **Keyboard**.
7. Select the check box for the keyboard or [Input Method Editor \(IME\)](#) that you want to use, and then click **OK**. The language is added to the **Default input language** list.

To preview the keyboard layout, click **Preview**.

8. Under **Default input language**, click the language that you want to use as the default language.

Turn on the language-specific options for the default language in Microsoft Office by following the instructions in [Set the default editing language in Office](#).

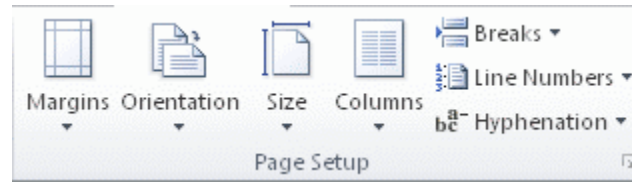
Headers

How to add different headers and footers or page numbers in different parts of the transcript:

1. Click at the beginning of the page where you want to start, stop, or change the header, footer, or page numbering.

You can press HOME to make sure that you're at the start of the page.

2. On the **Page Layout** tab, in the **Page Setup** group, click **Breaks**.



3. Under **Section Breaks**, click **Next Page**.
4. Double-click in the header area or the footer area (near the top of the page or near the bottom of the page).

This opens the **Design** tab under **Header & Footer Tools**.

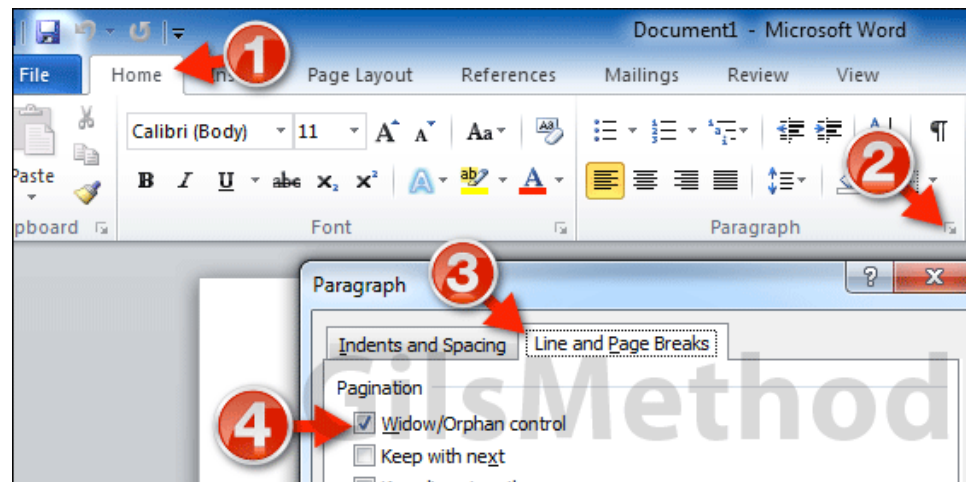
5. On the **Design**, in the **Navigation** group, click **Link to Previous** to turn it off.
6. Do one of the following:
 - Follow the instructions for [adding a page number](#) or for [adding a header and footer with a page number](#).
 - Select the header or footer and press DELETE.

7. To choose a numbering format or the starting number, click **Page Number** in the **Header & Footer** group, click **Format Page Numbers**, click the format that you want and the **Start at** number that you want to use, and then click **OK**.
8. To return to the body of your document, click **Close Header and Footer** on the **Design** tab (under **Header & Footer Tools**).

Widow/Orphan Feature

The widow/orphan control in Microsoft Word is a feature that will prevent single lines of questions and answers or paragraphs from appearing on a separate page from the rest of the question or answer or paragraph (a widow is the first line of a paragraph left by itself and an orphan is the last line left by itself), and therefore is generally the reason for not keeping 32 lines together on one page.

This feature should be disabled for transcription.



1. Click the **Home** tab so that it is the active tab in Word.
2. Click the **small square with an arrow** on the bottom right corner of the **Paragraph** group on the **Ribbon** to open the options dialog box.
3. When you click this icon the **Paragraph** dialog box will appear. Click the **Line and Page Breaks** tab.
4. In the **Pagination** section uncheck **Widow/Orphan control**.
5. Click **OK** to save the changes and close the **Paragraph** dialog box.

Spelling of Words

When a word is spelled out in court, it is indicated as follows:

Example

A. Her full name is Brianna Stapples, spelled B-R-I-A-N-N-A and Stapples, S-T-A-P-P-L-E-S.

Setting out Descriptions of Proceedings

On the cover page of every transcript insert the type of proceedings.

Examples: (Use Expanded Text)

PROCEEDINGS AT TRIAL
EXCERPT FROM PROCEEDINGS
PROCEEDINGS ON MOTION
REASONS FOR JUDGMENT
REASONS FOR SENTENCE
CHARGE TO THE JURY
PROCEEDINGS ON BAIL REVIEW

When in doubt as to the proceedings type use:

PROCEEDINGS

Automatic Conversion to Expanded Text

Following are instructions to change the font settings in Word to automatically perform Expanded Text

In the "Font" dialog window, click on the "Character Spacing" tab.

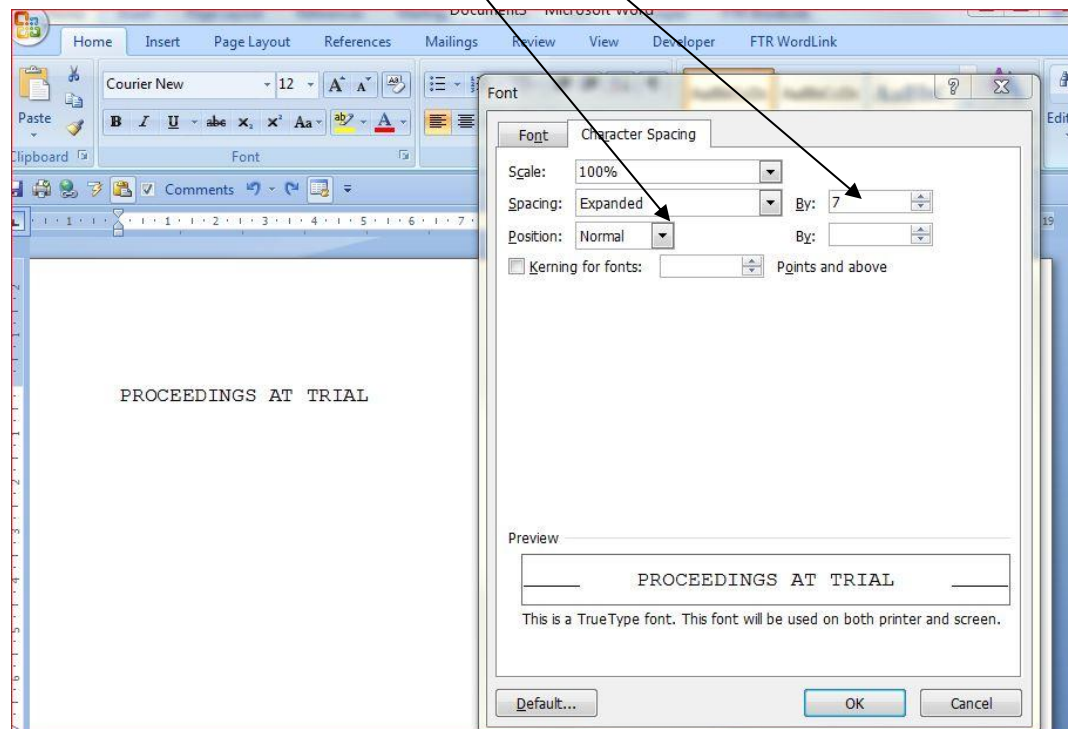
In the "Scale" drop down, select a percentage to adjust the entire font size.

In the "Spacing" drop down, select "Expanded" to adjust the text width.

To the right of the "Spacing" field, change the amount 7.

Notice the default is "1 pt".

To revert to regular spacing, follow the same instructions and return to normal. You can create a macro to do/undo this automatically



Setting out Appearances on the Cover Page

On the title page, under the heading of APPEARANCES note:

- Names of all counsel - Initials and full last name of counsel/unrepresented ONLY are left-aligned.
- Party-type that counsel represents is right-aligned
- Unrepresented parties – first initial and last name only are left-aligned.
- Unrepresented parties - Noted as ‘In Person’ and right-aligned
- **Note:** An accused person is referred to by their name (never by “Accused”)

Example (Civil Trial)

APPEARANCES:

K. Mansfield	Counsel for the Plaintiff
E.J. Simpson	Counsel for the Defendant

Example (Criminal Trial)

APPEARANCES:

L. Prosecutor	Counsel for the Crown
I.M. Defence	Counsel for John Jones

Example (Self-Represented Party)

APPEARANCES:

L. Prosecutor	Counsel for the Crown
J. Jones	In Person

Voir Dires

A *voir dire* is a trial within a trial to determine an internal trial issue, e.g. whether a particular piece of evidence, for example, a confession of the accused to the police, is admissible in evidence.

In a jury trial, the jury will be excluded during a *voir dire*. If the proceeding is before a justice alone, the judge must not consider any evidence heard at the *voir dire* if it is ruled inadmissible. The expression '*voir dire*' is derived from *vrai dire* (to speak the truth) in Norman French, the language used in medieval English courts.

A heading of *VOIR DIRE* is placed in expanded text in the centre of the page at the commencement of the *voir dire*. The heading is set out from the body of the transcript by an extra line space before and after the heading.

Example:

V O I R D I R E

Voir dire is noted in the last line of the header:

Example:

1.

John Smith - in-Ch.
Voir Dire

There is a separate index set out for *Voir Dire* evidence in the Table of Contents.

Inserting Quotations into the Transcript

The following sets out **general guidelines** that may be followed for inserting quotation marks in transcripts:

When the quoted material is formally introduced, it should be followed by a colon:

Example: And in paragraph six of the affidavit, it states as follows:

A short direct quotation is inserted directly into the text without separating it from the rest of the text and quotation marks are used. A comma precedes the direct quotation.

Example: And the answer to the question was, "I told him I would be there at ten o'clock."

Indent longer quotations (more than four lines) five spaces from the body indent margin. Insert one line space between the introduction of the quotation and the quotation. Do not use quotation marks to enclose materials that are set off from the text when they are more than four lines in length.

And in paragraph six of the statement of claim, it reads as follows:

The plaintiff at that point in time was not aware that the defendant had been drinking and therefore had no prior knowledge that they were putting themselves at risk."

Insert quotation marks to enclose quotes set off from text which is four lines or less in length.

Example:

And in paragraph six of the statement of claim, it reads as follows: "The plaintiff at that point in time was not aware that the defendant had been drinking and therefore had no prior knowledge that they were putting themselves at risk."

Indicating Excluded Proceedings in a Transcript

Any proceedings that are not included in the transcript should have a notation indicating that they occurred. The notation must be in uppercase, indented 35 millimetres, and preceded by three ellipsis as in the following examples:

```
...OBJECTION BY MR. RATHERS  
...SUBMISSIONS OF COUNSEL  
...EVIDENCE OF JANE DOE NOT REQUIRED
```

Note: There is no extra line space before or after the notations.

Miscellaneous Transcription Information

Transcribing Portions of Proceedings

Transcripts must be ordered for a specific portion of the proceeding. For example, if an ordering party requested you listen to and transcribe only what was said by the justice each time the justice refused his request to ask a question, it would not be appropriate to prepare such a transcript. The portion transcribed should be a continuous portion of the proceeding such as the examination in-chief or cross-examination of a witness. It may also be a transcript of the proceedings within a set time frame, such as all proceedings prior to the morning recess. The title page for transcripts of such portions must indicate:

E X C E R P T O F P R O C E E D I N G S

A specific question and answer may be ordered and transcribed, as long as it is continuous and identified readily. (i.e., without listening to the evidence, the specific time of the question was provided and/or reference to the question and answer is included in the annotations.)

Indicating Interruptions in the Proceedings

Interruptions in the proceedings to deal with another matter (transferring a case to another courtroom or adjourning a matter) are not transcribed. Such interruptions in the proceedings are identified by a notation as follows:

MR. JONES: Those are all my questions at this time.

...WHEREUPON ANOTHER MATTER IS SPOKEN TO

THE COURT: Continue then with the next witness.

Transcription of Oaths

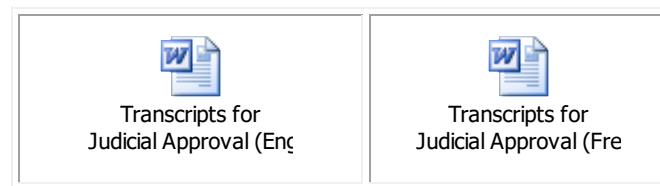
You are not required to transcribe the words spoken when an oath is administered unless it is an unusual situation such as a child witness who is questioned by the court and allowed to testify or a witness refusing to take an oath or affirmation.

Judicial Editing

When a transcript is ordered that contains portions that require judicial review, transcribe those portions first before the rest of the transcript in order that they may be submitted to the justice for review while you are transcribing the remainder. There must be a title page with the portions submitted for judicial review to the justice, as they contain the date and other details of the case that will enable the justice to reference their notes.

Only provide the precise portion that requires review and not any other portion of the transcript. You are not required to do a certification page for the portions that are submitted to the justice.

Fill out and attach the following form with the portions of transcript submitted for judicial review.



Contractions

When a contraction is clearly spoken, it should not be converted to expanded text in any portion of the transcript, including those portions submitted for judicial review. (i.e., “can’t” should not be expanded to “cannot”)

Stammering/Stuttering

When a speaker stutters or stammers, it is acceptable to omit the stutter and/or stammer. For example, if the answer sounded like:

Se-se-seven days after the assault I saw the bruises on her arm.

It is appropriate to transcribe it as:

Seven days after the assault I saw the bruises on her arm.

All words should be transcribed, whether or not they are a “false start”; however, sounds such as ums and ahs, that are not words, should be omitted.

Oftentimes a question is responded to with an “mm-hmm” or a similar affirmation. Note that the format of those responses may vary, (i.e., uh-huh, mm-hmm, or responded to in the negative with an “uh-uh”). The key is to consistently use the same format throughout the transcript and to ensure that it differentiates between an affirmative or negative response.

CERTIFICATION

When a sound recording is made during a court proceeding, the court reporter who recorded and annotated the proceedings completes a verbal and written certificate in Form 1. (*O. Reg. 158/03*)

This certification provides assurance that the recording is a reliable, accurate and complete record of the referenced proceedings.

A certificate in Form 2 (*O. Reg. 158/03*) must be signed when you have completed the transcript to indicate the recording from which the transcript has been prepared has been certified in Form 1 and is an accurate transcription of the proceeding set out in Form 1.

If there is no verbal or written Form 1 with the recording, you must contact the Recording Management Coordinator and obtain a copy of the Form 1 before you can certify a transcript from the recording in Form 2.

If you are preparing a transcript from a sound recording you must listen to or examine the original Form 1 (or a certified true copy of the Form 1) to confirm that the sound recording has been certified. The Form 2 must contain the exact wording as regulated in *O. Reg. 158/03*.

Fees

Fees for transcripts are set out in [Ontario Regulation 94/14, Administration of Justice Act](#).