



UNIVERSAL TRANSCRIPT FORMAT (UTF) MANUAL FOR TRANSCRIPT PRODUCTION IN SASKATCHEWAN

**Ministry of Justice
Courts & Civil Justice
Transcript Services
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1. FOREWARD

This manual has been approved by Ministry of Justice Court Services as the official UTF (universal transcript format) production manual.

PURPOSE

This manual has been prepared to assist transcriptionists and office staff in the production of transcripts of court proceedings.

CONTENTS

The procedures in this manual have been agreed upon by Court of Appeal for Saskatchewan, Court of Queen's Bench of Saskatchewan, Provincial Court of Saskatchewan, Court Services and Transcript Services.

Transcript format manual instructions are based on Microsoft Word guidelines. Transcripts may be prepared using Microsoft Word or WordPerfect software with the stipulation that the complete transcript is prepared and submitted as required by manual instructions.

The cover page, index, affidavit(s) and clerk certificate(s) MUST be attached to the body of the transcript, not as an accompanying file, to the electronic version.

All transcripts prepared in UTF (universal transcript format) are to be submitted to Transcript Services in hard copy, and electronically (via email) in pdf with OCR capability, bookmarks and commenting, as instructed in the manual.

The link for the latest FTR Player program can be found at:

<http://www.fortherecord.com/products/player/>

Download and run the .exe file to install the program.

2. DEFINITIONS

Official Record

The official record commences when the clerk calls court to order and adjourns/concludes court. Exceptions include:

Solicitor/client conversations

Recordings during adjournments

Side-bar conversations between the court/counsel/clerk

Transcriptionist

Court transcriber/court official

Title Case

This means each word in the title begins with an uppercase letter, except for prepositions, conjunctions, and articles shorter than five letters each (with the exception of through). They should appear in lowercase in text which is in title case. For example:

a, an, the, and, if, then, else, when, up, at, from, by, on, off, at, for, from, in, of, out, over, through, and to.

Upper Case

All Capitals - All letters in the word are capitalized.

Verbatim

The act of converting spoken word into text such that a message is captured exactly the way it has been spoken. This requires a keen ear and attention to detail.

3. UNIVERSAL TRANSCRIPT FORMAT FOR ALL COURTS

(Settings are based on those created in Microsoft Word)

Font : Times New Roman 13 pt.

Justification: Full left and right justification

Page Margins: Left 1.25", Right 1.0", Top 1.0" and Bottom 1.0"

Line Numbers: On every line, Times New Roman 13 pt, located .15" to the left of the left margin which is 1.10" from the left edge of the page

Page Numbers: Centered on text, .5" from the top edge of the page, Times New Roman 13

The Table of Contents pages must be numbered consecutively in lower case Roman numerals

The body of the text pages shall be numbered consecutively throughout each volume, starting with a prefix of "T", and followed by Arabic numerals, e.g. "T1", "T2", "T3" etc.

Line height: 1

Line Spacing: 41 lines per page with line spacing set at 1.05

Volumes: Approximately 200 pages per volume, two-sided. The break should be logical.

Paper: Good quality 8.5" x 11" bond paper, printed on both sides, 3-hole punched, using UTF format as set out.

Tabs: Standard tabs set at .25", .50", 1.0", 1.25", 1.5" and 3.25"

Sentence Spacing: One Space only after periods

Paragraph Spacing: One blank line between paragraphs

A) TITLE PAGE

In the upper right-hand corner, (Title Case, Right Aligned) insert the trial court file number(s)
 Note: “Title Case” means first letters of words are capitalized, excluding connectors

On the next line, (Title Case, Right Aligned) type the E-file name in accordance with the following naming convention:

| | | | | |
|--|--|---|---|---|
| Year-Month- Date of proceeding YYYY-MM- DD | R – Regina S – Saskatoon P – Prince Albert O - Other | V – Civil C – Criminal F – Family Y – Youth O - Other | P - Provincial Court Q - Queen’s Bench | Person’s full last name followed by first initial of first name of the plaintiff or accused |
|--|--|---|---|---|

For example: Regina Queen’s Bench criminal matter where the proceeding was heard on September 28, 2010 for accused Lucy Black would be designated as: 2010-09-28RCQBlackL

On the next line (Title Case, Right Aligned) type the Court of Appeal file number, e.g. CACV1968 or draw a line where the number can be added at a later date

Below indicate the Court and Judicial Centre, (*Upper Case, Centered*). For example:
 IN THE COURT OF QUEEN’S BENCH OF SASKATCHEWAN
 JUDICIAL CENTRE OF REGINA

Below type the Style of Cause (*Upper Case, Centered*). For example:

BETWEEN

JAMIESON BLACK

Plaintiff

and

JOHN DOE

Defendant

Plaintiff(s), Defendants(s), etc. (*Right Aligned, Title Case*)

Below, set out between two solid horizontal lines (with a line space before and after each horizontal line), the type of proceeding, (*Upper Case, and Title Case, Centered*), volume number and specific pages included within the volume (*Title Case, Centered*). Each paper

volume shall contain approximately 200 pages per volume, and where any volume would otherwise exceed 200 pages, be split into separate volumes of approximately equal length. For example:

PROCEEDINGS
Judicial Interim Release
Volume 2
(Pages T201 – T397)

Below, type the dates(s) and location (*Title Case, Centered*). If there is more than one date, all dates are to appear in chronological order. For example:

June 15, 17 and 19, 2009
Saskatoon, Saskatchewan

Below, type the name, address and phone/fax numbers of the producing office (*Title Case, Centered*). For example:

John Doe
1100 – 1874 Scarth Street
Regina, Saskatchewan
S4P 4B3
Phone: 306.787.5466
Fax: 306.787.5830

When there is more than one style of cause, a split cover must be created, indicating the appropriate action number to the referenced style of cause.

B) TABLE OF CONTENTS

The Table of Contents pages must be numbered consecutively in lower case roman numerals, top center, .5” from the top of the page

Heading: TABLE OF CONTENTS, (*Centered, Upper Case*)

Below, type headings for the following columns, “Description”, (*Left Aligned, Title Case*), “Volume” (if more than one) and “Page”, (*Right Aligned, Title Case*)

For every half-day session, insert session date (*Left Aligned, Title Case*) and session indicator (e.g. Morning or Afternoon Session) at the 3.25” tab (*lines up with the page number, Title Case*). Insert a blank line before and after this notation. For example:

| Description | | Page |
|-------------------|-------------------|------|
| February 19, 2009 | Afternoon Session | 1 |

All transcript headings are to be listed sequentially in the Table of Contents (*Title Case, Left Aligned*) under the heading: Discussion. The only exception being witness names, which will be *Upper Case, Bold*. See sample below.

If exhibits are entered in the trial, they are to follow the Description portion of the table of contents

Insert a header called EXHIBITS (*Centered, Upper Case*.)

Insert headers for the following columns “Description”, “Volume” (if more than one) and “Page”, (*tabbed to the far right, Title Case*). All exhibits and descriptions must be listed in the order they were entered in Title Case. For example:

i

TABLE OF CONTENTS

| Description | Volume | Page |
|---|-------------------|------|
| December 18, 2008 | Afternoon Session | 1 T1 |
| JANICE GREEN , Previously Sworn, Examined by Ms. Brown | 1 | T1 |
| Mr. Purple Cross-examines the Witness | | T3 |
| JOHN DOE , Sworn, Examined by Ms. Brown | 1 | T5 |
| Mr. Purple Cross-examines the Witness | 1 | T8 |
| Certificate of Record | 1 | T13 |
| Certificate of Transcript | 1 | T14 |

EXHIBITS

| No. | Description | Page |
|-----|--------------------------|------|
| P-1 | Seven Photographs | T6 |
| P-2 | Record of Accused Wright | T8 |

C) BODY OF THE TRANSCRIPT

(i) Page Numbers

Each page shall be numbered consecutively throughout each volume with the page number placed 0.5” from the top edge of each page, centered between the left and right margins, starting with the prefix “T” for Transcript, and followed by Arabic numerals, e.g. “T1”, “T2”, “T3” etc.

(ii) Preamble

At the beginning of each morning and afternoon session, set out the court, courthouse, and location of where the proceedings took place, followed by a solid horizontal LINE. Insert line space before and after each horizontal line.

(iii) Appearances

Following the preamble and horizontal line, insert the following:

Session Date and at the 3.25” tab, session indicator (e.g. Morning session or Afternoon session), followed by a blank line

The Judge’s name, and at the 3.25” tab, court designation, followed by a blank line

The names of all parties appearing in the proceeding, or representatives of departments/agencies, and at the 3.25” tab, the designation of who they represent.
Note: Salutations (Esq. Mr. Ms. etc.) will not be used. The only exceptions are designations such as Queen’s Counsel (Q.C.), or Medical Doctor (Dr.)

The names of the Court Clerk(s) and Court Reporter (if any)

Note: All appearances must be included at the beginning of each session

For example:

Proceedings taken in the Provincial Court, Regina, Saskatchewan

February 19th, 2009

Afternoon session

The Honourable Judge C. Toth

The Provincial Court of Saskatchewan

J.P. Jones

For the Crown

S.F. Person

For the Accused

Sandy Smith

Court Clerk

(iv) Speakers

Each speaker starts at the left margin, (*Upper Case*) followed by a colon, and on the same line, the text begins at the 3.25" tab and wraps around to the next line, starting at the 0.25" tab. Each new paragraph under the same speaker starts at the 0.25" tab and wraps around to the next line, starting at the 0.25" tab.

(v) Headings

(*Title Case, Bold*) are inserted at the left margin and must be placed throughout the body of the transcript to indicate where there is a change of witness, examination, and so forth. For example, headings may be designations indicating where a new witness is sworn or where a lawyer commences cross-examination.

Witnesses: The complete legal name of the witness is typed (*Upper Case, Bold*) at the left margin (rank, title, or qualifications are omitted) followed by (*in Title Case, Bold*) Sworn, Affirmed, Unsworn, etc. See below:

JARED RUECKER, Sworn, Examined by Mr. Black (Voir Dire)

Questions and Answers: The first line after the swearing-in of a witness starts with a "Q", at 0.25" from the left margin, if the questions start immediately. The body of the question starts at the 0.5" tab. If the question is more than one line, the second line continues at the 0.5" tab. The answer is treated in the same manner using the designation "A". Leave one blank line between each Q and A set.

For example:

| | | | |
|----|------------|------------|---|
| 1 | Q | MR. BLACK: | Okay. So you have seen all the material that's |
| 2 | | | before us? |
| 3 | A | | That's correct. |
| 4 | | | |
| 5 | Q | | Have you reviewed the material recently? |
| 6 | A | | Yes, just last night. |
| 7 | | | |
| 8 | MR. WHITE: | | Can we have a break? |
| 9 | | | |
| 10 | Q | MR. BLACK: | Before our break, I was asking you about the |
| 11 | | | analysis, you took us through phases one and two... |

D) ELECTRONIC TRANSCRIPT

Format: A digital PDF document will be created from Microsoft Word or Word Perfect with OCR (Optical Character Recognition) capabilities. Note: The digital PDF must be converted from MS Word or Word Perfect and not scanned and it must be a true representation (identical copy) of the printed version. Both must contain the identical content and same number of pages.

Table of Contents: The PDF file must have electronic bookmarks for each item contained in the table of contents. The bookmark panel must be displayed when the file is opened by default. A cover page and complete table of contents should be at the front of each electronic file.

Thumb Nail Images: The page numbering “style” must be set to “none” for the cover and table of contents pages so that the thumbnail page numbering matches the page numbering in the body of the transcript, which also matches the numbering in the paper copy.

Size: There shall be one electronic file for all paper volumes provided the size of the electronic file does not exceed 50 megabytes. For electronic files greater than 50 megabytes, divide the file into two (or more, if necessary). The second file should start at a logical location, e.g. at the beginning of a new heading in the table of contents. The first file should be around 50 megabytes and the second file should make up the remainder (if less than 50 megabytes).

The electronic file shall be emailed to the manager of Transcript Services, at the email address provided, if less than 10 megabytes, or saved to a CD and delivered to the manager, if greater than 10 megabytes.

Security: All security settings should be deactivated in the document

Commenting Feature: The commenting feature for Adobe Reader should be activated

If you have any difficulty, please do not hesitate to contact the Court of Appeal Senior Information Technologist, Scott Polowyk, at 798-3452 for further direction.

E) CERTIFICATE AND AFFIDAVIT

The certificate of the court clerk and the affidavit of the transcriber are required to be attached at the end of the paper copy as well as scanned and attached at the end of the electronic file.

F) DESCRIPTION OF TRANSCRIPT

Following the style of cause set out between two solid horizontal lines, the appropriate selections as follows, in upper case, one of the following categories, which will be indicated on the work order:

- TRIAL
- GUILTY PLEA & SENTENCE
- SENTENCE
- SHOW CAUSE HEARING
- JUDGMENT or DECISION
- DANGEROUS OFFENDER HEARING
or LONGTERM OFFENDER HEARING
- PRELIMINARY INQUIRY

CURATIVE DISCHARGE HEARING
VOIR DIRE
PROCEEDINGS

In title case, immediately below the above category, subcategories such as:
Child Apprehension Order
Fitness Hearing
Evidence of ...
Submissions

If the transcript is more than 200 pages, subcategories would be followed by volume number (numeric – 1, 2, 3) and page numbers included within each volume. Each volume shall contain as close to 200 pages as is possible. Where the volume would exceed 200 pages per volume, the transcript will be split into separate volumes of approximately equal length. For example:

TRIAL
Volume 2
(Pages 201 – 397)

If a volume is split as an examination in-chief or cross-examination is proceeding, there must be an indication at the end of each volume. Volumes must not be split mid-sentence/paragraph, or between question and answer; this may suggest to the reader there has been dialogue omitted from end of Volume 1 to start of Volume 2. For example:

(VOLUME 1 ENDS AT PAGE 196 – VOLUME 2 COMMENCES AT PAGE 197)

G) DATE(S)/LOCATION

Following the solid line, the date(s) and location must be inserted, title case, centered. If there is more than one date, all dates are to appear, in chronological order. For example:

June 14, 17 and 19, 2016
Saskatoon, Saskatchewan

or:

August 23 – 25, 2015
September 12, 2016
Regina, Saskatchewan

H) PRODUCED BY

Following Dates(s)/Location, the name, address and phone/fax numbers of the producing office must be identified, Title Case, centered. For example:

Royal Reporting Services
300, 2010 – 11th Avenue
Regina, SK S4P 0J3
Phone: 306.352.3234
Fax: 306.757.7788

In the alternative if the location is not a business address, you may use the following:

Jane Doe
1100, 1874 Scarth Street
Regina, SK S4P 4B3
Phone: 306.787.8406
Fax: 306.787.5830

I) TITLES

The special designation of QC follows immediately after the surname. For example:

A. Spring, QC For the Accused

Other designations such as Aboriginal Court-worker, Student-at-Law, Friend of the Court, Agent for, are added in brackets on a separate line below the name. For example:

P. Summer For the Accused
(Student-at-Law)

P. Winter For the Plaintiff
(Agent for J. Lennon)

When two or more counsel appear for a single party, their names are listed on separate lines:

B. Black For the Accused
R. Brown

When one lawyer appears for two separate accused, use the following example:

P. Green For the Accused Smith
P. Green For the Accused Wesson

When there are co-accused in the same proceeding, use the following example:

W. White For the Accused Smith

B. Fuschia For the Accused Lee

Note: Use “For the Accused” for adult files, and “For the Young Person” for youth files.

If a party is self-represented use the following example:

Civil:

(No counsel) for the Plaintiff

Criminal:

(No counsel) for the Accused

When Accused, Plaintiff, Defendant, etc. is not present use the following example:

(No Appearance) for the Accused

J) EVIDENCE/PROCEEDINGS

The body of the transcript consists of the evidence and/or proceedings, and are to be produced verbatim.

(i) Speakers

Based on the margins set in the UTF, each speaker starts at the left margin, Upper Case, followed by a colon, and on the same line, the text begins at the 3.25” tab and wraps around to the next line, starting at the 0.25” tab and wraps around to the next line, starting at the 0.25” tab.

Each speaker is followed by a blank line. For example:

MR. BLACK: Have you reviewed the material recently?

MR. WHITE: Yes, before our break.

(ii) Self-represented parties

In a criminal proceeding, when an accused speaks on his behalf, use the following example:

THE ACCUSED: or

THE YOUNG PERSON:

If several self-represented accused speak on their own behalf, use the following example:

THE ACCUSED GREEN:

THE ACCUSED BLUE:

If more than one accused has the same last name, identify or distinguish by first initial or full name. For example:

THE ACCUSED BLACK:

THE ACCUSED B. BLACK:

THE ACCUSED BRIAN BLACK:

K) AUDIO PLAYBACK

Recordings, both video and audio, played in court as exhibits or evidence are not transcribed, with the exception of playbacks, which shall be reflected in the transcript. When a court clerk is requested to play back testimony recorded on an approved sound recording device from that day's proceedings, use the following:

THE COURT CLERK: (By playback)

Q I'm going to give you a chance to come clean because this is very – you understand this is a very serious matter?

A Yes.

Q Isn't it true that Mr. Purple never touched you in the wrong ways like you've suggested?

A Yes.

Note: If the playback is from a date other than the current day's proceedings, it is not transcribed. Use the following, providing as much detail as is available:

(FTR PLAYBACK – April 1, 2016; 10:25:35 to 10:28:29 AM)

When a request is made to play back audio, live voices need to be reported/recorded or transcribed throughout the playback. For example:

THE COURT CLERK: (By playback)

Q I'm going to give you a chance to come clean because this is very – you understand this is a very serious matter?

A Yes.

MR. JONES: Can you turn up the volume?

THE COURT CLERK: (By playback)

Q Isn't it true that Mr. Purple never touched you in the wrong ways like you've suggested?

A Yes.

L) OTHER SPEAKER DESIGNATIONS

Adult criminal
 Multi-accused Adult Criminal
 Multi-accused adult criminal (same last name)
 Youth Court criminal
 Multi offender Youth Court criminal
 The Judge/Justice in all proceedings
 Justice of the Peace in Traffic Court
 Bankruptcy
 An interpreter

Jury trial
 Jury trial

THE ACCUSED:
 THE ACCUSED BLACK:
 THE ACCUSED B. BLACK:
 THE YOUNG PERSON:
 THE YOUNG PERSON PURPLE:
 THE COURT:
 THE COURT:
 THE REGISTRAR:
 THE INTERPRETER:
 THE COURT CLERK:
 THE WITNESS:
 THE JURY OFFICER:
 THE FOREPERSON:

M) HEADINGS

Headings must be placed throughout the body of the transcript to indicate where there is a change of witness, examination, and so forth. For example, headings may be designations indicating where a new witness is sworn or where a lawyer commences cross-examination. Headings are title case, bold and inserted at the left margin.

Opening Arraignment
 Election
 Re-election
 Plea
 Particulars
 Discussion
 Swearing in of the Jury
 Opening by the Court
 Opening by Mr. Black
 Admitted Statement of Facts
 Final submissions by Mr. White
 Address to the Jury by Mr. Green
 Charge to the Jury
 Submissions by Mr. Brown
 Questions by the Jury
 Response to the Jury Questions
 Verdict
 Directed Verdict
 Judgment Reserved
 Reasons for Judgment
 Finding of Guilt by Jury

Speaking to Sentence by Mr. Fuschia
 Sentence
 Submission by Mr. Black (Admissibility of Evidence)
 Submissions by Mr. Brown (Qualifications)
 Submissions by Mr. White (Rebuttal)
 Submissions by Mr. Green (Voir Dire)
 Submissions by Mr. Blue (Sentence)
 Ruling (Admissibility of Evidence)
 Ruling (Qualifications)
 Ruling (Voir Dire)
 Ruling (Other)
 In-camera
 Proceedings not recorded
 Ban on Publication

Note: This is not a complete list of headings. It will be periodically updated.

N) WITNESSES

The procedure for entry of witnesses in a transcript is treated the same in all judicial proceedings. The complete legal name of the witness is typed in upper case, bold at the left margin (rank, title, or qualifications are not included).

Followed by, in Title Case, bold:

Sworn
 Affirmed
 Unsworn
 Previously sworn
 Previously affirmed
 Sworn through Interpreter
 Resworn
 Reaffirmed

Followed by what stage of the procedure the witness is at and who is questioning him/her:

Examined by
 Cross-examined by
 Re-examined by
 Re-cross-examined by

For example:

PETER P. PURPLE, Sworn, Examined by Mr. Black:
ROBERT R. RED, Previously Sworn, Cross-examined by Mr. Green

However, if the procedural change is more significant whereby the testimony is interrupted by a procedure such as submissions, the heading “Submissions” would be inserted, and the heading indicating the resumption of the examination would be required as follows:

Mr. Red Examines the Witness
 Submissions by Mr. Black
 Mr. Red Examines the Witness

If a witness is one of the parties and is unrepresented and proceeds to give evidence uninterrupted by the court, then use the following heading:

PETER P. PURPLE, Sworn, Testifies

If the court prompts the witness with questions to assist the witness to give their evidence then use the following heading:

PETER P. PURPLE, Sworn, Questioned by the Court

Although the court is not questioning the witness, treat the court as Q and witness as A.

When there is a change of examiner, a new heading would be inserted. For example:

Mr. Rust Cross-examines the Witness
 The Accused cross-examines the Witness

After examination, cross-examination, or re-examination has been completed the court may question the witness. For example:

THE COURT: What is your application?

CST. COPPER: I am applying for an Emergency Protection Order, Sir.

The transcript should reflect the names given by the witness when sworn in.

At the conclusion of a witness’s evidence, make a notation (WITNESS STANDS DOWN)

O) CHILD WITNESS

A child witness may be questioned by the court or counsel to determine if they understand the meaning of an oath. Counsel may also question the child. Following all questions, the court gives a ruling. The following headings would be used:

MARY JANE PINK, Takes the Stand

The Court Questions the Witness (Oath)

Mr. Rust Questions the Witness (Oath)

Mr. Garden Questions the Witness (Oath)

Submissions by Mr. Sneed (Oath)

Ruling (Oath)

If the court rules that the child does understand the oath and the court asks for the witness to be sworn, treat the child witness as a regular witness. For example:

MARY JANE PINK, Sworn, Examined by Mr. Rust

If the court rules that the child does not understand the oath, treat the child witness as unsworn. For example:

MARY JANE PINK, Unsworn, Examined by Mr. Rust

P) INTERPRETERS

Interpreters may be used to interpret a witness's testimony or to aid a party. The interpreter is sworn, naming the language. For example:

JOHN DOE, Sworn to interpret from English to Spanish and from Spanish to English

If the witness is sworn through the interpreter, use the following:

JOHN DOE, Sworn through Interpreter, Examined by Mr. Jones, testifies through Interpreter

When a witness testifies through an interpreter, the interpreter's answer is inserted where the answer is usually transcribed.

If the witness/accused reverts to English, treat them as a speaker. For example:

When interpreter answering in English:

Q Were you drinking on August the 30th?

A Actually I'm sober from the alcohol almost one year.

When witness answering in English, not the interpreter:

Q Were you drinking on August the 30th?

A THE WITNESS: Actually I'm sober from the alcohol almost one year.

When both witness and interpreter answering in English:

Q Were you drinking on August the 30th?

A THE WITNESS: No, this --

A Actually I'm sober from the alcohol almost one year.

THE WITNESS:

THE ACCUSED:

THE YOUNG PERSON:

If an accused represents himself and examines/cross-examines a witness through the interpreter, use the following heading:

The Accused Cross-examines the Witness through Interpreter

If the interpreter answers, even in the third person, continue to use A. For example:

Q. Were you starting to feel pretty happy?

A. She said she was feeling good.

If the interpreter addresses the court, use the following speaker designation:

THE INTERPRETER:

Q) SPECIAL WITNESS IDENTIFIERS

(i) Qualification

Qualification is the procedure for qualifying a witness as an expert in a particular field. Counsel may question witness regarding his/her qualifications and then the court gives a ruling either accepting the witnesses as an expert or not. Each header during this procedure must be followed by (Qualifications). For example:

Mr. Black Examines the Witness (Qualifications)

The Accused Cross-examines the Witness (Qualifications)

Mr. Black Re-examines the Witness (Qualifications)

Submissions by Mr. Black (Qualifications)

Submissions by the Accused (Qualifications)

Ruling (Qualifications)

Once a ruling has been given with respect to qualifications, the next heading would be:

Mr. Green Examines the Witness

(ii) Voir Dire

A voir dire is a trial within a trial and is treated as a separate proceeding. A voir dire is usually made up of the following parts:

Witnesses

Submissions

(iii) Ruling

When a witness is called in a voir dire, they are sworn unless they were previously sworn in the trial proper. Each heading during the proceedings must be followed by (Voir Dire). For example:

JOHN DOE, Sworn, Examined by Mr. Smith (Voir Dire)

JOHN DOE, Previously Sworn, Examined by Ms. Smith (Voir Dire)

Mr. So-and-So Cross-examines the Witness (Voir Dire)

Submissions by Mr. Smith (Voir Dire)

Ruling (Voir Dire)

Once a ruling has been given, the next heading would be:

Mr. Smith Examines the Witness

(iv) Rebuttal

At the conclusion of the defence evidence, application may be made to call rebuttal evidence and upon the court granting permission, witnesses may be called. During these proceedings, each heading must be followed by (Rebuttal). For example:

Submissions by Mr. Jones (Rebuttal)

Submission by the Accused (Rebuttal)

JANE YOUNG, Sworn, Examined by Mr. Smith (Rebuttal)

The Accused Cross-examines the Witness (Rebuttal)

Mr. Smith Re-examines the Witness (Rebuttal)

R) SPECIAL HEADING IDENTIFIERS

The following headings were previously entered as notations. However as these headings must be captured in the Table of Contents they must now be identified as headings, title case, bold

(i) In Camera

When the public are excluded from the proceedings, or a portion thereof, insert the following heading:

In Camera – Public Excluded

If the public is readmitted to the proceedings, insert the following heading:

In Camera Proceedings Concluded – Public Re-admitted

(ii) Ban on Publication

If a ban on publication is granted, insert the appropriate heading. For example:

Ban on Publication

Ban on Publication – Evidence
Ban on Publication – Identify of Complainant

(iii) Proceedings not recorded

If audio has not been recorded, insert the following heading:

Portion of Proceedings Not Recorded

(iv) Read-in – witness not available

If the witness is unable to testify, and the court grants permission insert the following heading:

PETER P. PURPLE – Read-in

NOTE: If counsel are reading in, for example, an Agreed Statement of Fact, or a Victim Impact Statement, if the read-in is not contained in the file, contact TS office to obtain a copy so that the read-in may be entered precisely as read.

S) FINAL SUBMISSIONS

Final submissions are the verbal representations and exchanges between counsel/court made after all evidence has been given and the case has been closed for presentation of evidence.

These submissions assist the judge in making his/her decision. For example:

Final Submissions by Mr. Old

Final Submissions by Mr. Young

T) DECISION/JUDGMENT and/or CHARGE TO THE JURY

Decision is used for Provincial Court matters. Judgment is used for Court of Queen’s Bench matters.

Decision/judgment are the judge’s findings with respect to the matter. For example:

Reasons for Judgment

Ruling

Decision

When only the Reasons for Judgment or Rulings are ordered to be transcribed, they will be produced in the same manner than an excerpt would be produced.

Court of Queen’s Bench judges in Saskatchewan have the privilege of perusing and making corrections and/or amendments to judgments and/or Charges to the Jury prior to distribution. This rule does not apply to Provincial Court judges. Once the amendment/corrections have been made by the transcriber, the transcript may then be distributed to the requesting party(s).

Judgments/Charge to the Jury which are less than three (3) pages do not require perusal by the presiding judge/justice.

U) SPEAKING TO SENTENCE

Speaking to sentence is the verbal representations and exchanges regarding sentence between counsel/court made after a decision/judgment has been given. For example:

Speaking to Sentence by Mr. Old
Speaking to Sentence by Mr. Young

V) SENTENCE

The sentence is the judge's adjudication with respect to the matter. For example:

Sentence

W) EXHIBITS

Use the following steps when entering exhibits in any proceeding.

(i) Exhibits are left aligned to the page and single-spaced

(ii) The word EXHIBIT and associated number/letter is upper case, bold, followed by the description of the exhibit in title case, bold. The exhibit number must be followed by one space, one hyphen and one space before the description of the exhibit one space after. This strict spacing must be followed. For example:

EXHIBIT P-1 – Description of the exhibit

(iii) Exhibits for identification are treated as above except the words FOR IDENTIFICATION are to be typed immediately after the letter designation, upper case, bold. Insert “space hyphen space” before and after “for identification”. For example:

EXHIBIT D-2 – FOR IDENTIFICATION - Description of the exhibit

(iv) If an exhibit marked for identification becomes a full exhibit, insert the following heading:

EXHIBIT D-2 – Description of the exhibit (formerly EXHIBIT D-2 FOR IDENTIFICATION)

For certain types of exhibits a letter identifier is used before the number to identify its category. The letter identifier must be used even though it may not be referred to on the record. For example:

EXHIBIT P-1 – Description of the exhibit by the
Crown/Prosecution/Plaintiff

EXHIBIT D-1 – Description of the exhibit by the defence/respondent

(v) If an exhibit was not formally marked in the proceeding, the exhibit will be identified in the transcript. For example:

EXHIBIT P-3 – Description of the exhibit (not formally marked on the record)

(vi) If an exhibit was previously entered and the description is subsequently amended, the word (Amended) must be inserted prior to the revised description. For example:

EXHIBIT D-4 – (Amended) Revised description of the exhibit

(vii) An exhibit may be originally marked. For example:

EXHIBIT P-6 – Description of exhibit
 If later in the proceedings the exhibit is unmarked. For example:
 EXHIBIT P-6 – Description of exhibit unmarked and added to Exhibit P-1

X) VOIR DIRE

A *voir dire* is a trial within a trial and is treated as a separate proceeding. A *voir dire* is usually made up of the following parts:

Witnesses
 Submissions
 Ruling

When a witness is called in a *voir dire*, they are sworn unless they were previously sworn in the trial proper. Each heading during the proceedings must be followed by (*Voir Dire*). For example:

JANE SMITH, Sworn, Examined by Ms. Fisher (*Voir Dire*),

Or

JANE SMITH, Previously Sworn, Examined by Ms. Fisher (*Voir Dire*)
 Mr. Doe Cross-examines the Witness (*Voir Dire*)
 Submissions by Ms. Fisher (*Voir Dire*)
 Submission by Mr. Doe (*Voir Dire*)
 Ruling (*Voir Dire*)

Once a ruling has been given, the next heading would be:

Ms. Fisher Examines the Witness

Y) REBUTTAL

At the conclusion of the defence evidence, application may be made to call rebuttal evidence and upon the court granting permission, witnesses may be called. During these proceedings, each heading must be followed by (Rebuttal). For example:

Submission by Mr. Jones (Rebuttal)
 Submissions by the Accused (Rebuttal)

JOHN DOE, Sworn, Examined by Mr. Jones (Rebuttal)
 The Accused Cross-examines the Witness (Rebuttal)
 Mr. Jones Re-examines the Witness (Rebuttal)

Z) QUESTIONS AND ANSWERS

The first line after the swearing in of a witness starts with a Q at 0.25” from the left margin, if the questions start immediately.

The body of the question starts at the 0.5” tab
 If the question is more than one line, the second line continues at the 0.5” tab.
 The answer is treated in the same manner using the designation A.

Interruption of a speaker by another speaker is identified by the name. For example:

Q MR. BLACK: Okay. So you have seen all the material that's before us?

A That's correct.

Q Have you reviewed the material recently?

A Yes, just last night.

MR. BROWN: Can we have a break?

THE COURT: Surely.

(COURT ADJOURNED)

MR. BLACK: Before our break, I was asking you about the analysis, you took us through phases one and two. Did you apply those phases in this case in relation to the material you have before you?

A Yes, sir.

AA) AFTER ENTRY OF EXHIBITS

Upon returning to the questioner, after the exhibit is entered, the letter Q appears in the appropriate space with the speaker identified at the first tab. For example:

EXHIBIT P-1 – Certificate of Analysis

MR. BLACK: Before our break, I was asking you about the analysis, you took us through one, two and three.

BB) AFTER IDENTIFICATION OF ACCUSED

After identification of accused, it is not necessary to repeat the speaker's name with the next question. For example:

MR. BLACK: For the record, identifying the accused.

Q What did you do when you saw the accused driving?

A I immediately checked for the licence plate number.

CC) AT CLOSE OF EXAMINATION/CROSS-EXAMINATION

When counsel has completed their examination, identify counsel as speaker. For example:

MR. BLACK: Thank you, those are my questions.

THE COURT: Mr. Brown?

MR. BROWN: Just a few, Your Honour. Thank you.

DD) NON-VERBAL RESPONSES

When there is a non-verbal response (shaking of head, nodding, et cetera) indicate:
(NO AUDIBLE RESPONSE)

When audio cannot be transcribed (people speaking over each other, speakers not close to the microphone, mumbling, et cetera) indicate:
(INDISCERNIBLE)

NOTE: Typist must isolate each channel in an attempt to determine what is being said. The notation (INDISCERNIBLE) should only be used in rare circumstances.

When an unusual sound is made (clapping of hands, banging on the table, sound effects, mouth noises, et cetera), in the appropriate place, indicate:
(UNREPORTABLE SOUND)

When a language other than English is spoken, indicate:
(OTHER LANGUAGE SPOKEN)

EE) INTERRUPTIONS

All interruptions must be included as they may be crucial to an appeal. The transcript must be identical to what is on the audio as both may be available to the public.

FF) NOTATIONS

A notation must be made to reflect any occurrence that interrupts or affects the proceedings. This does not include exhibit entry or entry at the end of an individual speaking. Notations begin at the left margin, in brackets, upper case. Each notation is followed by a blank line. For example:

(ADJOURNMENT) When an adjournment is taken by the court.

(AUDIO/VIDEO PLAYED) For video or audio recorded evidence other than that recorded during the court proceeding. Only words spoken by those present in court need to be transcribed while the audio/video is played. Audio/video recordings played in court as exhibits or evidence are not transcribed.

(DISCUSSION OFF RECORD) Discussions between parties off the record with permission of the court.

All interruptions must be indicated as they may be crucial to an appeal. The transcript must be identical to what is on the audio as both may be available to the public.

| | |
|--|--|
| (JURY RETIRES) | Notation must be made when the jury leaves the courtroom |
| (JURY ENTERS) | Notation must be made when the jury re-enters |
| (JURY RETIRES – 5:15 P.M.) (JURY ENTERS – 10:13 P.M.) | After the Charge to the Jury, times must be included with the notation. |
| (JURY SWORN) | After jury selection where the jury is sworn in |
| (OTHER LANGUAGE SPOKEN) | When a foreign language is spoken |
| (OTHER MATTERS SPOKEN TO) | Break in proceedings, where other matters are referred to but the proceedings remain in session. |
| (PORTION OF PROCEEDINGS NOT RECORDED) | When a portion of the proceeding is not recorded for any number of reasons |
| (WITNESSES EXCLUDED) | An order for exclusion of witnesses |
| (WITNESS RE-TAKES THE STAND) | After a short break, if a witness returns to the stand without being re-sworn or asked to acknowledge they are still under oath. |

GG) TRANSCRIPT ENDINGS

The appropriate ending must be inserted between two solid horizontal lines, insert a line space before and after each horizontal line, upper case. For example, when proceedings continue on the same day after adjournment:

PROCEEDINGS ADJOURNED UNTIL 2:00 P.M.

When proceedings continue on a different day:

PROCEEDINGS ADJOURNED UNTIL 9:30 A.M. JUNE 28, 2016

When civil proceedings are adjourned to an unspecified date:

PROCEEDINGS ADJOURNED *SINE DIE*

When proceedings are concluded:

PROCEEDINGS CONCLUDED

When the portion of a day's proceedings are concluded. For example, one witness, submissions by counsel:

EXCERPT CONCLUDED

When only the reasons for judgment are transcribed:

JUDGMENT CONCLUDED

When proceedings are concluded:

PROCEEDINGS CONCLUDED

HH) CERTIFICATE OF CLERK AND AFFIDAVIT OF COURT TRANSCRIBER

The Certificate Under Section 30 of *The Evidence Act* (judicial officer/clerk's certificate) and Affidavit of Court Transcriber Under Section 31 of *The Evidence Act* are to be included with all transcripts. NOTE: If the Certificate of Clerk is not included with the transcript package, it cannot be included in the transcript.



Provincial Court of Saskatchewan

Certificate Under Section 30 of *The Evidence Act*, R.S.S. 2006

I, NAME , Clerk of the Provincial Court for the Province of Saskatchewan, HEREBY CERTIFY:

- That the digital recording stored on the Saskatchewan Justice Z: drive as file:
LOCATION Provincial Court, year/date -ex- 2014/20140101 , held in CIRCUIT POINT
Provincial Court , is the record of evidence taken before Judge JUDGE , Provincial Court
Judge, in and for the Province of Saskatchewan, and pertaining to:

The Queen vs. ACCUSED NAME
Held at: CITY , Saskatchewan
Date(s): DATE
Information No(s): NUMBER
Section(s): NUMBER

- That at the time the said recording was made, I was in charge of the sound recording equipment.

Dated this DATE day of MONTH , YEAR , at CITY , Saskatchewan.

Clerk of the Court

Certificate of Court Transcriber/Court Official

The certificate of court transcriber/court official will be produced at the end of the proceeding. The transcriptionist will have to provide a certificate under Section 31 of *The Evidence Act* with every transcript and is to be attached to the paper copy as well as to the scanned and electronically provided to Transcript Services. For example:

IN THE MATTER OF THE QUEEN v. _____

AFFIDAVIT OF COURT TRANSCRIBER UNDER
SECTION 31 OF *THE EVIDENCE ACT*

I, _____, Court Transcriber, HEREBY MAKE OATH AND SAY, that the foregoing typewritten pages being numbered T One (T1) to T (T), inclusive, contain a true and correct transcription of the recorded proceedings taken herein, to the best of my knowledge, skill and ability.

SWORN BEFORE ME, _____, }

Saskatchewan, this _____ day of _____ }

_____, 201_. _____ }

A COMMISSIONER FOR OATHS in and for the Province of Saskatchewan.

My commission expires:

_____.

II) EXPLANATION OF VARIOUS PROCEEDINGS**CASE MANAGEMENT CONFERENCE**

Pre-trial/case management conferences heard in court of Queen's Bench and Provincial Court to facilitate and expedite the trial process. Approval of the presiding judge is required prior to transcription.

CONFIRMATION HEARING

Inter jurisdictional hearing held to confirm an inter jurisdictional support order.

BANKRUPTCY HEARING

Heard in front of the Registrar of Bankruptcy in the Court of Queen's Bench.

SASKATCHEWAN REVIEW BOARD HEARING

When an accused is found not criminally responsible, he is entitled to a review of his assessment. A hearing is held by the Review Board to make a disposition.

DANGEROUS OFFENDER/LONGTERM OFFENDER HEARING

Heard in Provincial Court or Court of Queen's Bench to determine whether an individual should be kept in prison indefinitely.

FITNESS HEARING

Heard under the Mental Health Act in court to determine mental fitness of an individual.

JJ) SPECIAL PROCEEDINGS/HEARINGS**(1) Jury Trial**

A jury trial is handled exactly the same as all proceedings.

EXCEPTIONS:

When a jury is selected the proceedings must be reported but not transcribed, unless specifically requested.

When a jury is sworn the proceedings are to be recorded but not transcribed. The notation is to be:

(JURY SELECTED)

(JURY SWORN)

Should a member of the jury need to appear on the record during the proceedings, identify as:

A JUROR: do not give name, and then treat as any speaker, or:

JUROR NO. 2: do not give name

After the charge to the jury, the only difference from above is that the foreperson is described in the speaker section as:

THE FOREPERSON:

Upon the jury entering the courtroom the notation is to be:

(JURY ENTERS)

When the jury retires, the notation is to be:
(JURY RETIRES)

After the charge to the jury, when the jury retires and enters the courtroom, in addition to the notation, the time is to be noted:

(JURY RETIRES 2:30 PM)
and
(JURY ENTERS 10:00 AM)

Where the charge to the jury is transcribed, a draft copy is to be returned to Transcript Services in order that the presiding Court of Queen's Bench Justice is given opportunity to peruse the transcript and make any amendments/corrections to the transcript prior to distribution.

Any/all questions by the jury after the charge to the jury is given are to be included in the draft transcript for perusal of the presiding Justice of the Court of Queen's Bench.

Any/all amendments/corrections are then forwarded to the transcriptionist in order that the changes can be made to the prior to distribution.

Jury selection and swearing in of the jury are NOT to be transcribed unless and until requested on the work order by TS.

If an alternate juror must be selected after the jury has been sworn in, that is NOT to be transcribed, unless and until requested on the work order by TS.

KK) ENGLISH/GRAMMAR

1. VERBATIM

Court transcripts are to be produced verbatim (word-for-word). When a speaker, due to speech impediment/dialect is unable to pronounce certain words correctly, or use incorrect words, transcribe the word(s) as spoken. Care must be taken not to interpret for the witness. For example:

A I got my nails did that day.

2. OXFORD ENGLISH

Oxford English is preferable but any good dictionary may be used as long as spelling form is consistent throughout.

3. SPELLING

Consistency within the transcript is of ultimate importance. Please note the list below. This list is not exhaustive. In the event of discrepancy, refer to spelling as in the *Criminal Code*.

“ou” words – colour, neighbour, vapour, behaviour, honour

“re” words – theatre, centre, kilometre, millimetre

“ize” words – organize, realize, authorize, memorize

offence
 defence
 licence

4. Numbers

Numbers below 11 should be written as words. For example:
 She had three pair of shoes.

Numerals should be used in technical data (measurements, times, ages, speeds, ratios, percentages, dates, et cetera). For example:
 The car was driving at 85 kilometres per hour.
 Was it a 2 x 4 that was used?
 She will be 6 years old on her next birthday.
 I believe it was about 20 after 8.

A number which can be written in words should be used at the beginning of a sentence. For example:

Eighteen people were in attendance.
 1962 was the year I was born.

When an ordinal is spoken, it should be transcribed. It should not be formatted in superscript format. For example:

It was his 23rd birthday party.
 He was supposed to arrive on the 8th.

Commas should separate numbers in a date. For example:
 July 28, 2016, was the date of the offence.

Ages are expressed in numerals, except when they begin a sentence. For example:
 She was 3 years old.
 Eighteen is the age of majority in Canada.

A noun followed by a number should be expressed in the form of a numeral. The noun should not be capitalized. For example:
 The citation is found at page 95 in the binder.
 The break and enter charge is count 10 on the Information.
 The words referred to are found at line 37 of the transcript.

The only exception to the above is to capitalize Exhibit when followed by a number. For example:

That was entered as Exhibit D-9.
 That was previously entered as Exhibit number D-9.
 This was entered as Exhibit D-9 for Identification.

In a sequence of numbers, numerals should be used. For example:

You can see that at pages 4, 5, 6 and 7.

5. Time

Times of day should be written in numerals and transcribed exactly as they are spoken. :00 should replace the word o'clock. When a number begins a sentence, the number should be written out, unless it is very lengthy. The capitalization and punctuation of AM (ante meridiem) and PM (post meridiem) should be upper case with no periods. For example:

We will have lunch at 11:45 PM

Did you meet each other outside at 4:56?

Was your dentist appointment at 2 or 5?

Eight-thirty was her bedtime.

We will adjourn until 3:00.

Military time is transcribed using the 24-hour clock. For example:

Sixteen hundred hours would be transcribed as 1600 hours

Zero-six hundred or Osix hundred hours would be transcribed as 0600 hours.

6. Phonetic

It is sometimes necessary to type (phonetic). When you are unable to confirm spellings and a word or name must be phonetically spelled, the word (phonetic) should appear in brackets after the word the first time it is used. It is not necessary to include (phonetic) each time the word is used on subsequent pages. For example:

I think the man's name was Joseph Chmyrkovski (phonetic).

So Joseph Chmyrkovski was present at the scene.

7. Sic

When something is obviously said incorrectly, use (sic) notation in the appropriate place.

However, care must be taken in ensuring that it is actually incorrectly said.

Sic is a Latin word meaning "thus" or "so". It is to be placed in rounded brackets immediately after a word to indicate that an incorrect or unusual spelling, phrase or other preceding quoted material is a verbatim reproduction of the original quoted material and is not a transcription error. For example:

Q MS. BROWN: Before our break, I was asking you about the analysis, you took us through phases one, two and three. Did you apply those phrases in this case in relation to the material you have before you?

A Yes, sir (sic).

8. Capitalization

Capitalize the following:

(a) Titles such as Your Honour, My Lady, My Lord, Your Lordship, Sir, Madam Justice, Court, when addressing the judge.

(b) Titles of prominent persons when used in place of proper name. For example:

The Prime Minister of India will arrive shortly, Sir.

Thank you, My Lord, for hearing this matter.

- (c) Crown when referring to the prosecution as they are representatives of Her Majesty the Queen. For example:
 I am appearing on behalf of the Crown in this matter.
 My friend is appearing for the Crown.
- (d) Only capitalize clerk, plaintiff, respondent and accused when that word begins a sentence.
- (e) Names of Acts, Laws, Bills or Treaties which would also be italicized. For example:
 He was charged pursuant to both *The Traffic Safety Act* and the *Youth Criminal Justice Act*.
Treaty 5 is the relevant treaty in this instance.
- (f) The only documents to be capitalized are Information and Indictment. Do not capitalize when used in a general sense. For example:
 He also has the traffic ticket to speak to.
 The accused's name is spelled correctly on the Indictment and in the certificate of analysis.
- (g) Do not capitalize proper nouns when they have become established as common nouns. For example:
 kleenex
 xerox
 breathalyzer
- (h) Capitalize exhibit only when followed by a number. For example:
 That will be entered as Exhibit P-18, which I believe is the next exhibit number.
- (i) Court designations when used as a proper noun. For example:
 Supreme Court of Canada
 Court of Appeal for Saskatchewan
 The Provincial Court of Saskatchewan includes both criminal and civil courts.
- (j) Names of nations, nationalities, races, languages. For example:
 Vietnamese, Englishwoman, Americanism, Saskatchewanian, et cetera
- (k) Short forms of names of international and national bodies. For example:
 The Agency (referring to Canada Customs and Revenue Agency)
 The Department (referring to Justice Canada)
- (l) Names of religious books. For example:
 The Bible, the Torah, the Quran or Koran

9. Addresses

Use figures to express addresses. Never use # or No. to indicate suites. Use ordinals when said, but do not use subscript. For example:

Suite Number 10, 2234 – 15th Avenue North West, Saskatoon.

When referring to street addresses or to an area of the country. For example:

He will be going to Western Canada next week.

He lives at 787 Churchill Street South West.

When general directions are referred to, directions are not capped. For example:

The vehicle was northbound on Albert Street.
The avenues run east/west at that location.

10. Hyphens

Words which are actually spelled in the proceedings are typed in caps and hyphenated. For example:

My name is John Doe, D-O-E.

11. Letter standing alone

A letter standing alone, unless it is from a citation or a document, should be in caps with single quotation marks. For example:

The first 'A' on the diagram is the location of the knife.

The only exception is do not put single quotation marks around 'A' in the exhibit description heading.

12. Abbreviations

Abbreviations are used very sparingly in court transcripts. The following chart outlines commonly used terms and acceptable abbreviations. For example:

| | |
|-------------|------------------------------|
| Acceptable | Do not abbreviate |
| Dr. Smith | Constable |
| Mr. Jones | Corporal |
| Mrs. Brown | Sergeant |
| Ms. Jackson | Staff Sergeant |
| | Detective |
| | Street/Avenue (in addresses) |
| | Fort (in geographical name) |
| | South West (in addresses) |

LL) PUNCTUATION

Note: Court transcribers/court officials are to produce a verbatim transcript. Do not "clean up" entries such as contractions. The use of sounds "um" and "ah" should be transcribed with discretion. Further clarification may be obtained from the Transcript Services office.

1. Court transcribers/court officials punctuate in accordance with verbatim evidence, using correct punctuation.
2. Court transcribers/court officials must never use exclamation marks.
3. Court transcribers/court officials should err on the light side in punctuation so that individual biases are not shown.
4. A dash is a series of two (2) hyphens typed together with a space before and after. It signifies an interruption of speaker, a change of thought, or a false start. For example:
Was it west or east of the –
She went to – did you say something?
5. A hyphen does not have a space before or after. For example:

Does she have a full-time babysitter?

Is that on the four-count Indictment?

6. A dash used as a form of punctuation has a space before and after. A single dash may be used like a comma, but with a longer pause.

He drove the car – a Hyundai.

7. Ellipsis (a series of three periods) typed together with a space before and after indicates omitted words or an incomplete thought. Ellipsis is used when a speaker trails off a sentence and does not complete the thought. For example:

What did she do when ...

8. Commas

- a. Use commas to set off the year from the month and day when written in a sentence. For example:

The deadline for paying your income tax is April 30, 2016, which is a Friday.

- b. Use commas to set off the names of a city and province; country and city; city, country and province, or province and country. For example:

The trial was held in Watrous, Saskatchewan, Canada.

- c. Use a comma to separate the clauses of a compound sentence. A compound sentence contains two or more independent clauses connected by and, but or nor. For example:

We have considered painting the kitchen blue, but all that is available is yellow.

- d. Use commas to set off a direct address. A direct address is a specific referral to the person's name, title or other designation. For example:

Should I take the stand, Your Honour?

Sir, how old were you when you went to jail?

Madam clerk, please give the witness exhibit number 8.

- e. Commonly used titles that should be capitalized are:

Your Honour

My Lord

My Lady

Your Lordship

Your Ladyship

Your Worship

- f. Use commas to set off expressions that interrupt the flow of the sentence. These expressions may be afterthoughts or words inserted for special emphasis. For example:

He was, I thought, entitled to the promotion.

I would like to see something, you know, that shows me that.

She went to the show, if I recall correctly.

- g. Use commas to set off introductory phrases. For example:

In the meantime, the rain had finally subsided.

During the night, there was a terrible storm.

In other words, they may have thought this was over?

- h. Use commas to set off each part of a series (including the last object in the series. For example:

She bought milk, eggs, butter, and bread to the kitchen.

- i. Use a comma to set off the words please, yes, and no (in appropriate circumstances). For example:

State your name for the record, please.

No, I don't want go to school.

She did say that, yes.

- j. Use a comma as a separator when writing large numbers. For example:

The car was going to cost \$51,249.

Note: This is not written as \$51,249.00. the .00 is omitted in even dollar amounts.

- k. Money amounts may be transcribed using numerals. For example:

\$150 for one hundred and fifty dollars.

\$5 for five dollars.

If they say one hundred and fifty and don't use the word dollars, do not use the dollar sign, for example, 150.

MM) WORD USAGE

Preferred usage of words:

mhmm, m-hm, uh-huh, marihuana, okay, jail, yeah, all right

Commonly misused words

accept/except – although these two words sound alike (homophones), they have two completely different meanings. Accept mean to willingly receive something (to accept a present). Except means to exclude something (I'll take all of the books except the one with the blue cover)

allude/elude – the way you affect someone can have an effect on them. Affect is usually a verb and effect is a noun.

capital/capitol – capitol generally refers to an official building. Capital can mean the city which serves as a set of government or money or property owned by a company. Capital can also mean punishable by death.

complement/compliment – I often must compliment my wife on how her love for cooking perfectly complements my love for grocery shopping.

desert/dessert – a desert is a hot, dry patch of sand. Dessert is the sweet you eat at the end of your meal.

discreet/discrete – We can break people into two discrete (separate) groups, the discreet (secretive) and indiscreet.

emigrate/immigrate – If I leave this country to move to Europe, the leaving is emigrating, the arriving is immigrating.

elicit/illicit – Some people post illicit things on message boards to elicit outrageous reactions from others.

farther/further – Farther is used for physical distance, whereas further means to a greater degree.

flair/flare – A flair is a talent, while a flare is a burst (of anger, fire, et cetera).

its/it's – It's is a contraction for the phrase it is. Its is possessive. It's going to be a nice day so that dog will be able to leave its doghouse.

lie/lay – After you lay the books on the table, go lie down on the bed.

lose/loose – If your pants are too loose you may lose them.

moral/morale – Morals are something you want to teach your kids. If your team's morale is low, you need to do something to boost their confidence.

past/passed – Past is time gone by. Passed is to go beyond.

stationary/stationery – you are stationary when you aren't moving. Stationery is something you write on.

then/than – then is another word for after. Than is a comparative word.

there/their/they're – there are few things as frustrating as when I look at my student's writing and they're misusing these words in their writing.

to/too/two – Two is a number. to is used in instances such as, I am going to the store. If you are supposed to use the word too, try inserting the word extra or also.

your/you're – Your shows ownership and you're is a contraction meaning you are.

whose/who's – Whose is the possessive form of who. Who's is a contraction meaning who is.

NN) COMMONLY USED WORDS

Actus reus

ALERT (portable breathalyzer)

All right

Assault simpliciter

Autrefois acquit

Autrefois convict

Borkenstein breathalyzer

Carte blanche

Can-say statement

CJIMS (criminal justice information management system)

CPIC (Canadian police information centre)

Certificate of analysis (singular) analyses (plural)

Charter of Rights and Freedoms

Constitutional rights

Curriculum vitae (resumé)

DNA (deoxyribonucleic acid)

Habeus corpus (wrongful detention)

hearsay

inter alia

intoxilyzer

JIR (judicial interim release)

JIRP (judicial interim release program)

K.G.B. statement

Malfeasance

Mandamus

Marihuana

Mens rea

Okay

Onus

Per se

Preliminary inquiry

PDR (predisposition report)

PSR (presentence report)

Peremptory

RCMP (Royal Canadian Mounted Police)

Res judicata

Res gestae

Ultra vires

Vis-à-vis

Voir dire

Viva voce evidence

Will-say statement

Yeah

OO) QUOTATIONS

All references to citations must be italicized in the transcript. Effort must be made to research the speaker's quoted material. Care must be taken to ensure that the quoted material is formatted correctly.

Where reference material is available, if the court transcriber/court official has access to the reference material that the speaker is quoting from, such as case citations, acts, statutes, regulations, quoting from transcripts, use the following:

1. When the quotation is a few words, less than a line of text, place double quotation marks at the beginning and at the end of the quotation. This quotation should be kept within the paragraph.
2. When the quotation is longer than a line of text, indent 1" from the left and right margins, leaving one blank line before and after the quotation. Block indenting alleviates the necessity for quotation marks.
3. When there is a quotation within a quotation, indent 1.25" from the left and right margins, leaving one blank line before and after the quotation.
4. When there is a second quotation within the quotation, indent .150" from the left and right margins, leaving one blank line before and after the quotation.

Where reference material is not available by the court transcriber/court official to compare against the quotation, use one of the following methods:

1. When the quotation is a few words, less than a line of text, do not bother to indent or use quotation marks at the beginning and at the end of a quotation, but capitalize the first letter of the quoted material preceded by a comma. For example:
 She said something like, Get out of here now.
 He said Get me out of here now, I think.
2. When the quotation is longer than a line of text, indent 1" from the left and right margins, leaving one blank line before and after the quotation. Before the quotation commences, place the notation (as read). For example:

I wish to read you the following excerpt which I found in a very old textbook which might be helpful: (as read)

Winston Churchill was a brilliant orator, and courageous war leader. As Prime Minister, he led Britain alone against Germany and Italy, mobilizing national spirit of resistance.

3. Playbacks

When court clerks are required to play back material in court from the current day's proceedings, that material becomes quoted material in a transcript. The following notation should be used:

THE COURT CLERK: (By playback).

4. When question and answer material from another transcript is quoted in court, the format will generally be to use the notation (as read) and to indent the material. If a series of questions and answers are being quoted, each question should be preceded by a blank line. A blank line is inserted above and below the entire quotation. For example:

Q MR. BROWN: Do you remember the following questions being asked and the following answers being given: (as read)

Q What is your name?

A Mona Lisa.

Q Do you remember being at home the night of the incident?

A Yes, I was there.

Q Were you home alone?

A Yes, I think so.

PP) REFERENCES TO ACTS, STATUTES AND CITATIONS

All references to Acts, Statutes and citations must be italicized. See section entitled Citation Guide for the Courts of Saskatchewan found at sasklawcourts.ca website, under the Resources tab.

www.qp.sk.ca (Queen's Printer website) for citation research

www.canlii.com (Canadian Legal Information Institute) is a website for citation research

QQ) COMMONLY CITED CRIMINAL CASES

R. v. Askov (delay of case)

R. v. B. (K.G.) (statements under oath) – referred to a K.G.B. statement

R. v. Bernardo (famous Ontario trial)

R. v. Brydges (impaired driving)

R. v. Collins (Charter breaches)

R. v. Corbett (exclude criminal record)

R. v. Darville (application for adjournment)

R. v. Ewanchuk (famous Alberta sexual assault case)

R. v. Garofoli (Charter breaches)

R. v. Gladue (aboriginal considerations)

R. v. Homolka (famous Ontario plea bargain)

R. v. Ipeelee (aboriginal considerations)

R. v. Keegstra (famous Alberta trial – Red Deer)

R. v. Khan (capacity to testify)

R. v. Kienapple (duplication of charges)

R. v. Laberge (manslaughter cases)
R. v. Lifchus (charge to the jury)
R. v. Mellenthin (Charter breaches)
R. v. Mills (application for documents)
R. v. O'Connor (production of records)
R. v. Oickle (voluntariness of statements)
R. v. Proulx (conditional sentences)
R. v. Starr (standard of proof in cases)
R. v. Stillman (Charter breaches)
R. v. Therens (Charter breaches)
R. v. Vetrovec (unsavory witness statements)
R. v. W. (D.) (charge to the jury)
U.S.A. v. Sheppard (preliminary inquiries)
Browne v. Dunn (contradictory evidence)
Milgaard Application (application to cross-examine own witnesses)

This manual may be updated at intervals, without notification.