

INSTRUCTIONS FOR FORM AO 40B (Rev. 7/91)

GENERAL

Coverage. All official staff, additional, temporary, and combined position court reporters with the exception of those serving on a contractual basis or intermittently on a "when-actually-employed" basis must complete a form AO 40B manually even if employment for the year were only partial.

Separation of Reporter. In the event a reporter retires, resigns, or is otherwise separated, a form AO 40B must be filed within 60 days from the date of separation.

Due Date. This form should be submitted so that it is received by April 15 of each year.

Mailing. This form should be mailed to:

Court Reporting and Interpreting Branch
Court Administration Division (CAD)
Administrative Office of the United States Courts
Washington, D.C. 20544

Note: Do not write in shaded areas.

SPECIFIC

The number of each of the following explanations corresponds to the numbered lines on the form. Lines 6-20 are divided into three columns: Official Transcripts, Private Reporting, and Total. Receipts and expenses must be properly allocated and reported in the respective categories. The "Official Transcripts" column should include receipts and expenses incident to the production and sale of transcripts of official court proceedings ordered by private parties, persons proceeding "in forma pauperis" or under the Criminal Justice Act (18 USC 3006A), and agencies of the United States; whereas "Private Reporting" a Income and expenses involve out-of-court activities. Fees for transcripts of grand jury proceedings and fees for taking depositions are considered income from private reporting.

Identifying Information:

1-5 These items should always be completed.

Gross Income:

6. Enter receipts from the sale of transcripts, including any fees received for transcripts produced by reporters employed by you.
7. Enter receipts for attendance fees you received.
8. Enter the total amount you received in salary, dividends, trust funds, and all other income from private reporting activities.
9. Add lines 6 through 8 and enter amounts.

Expenses:

Expenses may be allocated between private and official work either on an actual expense basis or by application of the ratio (percentage) of receipts from official and private reporting, with the exception of items 7, 8, 12a, and 13a which are chargeable only to private reporting, and items 10a and 10b which are chargeable only to official transcripts.

For Example, if a reporter's total receipts were \$5,000 (\$3,000 official and \$2,000 private) the percentage would be computed as follows:

$$\begin{aligned} \text{Official: } & \$3,000 / \$5,000 = 60\% \\ \text{Private: } & \$2,000 / \$5,000 = 40\% \end{aligned}$$

10. a. Enter the total compensation you paid to substitute reporters employed by you due to your absence.
b. Enter the total compensation you paid to substitute reporters employed by you to assist in daily and hourly transcript production.
c. Enter the total compensation you paid to note readers.
d. Enter the total compensation you paid to transcribers.
e. Enter the total compensation you paid to typists.
f. Enter the total compensation you paid to scopists.
g. Enter the total compensation you paid to other clerical personnel.
11. Enter your contributions under the Federal Insurance Contributions Act (Social Security), Workers Compensation, and any other employer taxes or assessments relating to the employment of substitute reporters or other personnel. Do not include amounts withheld from their wages.

12. a. Enter the travel expenses incurred by you incident to private reporting work. Expenses incurred for official travel in excess of the amounts reimbursed by the Government are not allowable. The cost of commuting between your home and your headquarters office is not allowable.
- b. Enter the amount paid to substitute reporters or other personnel for travel incident to official and/or private reporting.
13. a. Enter the amount paid for the rental of office space and utilities for private reporting.
- b. Enter the amount paid for the rental of copy or duplicating equipment.
- c. Enter the amount paid for the rental of Computer Assisted Transcript (CAT) equipment.
- d. Enter the amount paid for the rental of other off ice equipment, specifying the type of equipment.
14. Enter the amount paid for equipment repairs, maintenance agreements, and maintenance contracts.
15. a. Enter the amount paid for postage.
- b. Enter the amount paid for telephone services.
- c. Enter the amount paid for other communication expenses, specifying the type.
16. Enter the amount paid for supplies and materials incident to taking the record, preparing transcripts, and maintaining an office.
17. Enter any other expenses incurred by you in connection with your official and private reporting work not otherwise classified. Itemize on the back all other expenses claimed.
18. Enter the allowable amount for this year's depreciation of furniture and equipment. When furniture, typewriters, or other equipment are purchased for use in connection with your court reporting activities (official or private), you may deduct each year a reasonable allowance for depreciation. This enables you to recover the cost (or other basis) over the estimated useful life of such furniture or equipment. It is recommended that depreciation be taken based on the "straight-line" method. The cost or other basis (less estimated salvage value, if any) would be written off equally over the useful life of the equipment. For example, a typewriter that costs \$600 having a useful life of five years, would be depreciated at the rate of 20 percent, or \$120 per year. Other methods of computing depreciation (sum of the digits, declining balance, etc.) may be used if they are used for tax purposes.
19. Enter the total of lines 10 through 18.
20. Enter your net income (or loss) from private and official reporting, that is, gross income on line 9 minus expenses on line 19.
21. Certification by Court Reporter: Sign this form certifying under penalty of perjury pursuant to 28 U.S.C. §1746 that the information reported is true and correct.
22. Enter the date the form is signed.
23. Review by Court Official: Sign this form to indicate that you have reviewed this report.
24. Enter the date this form is signed.

AO 40B (Rev. 7/91)		STATEMENT OF EARNINGS OF UNITED STATES COURT REPORTERS		1. NAME OF REPORTER	
2. SOCIAL SECURITY NUMBER		3. DISTRICT		4. OFFICIAL DUTY STATION	
				5. CALENDAR YEAR	
		OFFICIAL TRANSCRIPTS	PRIVATE REPORTING	TOTAL	
GROSS INCOME	6. Receipts for transcripts	\$	\$	\$	
	7. Attendance fees				
	8. Salary, dividends, trust funds, and all other income from private reporting activities				
	9. TOTAL GROSS INCOME (Add lines 6 thru 8)				
EXPENSES	10. Compensation paid to:				
	a. Substitute reporters due to absence				
	b. Substitute reporters to assist with daily and hourly transcript				
	c. Note readers				
	d. Transcribers				
	e. Typists				
	f. Scopists				
	g. Other clerical personnel				
	11. Employer's contributions (FICA, etc.)				
	12. a. Travel incident to private reporting activities				
	b. Travel by substitute reporters and other personnel				
	13. a. Rent for office space (Including utilities)				
	b. Rent for copy equipment				
	c. Rent for CAT equipment				
	d. Other rent (Specify)				
	14. Equipment repairs and maintenance				
	15. a. Postage expense				
	b. Telephone expense				
	c. Other communication expense (Specify)				
16. Supplies and materials					
17. Other expenses (Itemize on back all other expenses claimed)					
18. Depreciation of equipment (Complete schedule on back)					
19. TOTAL EXPENSES (Add lines 10 thru 18)					
NET INCOME (or loss)	20. Line 9 minus Line 19				
CERTIFICATION BY COURT REPORTER: By signing this form, I certify under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.				21. SIGNATURE	
				22. DATE	
REVIEW BY COURT OFFICIAL. Individual reviewing this form should sign in the space provided.				23. SIGNATURE	
				24. DATE	

