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Opinion

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**RQ-558**

May 19, 1993

COU

RQ-00558-DM

FILE # MC-20505-93

I.D.# 20505

Ms. Madeleine B. Johnson  
Chair, Opinions Committee  
Office of the Attorney General  
Post Office Box 12548  
Austin, Texas 78711-2548

Reference: When does a deposition become a public record in  
Texas?

Dear Ms. Johnson:

The Court Reporters Certification Board hereby submits its opinion request on the above-captioned issue. Enclosed please find correspondence dated February 24, 1993, which was forwarded to a court reporter member of the Board. The company sending the letter is soliciting the participation of hundreds of court reporting firms in an attempt to compile a database of transcripts as a resource to the legal community.

As background information, prior to 1988, the court reporter would seal a deposition in an envelope endorsed with the title of the action and file it with the court in which the action was pending or send it by certified mail to the clerk for filing. In accordance with Rule 206 of the Rules of Civil Procedure as amended by order of July 15, 1987, effective January 1, 1988, the court reporter attaches as part of the deposition transcript a certificate. The certificate is filed with the court in which the cause is pending and the deposition transcript and exhibits are filed with the attorney or party who asks the first question in the deposition.

We respectfully ask for an opinion on when a deposition becomes a public record. Thank you for your consideration.

Sincerely

Merrill L. Hartman  
Chairman, Court Reporters