



Workers' Compensation Appeals Board – Court Reporters And Depositions

May 22, 2012

A court reporter student called me this week asking why at workers' comp depositions it is an automatic original and two copies and why does the defense have to pay for the O&2. The attorney at the deposition challenged the court reporter why he was responsible for the cost of the copy of the defendants' deposition transcript.

California WCAB Rule 40.15.16:

Where the employer or its insurance carrier requests a deposition to be taken of an injured employee, or any person claiming benefits as a dependent of an injured employee, the deponent is entitled to receive, in addition to all other benefits:

1. All reasonable expenses of transportation, meals and lodging incident to such deposition.
2. Reimbursement for any loss of wages incurred during attendance at such deposition.
3. **A free copy of the transcript of the deposition.**
4. A reasonable allowance for attorney's fees for the deponent, if represented by an attorney...



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