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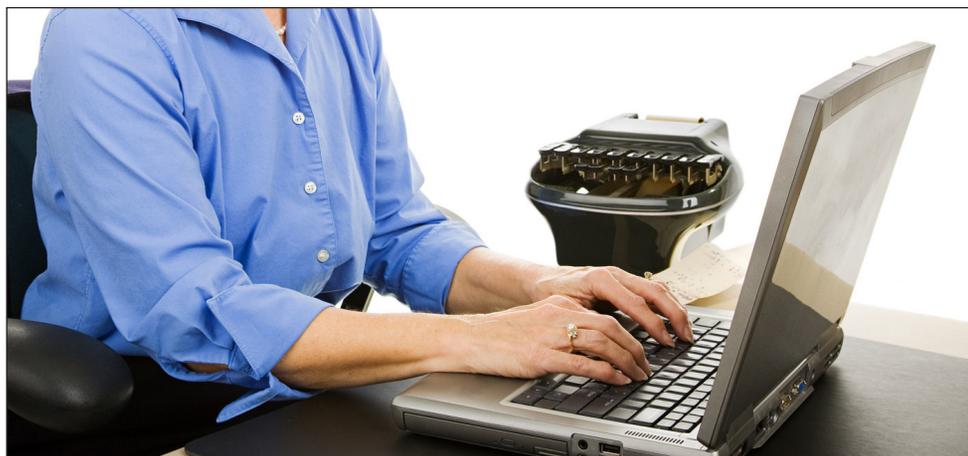
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## NEWS FROM THE BAR

### PARALEGAL CORNER

## The Court Reporter's Dilemma: Interrupt or Drop



By Ana Fatima Costa

No one likes to be interrupted, least of all the litigator who is hot on the trail of a crucial answer from a witness. Words are flying like bullets. Suddenly, a voice asks him to repeat the question. He glances at the person sitting nearby, fingers hovering over her machine, waiting. She interrupts several times over the course of the day. He grows increasingly frustrated.

The following mock Q&A addresses what court reporters confront every day.

Q. My court reporter is great, but when she was on vacation, her replacement kept interrupting while I was questioning a key witness. I had my secretary advise the reporting firm not to send him back.

A. Court reporters are required by law to be impartial. There is no such thing as “your” reporter. The reporter you prefer may have more experience or the ability to write faster. That doesn't mean other reporters are incompetent.

Q. Well, aren't reporters supposed to be seen and not heard?

A. It sounds like you have an expectation that reporters shouldn't interrupt when participants speak at the same time, too fast, or mumble. Imagine adding heavy accents or terms such as Lymphangiomyomatosis to the mix.

No reporter wants to break the flow and momentarily stop the proceedings, especially during an intense volley of questions and answers and/or colloquy. Yet as officers of the court and guardians of the record, they have a legal and ethical duty to prepare a full, impartial and verbatim transcript

of the proceedings.

Less assertive reporters feel intimidated about speaking up. Isn't it better that they interrupt rather than drop words and produce an inaccurate transcript peppered with “inaudible” parentheticals?

Q. When you put it like that, of course! What kind of training do they get, anyway?

A. Reporters invest an average of five years in school to develop the high level of skill required to pass the stringent California CSR licensing exam. Courses include English; legal and medical terminology; professional practices; CCCP and B&P codes; and thousands of hours of hands-on machine training. Afterward, they take continuing education courses to keep abreast of new laws, services and technology.

Q. I had no idea. Is there anything else I should know?

A. Yes. These three steps will minimize interruptions:

1. Send the following to the reporter at least 24 hours in advance: The Notice of Deposition and service list, a case-specific terminology list, and a previous transcript. These are especially important when reporters provide realtime.

2. Take a breath before speaking. Speak clearly and ask everyone to do the same. By the way, if reporters can't hear or understand you, neither will a judge or jury.

3. Slow down when reading on the record, especially numbers, acronyms and unusual names or terms. Give the reporter a copy of the quoted material.

Reporters work hard to make a verbatim record and satisfy clients, and even the most experienced realtime reporters need to interrupt under certain circumstances. Frustration is temporary, but transcripts are permanent. Viewing interruptions as confirmation that reporters are doing their job will result in a win-win experience where everyone's needs are met – including your clients'.

*Ana Fatima Costa is Secretary of the Executive Committee of BASF's Paralegal Section. She utilizes the experience gained in her 35-year career in the court reporting field to coordinate practical skills experiences at mock depositions and mock trials for court reporting students and reporters, in collaboration with law students and attorneys. Contact her at [www.anafatimacosta.com](http://www.anafatimacosta.com).*