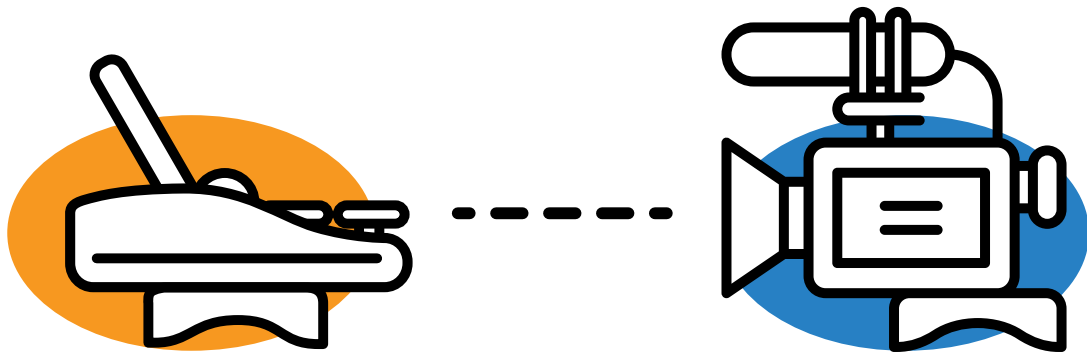


COMMUNICATION MATTERS

Court reporters and legal videographers work together



“Good communication is the bridge between confusion and clarity.”

— Nat Turner

It is sometimes easy to forget about the importance of teamwork — especially in today’s ever-changing technology-driven environment. Remote proceedings due to the pandemic have introduced complexity to the roles of the court reporter and videographer, which has made communication between the two roles of paramount importance. The roles of the court reporter and videographer are intertwined, and there’s significant synergy and teamwork between the court reporter and the videographer from start to finish!

“Communication between the reporter and videographer prior to any proceeding can ensure that the participants have a seamless experience,” says Andrea Kreutz, CLVS, a firm owner based in Des Moines, Iowa, and a member of the NCRA Technology Committee. “The participants might assume you’ve been working together for years when, in actuality, you just met.”

As both legal videographers and court report-

ers work to advise legal professionals through remote work while getting back to in-person work, the NCRA Technology Committee decided to share some tips and advice on how they can best work together.

Sandra Mierop, FAPR, RPR, CRR, CRC, a firm owner and court reporter working in Anchorage, Alaska, who serves on the NCRA Technology Committee, shared that her favorite videographer, who she works with often, “keeps a running list of odd words and names that come up in each deposition that we work together on so that I can get those spellings before everybody leaves the room. He’s very Type A with his gear, always has the latest and greatest, and tests to make sure everything is continuing to work properly before going back on the record after breaks. He’s always kind to the witnesses as he shares the dos and don’ts about video deps, such as ‘Don’t run off without disconnecting the lapel microphone!’ He reminds the

attorneys before each deposition that they should be aware that his microphones will pick up private conversations, so be sure to go off the record if they want to chat with their clients.”

Mutual appreciation for skills is a great way to keep the lines of communication open, and Justin Donnelly, CLVS, a legal videographer in Reston, Va., and another member of the Technology Committee, expressed his own appreciation of court reporters: “I love working with amazing court reporters who are willing to communicate their needs and work together to create excellent work product. When this happens, the attorney-client not only has a very clear, distinct transcript, but also a high-quality video documenting the entire proceeding. As a freelance videographer for legal depositions, I am there to document the deposition and to also help the court reporter in any technical capacity, working together to achieve the highest quality work product.”

It’s important to remember that the two roles complement each other when done well.

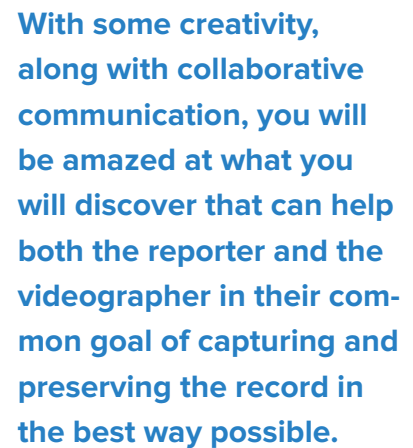
“When working as a freelance deposition reporter, you will often be the only person in the proceeding whose focus is on what goes onto the record for the final transcript. It can be refreshing to have a partner in the proceeding who can support what we’re doing,” says Mike Hensley, RDR, a freelancer based in Dublin, Calif., and member of the Technology Committee. “It is vital to remember that the two of you together are working in concert towards the same goal of capturing testimony for the record in order to preserve information given under oath. Additionally, it is important to remember that both the videographer and the reporter are to conduct themselves in a manner that demonstrates impartiality.

“I can tell you that I thoroughly enjoy working with videographers, especially for their knowledge of technology in ways that I am not aware

of personally,” Hensley continues. “If you have the time and opportunity, ask the videographer you’re working with if they have any suggestions or recommendations for items you can use to help in your daily work. When speaking with a videographer, use clear language that conveys what your needs are and what is your desired outcome. It is unclear when something is described as a ‘thingy’ or a ‘doodad.’ However, if you share that you’re looking for something to improve the quality of your audio recordings, then they can share with you their knowledge about patch cords or microphones. Feel free to be creative as well!

Just because a device or accessory is labeled for one purpose, or even a particular industry, that doesn’t mean you are prevented from adapting it to your own needs. A videographer I worked with in the past explained to me that he uses a stand that is listed as an accessory for DJs. It absolutely works for videographers, and it can even work for you as a court reporter. With some creativity, along with collaborative communication, you will be amazed at what you will discover that can help both the reporter and the videographer in their common goal of capturing and preserving the record in the best way possible.”

Kreutz reminds us: “As with any good partnership, communication is key. Knowing who is responsible will keep you from stepping on each other’s toes and make sure that the deposition keeps running smoothly.”



With some creativity, along with collaborative communication, you will be amazed at what you will discover that can help both the reporter and the videographer in their common goal of capturing and preserving the record in the best way possible.

This article was created by the NCRA Technology Committee. Thanks to all the members of that committee and especially the following members who contributed to this article:

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COMMUNICATION MATTERS

Advice for videographers

As a legal videographer, you should never assume that the current proceeding will go exactly like your last job assignment. However, you can make your job easier by making sure to communicate with the court reporter. Here are a few tips:

- Audio is your number-one priority for all video depositions. Without exceptional audio, your work product is almost null and void. Always carry three pairs of studio quality headphones in your kit and provide one to the deposition reporter who will then receive audio identical to what you are monitoring.
- Perform audio test levels to ensure that both parties have comparable audio levels. Adjustments can be made to fit unique audio situations.
- Discuss the read-on. Would the reporter prefer that the videographer incorporate the reporter's read-on information into the video read-on? Would the reporter prefer the videographer announce that the reporter will have a short read-on as well prior to questioning?
- The reporter is responsible for the exhibits. Period. The reporter is busy writing testimony and should not be asked to handle screen-sharing. Only help if or when asked. Do not overstep your role.
- Discuss how to obtain orders. Does the reporter prefer the orders are on the video and steno record? If not on the video, ask the participants to please stay connected to obtain orders in your read-off.
- You can make yourself essential by having extra equipment for unusual situations, such as longer than normal headphone extension cables for room setups where the deposition reporter is sitting far away from the videographer's mixing board. Some of the extras I keep handy are patch cords to connect audio for unusually configured computers, batteries, and an extra Bluetooth mouse.
- Be mindful of the reporter's time and schedule. They may be in a proceeding when you reach out to them, or they may be working on 900+ pages. They might not have time to make small talk.
- As a professional courtesy, always ask and be prepared to assist the deposition reporter with any computer issues they may have. Have a working knowledge of both Windows and Mac operating systems to help troubleshoot any scenario.
- Discuss when the videographer should interject and when the court reporter might speak up. In general, the legal videographer should interrupt for technological issues.
- Pay attention to the reporter to ensure they don't get disconnected during a remote proceeding. If the reporter gets disconnected, interrupt immediately.

And remember that little extra can go a long way. If you want to make a good impression, during breaks when you're in person, offer to get your deposition reporter coffee, water, or a snack.

If you're an official court reporter ... By Debbie Kriegshauser

Before it's time for the videographer to play his/her recorded depositions during the trial of the case, you, as the official court reporter, may want to take a moment to introduce yourself. Having an open relationship with visiting legal videographers and/or trial presenters who come to your court can be very beneficial.

First off, the videographer/trial presenter may be unfamiliar with your courtroom technology. As an official reporter, you might be of great assistance, but if you cannot answer their questions on connecting their playback systems to the courtroom monitors, you know the right persons to contact, be it the courthouse IT department or whomever on your staff is most appropriate.

Also, the trial presenters are usually a great resource to have on your side as far as obtaining all the trial exhibits on a flash

COMMUNICATION MATTERS

Advice for reporters

As a court reporter, you should never assume that the current proceeding will go exactly like your last job assignment. However, when you are working with legal videographers, you can make your job easier by making sure to communicate with them at the start of the job. Here are a few tips to live by in the field:

- If you haven't heard from the videographer prior to the remote proceeding, contact the person assigned to the proceeding or log on early to discuss how you prefer things to flow. Arrive (or log in) as early as possible in order to get everything configured well for the proceeding. If reasonable, 30 minutes ahead of scheduled start time is usually adequate.
- For in-person proceedings, have a bag or kit ready with peripherals you need for video jobs. If you're not able to bring this kit with you to all jobs, keep it in a visible location so it is easy for you to grab and go.
- Once you find a good quality accessory, such as a patch cord, purchase more than one (if it is a reasonable cost) so that you can keep them in multiple locations or so that you always have a backup ready.
- Interject if you, as a reporter, are having technical difficulties, could use help with exhibits, or would really like them to speak one at a time.
- Let videographers know your preferences respectfully. If you have a few minutes, type

up your preferences. You can email the list to each videographer and not have to keep repeating yourself.

- Take advantage of everything available to you as the reporter that helps make your job easier and more efficient. At in-person jobs, be ready with a good quality pair of headphones that you can connect into the audio feed so you can listen to what the videographer is hearing through all microphones. As teammates, videographers want to help you. They want you to enjoy working with them and recommend them for future work. If you do not have an enjoyable experience, please contact them after the proceeding to provide feedback.
- Make sure that you have a way to quickly and efficiently get in touch with your videographer. Do you have their phone number so you can call or text in case the internet goes down during a remote proceeding?
- Listen to what needs are expressed by the videographer so that you can assist them in doing their job just like they assist us in doing ours. When you go off the record for an in-person job, remind all participants to remove their lapel mics before leaving the table. If you're in a remote setting, remind all parties to mute their microphones to keep their conversations off the record.

drive for your use when preparing the trial transcript -- much handier than carting around a huge binder of exhibits and sometimes many binders of exhibits.

Another advantage of developing a good relationship with a legal videographer or trial presenter is obtaining the deposition material to be played back in open court to the jury and/or judge. When we have playbacks in federal court, my experience has been to list the witness' name and then we list all their testimony in the transcript by page and line number designations so should the case be appealed, the appeals court knows what portions of the testimony to review in the certified transcripts prepared by the deposition reporters. Generally, the videographers have that information handy, especially if the law firm paralegals are not around.

A general rule of thumb is always to work in concert with one another and be there to cover each other's back. It can sure make life a whole lot easier!

Debbie Kriegshauser, FAPR, RMR, CRR, CRC, CLVS, is an official court reporter based in Dallas, Texas. She also holds NCRA's Realtime Systems Administrator certificate. She can be reached at deborah0841@att.net.