

# CHOOSING A COURT REPORTER BY TRANSCRIPTION METHOD

by Lisa Migliore Black

When considering the transcription of your next important case, examine the differences, pitfalls, and benefits among the methods of reporting. Stenographic court reporters are the most technologically advanced individuals in courtrooms and deposition suites across the country. While the sales pitch offered by digital recording and transcription companies tout their method as the “evolution” of court reporting, the fact is that transcripts from recordings can be riddled with inaudible statements and speakers can be incorrectly identified. Recordings can be easily lost or misplaced, the equipment can fail, or the operators may forget to turn the recording device on, which could result in entire proceedings not being recorded.

Today’s stenographic reporters are digital in every aspect – they capture the instant voice-to-text record on several redundant hard drives, they ensure the record is kept in a secure cloud server, and they make sure there is a backup audio record. Digital reporting, or more accurately, digital *recording*, is merely transcription after the fact, and audio recording is hardly new or high-tech. When a transcript is needed, a single stenographic court reporter can immediately provide the same product that it would take four or five digital transcriptionists to produce using a standard QWERTY keyboard. Stenographic reporters are able to produce a transcript with much greater efficiency.

## The Unreliability of Recordings

Attorneys practicing in Jefferson County, Ky., courts painfully remember when, in 2010, the digital audio recording equipment caused hundreds of hearings to be lost because the system failed to record any sound. Headlines across the nation speak to the countless failures of these systems. Fortunately, courtrooms in New Mexico, New Jersey, and Texas are back to implementing stenographic reporting because of past failures in expensive audio recording systems. However, experienced litigators everywhere should be wary of the pitfalls associated with this emerging alternative entering their deposition suites.

## Experience Matters: Hire a Certified Court Reporter

Stenographic reporters are required to attend a two- to four-year academic program that specializes in capturing live proceedings, memorializing proceedings accurately in writing, and implementing proper procedure and professional ethics. Many states require court reporters to be certified either by a state or national test, and some court reporters even undergo rigorous but voluntary testing to show their proficiency in the field. The only requirement for digital recorders is a few hours of training and becoming a notary public.

## Instant Access to the Written Record

Realtime technology is the equivalent to closed captioning, except in the legal environment. The proceedings can be streamed to a mobile device allowing experts, legal support staff, and co-counsel to participate remotely. Stenographic reporters and voice writers can provide this service; digital recorders/transcriptionists cannot. While the premium services of realtime and immediate rough drafts may come at a higher price, the same quality and skill go into a transcript that is not provided on an expedited basis at market competitive prices. Consumers do not pay a higher fee if they are not using a realtime feed, yet the same reporter with this impressive skillset will be assigned to cover your other cases, short or long in duration, wherever needed.

The accuracy of the transcript matter to you and to your clients. If digital reporting is used and a recording failure occurs, the testimony may be changed, as the original testimony would be unavailable. Stenographic reporters assure that the record is verifiable as it is being said, not after trial. Accuracy, efficiency, and quality are the most important things to consider when deciding whether to choose a court reporter for your deposition work – not the empty promise of saving a few cents per page. By using poorly trained individuals who rely on nothing more than audio devices, it is not a matter of if, but of when there will be a problem with the transcript.



**Make the intelligent  
choice and *always*  
use a **certified court  
reporter** for your  
record.**

**National Court Reporters Association**

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