



## National Court Reporters Association Update

### Who the National Court Reporters Association Represents

NCRA is the association for stenographic court reporters and captioners. Members include court reporters, captioners, and certified legal videographers. NCRA has partnered with the court system to ensure the timely, impartial, accurate, and optimal delivery of court transcripts for many decades.

### Major priorities

NCRA is committed to growing the stenographic court reporting and captioning professions to ensure an ample supply of high-quality, educated experts are available to fill the increasing number of job opportunities both in and out of the courtroom. The NCRA A to Z<sup>®</sup> Intro to Machine Steno program, a free, 8-week class that introduces interested individuals to the industry and helps focus resources on those more likely to succeed, is being conducted across the nation.

NCRA is committed to ensuring the secure preservation of the official record by a live stenographic court reporter, and therefore remains the premiere method of choice for those seeking to demonstrate both a commitment to court record quality and cost effectiveness. Only a live stenographic reporter can provide syllable-by-syllable authentication of every word, protecting private information while bearing personal responsibility and accountability for the official record.

### Today's court reporters and captioners are savvy

The pandemic brought many new concerns and unexpected obstacles to our courtrooms. Stenographers were able to quickly transition to operating remotely during quarantine without introducing any delay to dockets. NCRA immediately hosted webinars to educate our members on the use of Zoom as well as other platforms. Remote work has allowed stenographers to cover multiple hearings or depositions in a day without travel, alleviating forecasted stenographer shortages in many jurisdictions. Our nationally recognized certifications indicate reporters' level of proficiency, with our most skilled members sending 99% accurate text across the room or around the world as it's spoken.

### Budgetary and other concerns

Courts are facing myriad budgeting and administrative concerns. Stenographers can help inform decision-makers on the process of making a record, including how that record is preserved and secured, an assurance that cannot always be provided via other methods. NCRA is in the early stages of reaching out to justice protection groups like the ACLU, Epic, among others, to address concerns regarding gender biases and minority prejudices that are created with automatic speech recognition engines, ensuring justice for all Americans through the provision of accurate court transcripts.

High-dollar hidden costs and privacy risks associated with the use of electronic recording are just two of the factors that should generate great concern when choosing any method over relying on a trained, stenographic court reporter. ***Outsourcing electronic recordings to a third-party transcriber often means the work is being done overseas, putting personal information at risk of compromise and potentially violating legislation enacted to protect such data.*** A certified stenographic reporter in the U.S. will be held responsible for the critical personal information (addresses, social security numbers, bank information, minor's names, health information, etc.) that can result in catastrophic



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consequences if it falls into the wrong hands. Creation of court and deposition transcripts, which ensure the right to appeal, should never be a gig-worker job. Gig economy positions are often disguised as at-home opportunities and are documented to exploit vulnerable populations of workers. America's courts cannot allow this to happen on their watch.

Additionally, transcripts produced from recorded proceedings are frequently replete with "(inaudibles)" and "(unintelligibles)" in place of ostensibly critical information, resulting in records being unable to be certified and rendered completely devoid of any appellate use. By contrast, a live stenographic reporter will immediately ask for clarification if something isn't audible, all while having their work saved in multiple locations on a second-by-second basis, which provides additional backup should a court's system be hacked or attacked by ransomware.

### **Why a human in charge of the record minimizes risks and exposure**

Using a live stenographic court reporter to capture, preserve, and secure the record cannot be replaced by either a local or cloud-based electronic system of multi-channel microphones because, at the end of the day, a written record still must be made of proceedings. Having a responsible professional who can stop the proceedings to clarify critical language is imperative in order to have a complete and accurate record in litigants' hands at the end of the day, if requested. Vendors who are selling electronic systems do not mention that they usually offshore their work to multiple uncertified transcriptionists, and then create misleading certifications to impart the impression that a certified stenographer authenticated the transcript.

Another concern we are exploring at NCRA is the risks that audio and video recording systems pose to the public. While everyone wants access to open court records, ***America's courts must also take critical steps to protect against the public availability of facial recognition, voiceprint, and other biometric-related data that is being captured via these recording systems. While some of this new technology brings potential benefits, there are also significant data privacy and cybersecurity risks, including the potential for fraud and identity theft.*** Once biometrics are compromised, it's not like changing a password. Such data can then be used to spoof security systems for banks, airports, or any number of secure locations. A live stenographic court reporter's notes are a watermarked record of every word spoken without the added danger of compromising the biometrics of those involved.

### **Legal Education Program**

NCRA through the National Court Reporters Foundation offers the Legal Education Program, which consists of court reporter-led seminars educating law students, attorneys, judges and justice protection groups on "Making the Record" and on the value of using a trained stenographic court reporter. More information on the Legal Education Program can be found on [NCRA.org/NCRF](https://www.ncra.org/NCRF).