

# Creating the Best Transcript Possible

From a presentation by the District of Utah Court Reporters October 2012

Creating the most accurate and complete transcript possible is part of an attorney's obligation to the client.

Federal Court Reporters serve as coaches to help provide the best permanent record of court events. An audio recording system does not alert you when the record is not clear. A court reporter exercises quality control at the moment the record is made.

If the reporter cannot hear and understand, the jury and judge cannot hear and understand.

## Before Trial or Hearing

- Discuss all the points in this document with your witness and trial team.
- Provide technical terms and names specific to the trial so the Court Reporter may add them to their dictionary.
- Witness lists and exhibit lists are also useful for the reporter.
- Prepare your witness to speak slowly and clearly.
- Pre arrange daily copy when desired. Reporters must schedule to work in shifts when daily copy is required.
- If you are appearing before a magistrate judge and know you will need a transcript, ask the courtroom deputy *the week before the hearing* to schedule a court reporter.

## While in Court

- Speak directly into the microphone. Do not move a mounted microphone away from your mouth. Move unmounted microphones on the table as near you as possible.
- Stay near the podium microphone or use a lavalier or hand mike.
- Be precise when giving directions to a witness. "In the lower left hand corner" is easier to understand in a transcript than "over there." Refer to exhibit numbers.
- When the witness is at an easel, let the witness finish drawing or writing before asking questions.
- Remember that an interpreter needs to hear you speak.
- Slow down, especially when reading printed material.
- Don't talk over your witness, opposing counsel or the Judge.
- Don't be a "mush mouth," blurring words and do not allow your voice to trail off at the end of questions or statements.
- When the reporter says you speak "too fast," this is not a compliment.
- "Please repeat that" does not mean rephrase or explain; it means "repeat exactly what you said because it was unclear and I want the record to be accurate."
- When making an objection, stand up so the reporter is alerted and able to hear what you have to say.
- Some courtroom acoustics are better than others.
- Magistrate judge hearings are electronically recorded. Speaking clearly and slowly during digital recording ensures a better transcript. Stay near the microphone. State your name at the start of the hearing so the transcribing reporter can identify you.