



COURT REPORTERS BOARD OF CALIFORNIA



Best Practice Pointer No. 1 How to Interrupt Proceedings

WHY:

The fundamental duty of a court reporter is to protect the record, including interrupting if the accuracy of the record is jeopardized. California Code of Regulations Title 16, Division 24, Article 8, section 2475 requires the reporter to promptly notify the parties present or the presiding officer upon determining that one is not competent to continue an assignment. Business and Professions Code 8017 defines shorthand reporting as the making of a verbatim record.

Some common reasons for interruption include:

- Speaking too quickly
- Reporter didn't understand a word or phrase
- Overlapping speakers
- Attorneys resume questioning while reporter is still marking exhibit

HOW:

Timing is important. If possible, wait for a natural pause in the proceedings, such as marking an exhibit or changing topics.

Be polite, but firm and loud.

Raise your hands shoulder height so they are clearly away from the machine and say, "Stop. We are off the record."

RETURNING BACK ON THE RECORD:

One way is to say, "This is what I have right now," and read back the last clear portion you have in your notes.

Another way is to simply ask the speaker to repeat the last thing that was said.

IN COURT:

All requests for clarification of the record should be addressed to the judge. For example: "Your Honor, could we have Ms. Smith repeat what she just said?"

TRANSCRIPT PRODUCTION:

When the reporter interrupts, a parenthetical may be included similar to (Reporter interrupts for clarification of the record.).

In the alternative, the reporter may add himself/herself as a speaker; but as it's extremely difficult, if not impossible, to write while speaking, this only works when what is said is short, such as, "Excuse me?"



BEST PRACTICE POINTER HOW TO INTERRUPT PROCEEDINGS

NOTE:

The stenographic notes are the official record. If a complaint is received as to the accuracy of the transcript, the Board looks to the transcript and the stenographic notes, not an audio file that may exist. In other words, do NOT rely upon your backup audio recording for transcript production.

Never use the parenthetical (Inaudible) because that is only used when transcribing audio recordings. A live court reporter is required to interrupt to protect the record.

Best practice pointers are not regulations or statutorily mandated. They are a way for the Board to provide guidance on situations not expressly set out in statute or regulation. Although the pointers may be used by licensees as a guide, the Board will not use them as a basis for discipline or enforcement of any type.



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