



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 question while reporter is still marking exhibit

HOW:

Timing is important. Anything that compromises your ability to make an accurate record should be addressed immediately. Clarifications of terms of art, acronyms, jargon, spellings, etcetera, should be handled at an appropriate pause or break.

Be polite, but firm, and loud.

IN DEPOSITIONS:

Suggested interruption language for depositions:

"Excuse me. Would you please repeat that for the record."

"Counsel, for the record, one at a time, please."

IN COURT:

Confirm with the judge ahead of time their preference for how to handle clarifications. For example, *"Your Honor, would you prefer I address counsel through you on a clarification or address counsel directly?"*

If addressed through the judge, *"Your Honor, could we please have Attorney Smith/ the witness repeat what they just said?"*

If addressed directly with the speaker, *"Could you please repeat what you just said?"*

Additional examples for how to handle interruptions:

"Your Honor, please have the question/answer/objection repeated for the record."

"I request that the parties be admonished to speak one at a time."

"Please repeat what you said, for the record, starting with the last question/answer/objection."



BEST PRACTICE POINTER HOW TO INTERRUPT PROCEEDINGS

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 themselves as a speaker. It’s extremely difficult to write while speaking, so this may only work when the reporter says something brief, such as “Excuse me?”

NOTE:

The stenographic/voice notes are the official record. If the Board receives a complaint about the accuracy of the transcript, the Board looks to the transcript and the stenographic/voice notes, not an audio file. In other words, do NOT rely upon backup audio media for transcript production.

Pursuant to **Government Code 69957**, 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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