



COURT REPORTERS BOARD OF CALIFORNIA



Best Practice Pointer No. 10 Readback in the Jury Room

- The reporter must check in with the clerk before beginning readback and again when finished.
- The reporter is encouraged to check with the clerk as to whether any testimony was stricken in the portion to be read back.
- The reporter may not speak with the jury. **However, if the judge has not admonished the jurors in advance of the reporter reading back to the jury, prior to the start of reading back to the jury, the reporter may instruct the jury that as the reporter is reading the testimony, if any of the jurors would like the reporter to repeat what was just read (i.e., an answer), the jurors may stop the reporter and make that request. In addition, the reporter may remind the jurors that they are not to discuss the case while the reporter is in the room, and if the jurors do wish to engage in a discussion about the case, they are to ask the reporter to please leave the deliberation room and wait outside until the jurors call the reporter back in to continue with the readback of testimony.**

- If the jury requests additional readback from a reporter, the correct response is, “You need to send a note to the judge.”
- If the jury begins to deliberate during readback, the reporter needs to state, “If you’re going to deliberate, I need to step out.”

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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