

### \*

# Best Practice Pointer No. 11 Videoconference/ Remote Reporting

Pursuant to California Code of Civil Procedure (CCP) 2025.310, a California certified shorthand reporter (CSR) does not need to be collocated with the deponent.

Pursuant to **CCP 2093(b)**, California CSRs are authorized to administer oaths remotely.

Licensees are advised to ascertain where the deponent is located because the laws of that jurisdiction take precedence.

With the increase in remote reporting, the Board would like to make licensees aware of the following best practices:

#### A. LOGISTICAL ISSUES:

- Request that the witness/deponent and counsel be on camera.
- Reporter should be on camera, if possible. Request that counsel add you to their gallery/grid view to aid in communicating to counsel when there are issues.
- Gallery/Grid view is preferred over Speaker view.
- Turn off multiple microphones to avoid feedback issues.
- Request participants use no virtual background.
- Use of the term "virtual" is discouraged as it may imply "simulated." Preferred practice is the use of "videoconference" or "remote".

- Reporters should include their California CSR No. (XXXX) in display/participant name.
- Reporters are encouraged to display a graphic saying "off the record" when in recess and their camera is off.

#### **B. REPORTING PROCEEDINGS:**

Reporters are reminded they are the guardian of the record and their responsibilities regarding the record do not change while reporting a remote proceeding.

Ask for identification of everyone for the appearance page.
 What is obvious when participants are all in the same room can be misleading via a remote platform. The reporter needs to take the roll of those present and include them on the appearance page. This does not need to be on the record.

For example, "Please identify yourself. Is anyone else in the room with you?" "I see Mr./Ms XXX, representing XYZ, is present. Is there anyone else in the room with you?"

Interrupt as needed to protect the record (see Best Practice Pointer Number 1).

- The use of "inaudible" is for transcripts derived from electronic recordings, pursuant to Government Code Section 69957.
- Create a one-stroke brief for inclusion of a parenthetical such as "(Reporter interrupted for clarification of the record.)," and interrupt as often as needed to create an accurate record.

## BEST PRACTICE POINTER VIDEOCONFERENCE/REMOTE REPORTING

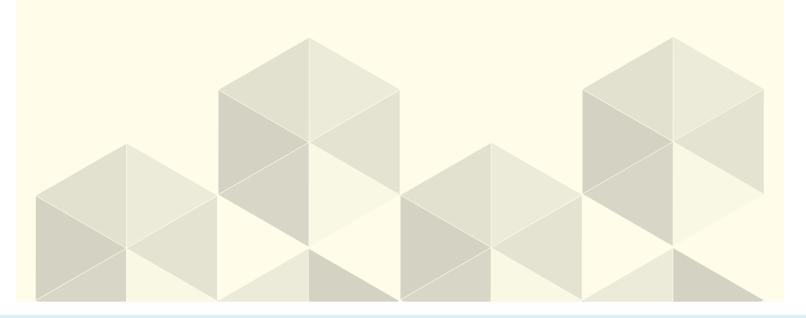
#### C. TRANSCRIPT PRODUCTION:

- The transcript should clearly indicate that the proceeding was held on a remote platform (i.e., via videoconference).
   The appearance page should indicate whether each attendee was remote or in person.
- It is appropriate to include a "technical difficulty" or "failure of transmission" parenthetical when either of those issues interrupts the proceedings.

#### **D. RECORDING CONSIDERATIONS:**

- Depositions Reporters should be aware of increased ability for surreptitious recording of the deposition.
  Before going on the record, reporters may want to remind participants that, unless included in the notice of deposition or with the consent of all parties, audio or video technology is not permissible, pursuant to CCP 2025.330(c).
- Court Courtroom proceedings may not be recorded without the express permission of the Court, pursuant to California Rules of Court 1.150.

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.





2535 Capitol Oaks Drive, Suite 230 Sacramento, CA 95833 Phone: (916) 263-3660 / Toll Free: (877) 327-5272

Fax: (916) 263-3664

www.courtreportersboard.ca.gov



