



READBACK

Questions, Questions, Questions

BY TODD OLIVAS

A new site, www.Readback.org, offers reporters the chance to ask questions and then for viewers to rate the responses. Here are a few questions and the highest rated answers.

Do I have to disclose what I've read back to an attorney on a break to the other side? I was at a deposition the other day. On the lunch break, the side that hired me wanted me to find a portion of the transcript to read to him and his boss. The other party could see through the window what we were doing. Should I have told the other side what portions I read back? It felt a little awkward.

Kathleen Masnec
Chino Hills, Calif

After 299 views and 12 responses, the "Best Answer" with 22 votes was:

I think I'm a hardliner on this one. I would make sure everyone was present and/or aware. I do believe it's a potential problem. I always put myself in the lawyer's shoes and ask myself if I would view the reporter's behavior as preferential. So I extend the idea of neutrality in providing services (within the California Code of Civil Procedure) to these gray-area requests — if simply for CYA purposes.

Cynthia Dunbar, RPR
Los Angeles, Calif

Can CAT software be run on a netbook? I'm not sure if anyone is actually doing realtime from their netbook. I have heard conflicting stories about whether or not CAT software can even be installed on one.

Todd Olivas
Temecula, Calif

After 459 views and 10 responses, the "Best Answer" with 19 votes was:

I know of a couple of reporters who use netbooks in the field with all of their software loaded via flash drive. I personally have loaded viewing software for attorneys

on my netbooks and they work fine.

For the reporter to load, I think you just have to be sure you have enough memory or space or something. But other than that, it's not an issue that I've heard unless the small keyboard and screen size detract from your editing ability.

Jeanese Johnson
Redondo Beach, Calif

How do you deal with exhibits? Dealing with exhibits is my least favorite part of being a freelance reporter. The first difficulty: Putting the info into your transcript. The "title" — what if there is no title? Nothing, nada. Then what? The "date" — what if there are 14 different dates? Numbering the pages — do you do that? Do you number the page for each exhibit in the bottom right corner and then number all the pages in the bottom left corner?

And then the other thing — keeping track of the exhibits at a depo when the attorney is rambling on and hasn't given you time to mark anything. Do you stop them? Do you keep track during the depo? I have learned to try to quickly write down a number while they're still talking because invariably they will ask me, "What number are we on now?" I'm always grateful for a thoughtful attorney who will legibly mark them for me and keep them in order, but that doesn't always happen.

Judy Bergman
Helendale, Calif

After 92 views and 3 responses, the "Best Answer" with 15 votes was:

Sounds like you need to get some routines concerning exhibits, which will relieve some of your exhibit anxiety. You're responsible for the exhibits, marking them and maintaining them for the transcript, and I've found that if you have a routine that you don't let yourself vary from, you won't forget something.

First of all, if at all possible, don't let the attorneys mark the exhibits without your getting your hands on them for your own marking. If they mark their own exhibit, at the earliest spot, ask to be able to mark it for the record. Sometimes that's not possible; they don't want to take the time. In that case, I'll give them a page of my exhibit stickers, and they're on their own, but try to keep a list of the numbers that have been marked.

But the optimum is to mark it yourself. I fill out my sticker with, for instance,

"No. 1," then at the same time as I write "1" on the sticker, I write "2" for the next sticker so that I know what the next number is. I always announce the exhibit number as I'm marking and have found that while some attorneys give me the "I know, I know," routine, more often they're grateful to have someone else keeping track.

Then keep your eye on where they go, if at all possible. There's nothing worse than having everybody gone and you find out that Exhibit 3 is missing and you've got to spend the next couple of days tracking it down. Gather them all up at recesses and at breaks. They're more likely to stay together that way — sometimes. If the attorney doesn't do it, tell the witness that you need to take them all at the end of the day.

As far as describing the exhibits for the record, it's great when the attorney describes them on the record, or they're just a letter that's easy to describe — or a document with a title. But in the case of it being some document that nobody described and you haven't got a clue what it is, I usually describe it as "X-page typewritten/handwritten document." My feeling is that if they don't care enough to describe something that obscure for the record, they don't care that much what you call it.

Some of those routines make exhibits a little less of a pain for me. Hope that helps you a little.

Debbie Taggart
Cotati, Calif

Todd Olivas is a court reporter and a blogger, who started the [Readback.org](http://www.Readback.org) site, which permits viewers to rate the answers to each question. To ask a question, visit www.readback.org.

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