

# TECHNOLOGY FOR LAWYERS 2004

## E-Discovery

### **ED4: Electronic Mock Trial - Real time and rough time transcripts, E-transcripts and Videoconferencing**

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The Law Society of  
Upper Canada | Barreau  
du Haut-Canada



**OBA • ABO**  
Ontario Bar Association  
Association du Barreau de l'Ontario

Canadian Society for the Advancement  
of Legal Technology

L'association canadienne pour l'avancement  
de l'informatique juridique





# Court Reporting Services

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Technology for Lawyers 2004

Tips & Tricks

[www.stenographers.com](http://www.stenographers.com)

## Overview

- Real time and rough draft transcripts
- E-transcript (electronic transcript)
- Videoconferencing

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## Real-time Transcript

- Hooked up directly to court reporter
- Lawyer uses litigation software to receive input
- Allows real-time annotations to the transcript
- Useful in long, ongoing cases to prepare for next day examination

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## Your preparation

- Book reporter well in advance
- Train on the litigation software before you enter the case
- Show up ½ hour before case begins to ensure first hook up works
- Forward documentation on the case to the reporter in advance
- Speak clearly and with appropriate speed
- Have an assistant annotate real-time if you are examining

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## Rough Draft Transcript

- Rough draft of transcript emailed at end of day
- No litigation software or training required

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## Your preparation

- Book reporter well in advance
- Forward documentation on the case to the reporter in advance
- Speak clearly and with appropriate speed
- More reporters have this skill

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# Making Your Record

## ■ Responsibilities:

Court Reporter – preserving the record

Lawyer – making the record

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# Making Your Record

## ■ Who?

- Who are you? Who do you represent?

## ■ What?

- What is the case? What is the nature of the proceedings?
- You are familiar, the reporter is hearing this information for the first time

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## Making Your Record

- One at a time
- Spell out acronyms carefully
- Numbers
  - AM or PM
  - What is the year?
  - One twenty, \$1.20, \$120.00 or \$120,000.00 or address, street number, time, percent?

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## Making Your Record

- Exhibits
  - Mark carefully, describe and identify
  - If quoted, give reporter a copy
- Let the record show
  - Should do just that
  - Describe gestures
- Witness preparation
  - Ask witness to verbalize answers

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## Making Your Record

### ■ Foreign Witnesses

- English only please
- If you don't understand the witness's answer, neither did the reporter

### ■ Quote

- Give proper reference, indicate beginning and end

### ■ Undertakings

- Ensure undertaking is clear on record

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## Making Your Record

### ■ Off the record, on the record

- Agreement by both parties

### ■ Speed kills

- Speak clearly and distinctly
- Reporters approach speeds of 300 words per minute and take over 50,000 words a day
- Best if this does not occur in the first hour

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## E-Transcript

### ■ Electronic transcript format

- Certified, Secure, encrypted, e-mailed or disk
- Standardized, line and page integrity
- Full text searching
- Condensed printing
- Includes ASCII for litigation software
- Embedded viewer, no software required

***Simplifies review process***

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## ASCII, Word, WordPerfect, PDF

- ASCII is not easy to produce for many firms
- PDF becoming more common
- Never ask for Word or WordPerfect files

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## Videoconferencing

- Enables communication without frustration of travel, schedules, weather and down time
- International network of sites
- Excellent for short examinations or witnesses who can't travel

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- **[www.stenographers.com](http://www.stenographers.com)**
- Online bookings
- Online transcript orders
- Wireless Internet in our boardrooms
  - Top 100 Women Entrepreneurs in Canada
    - 2004 and 2001 Profit Magazine
  - Top 2000 of 2000 Performers
    - Canadian Business Magazine
  - Canadian Woman Entrepreneur of the Year
  - Canadian Women's Mentor of the Year