

**CHAPTER 11**  
**BEST PRACTICES FOR COURT REPORTERS**

## I. Best Practices for All Court Reporters

When a Read & Sign transcript/deposition is requested and then prepared by a court reporter, an attorney sometimes will not purchase a copy of the transcript/deposition but will make a copy of it while his or her client has it for the Read & Sign. The court reporter who prepared the Read & Sign transcript/deposition should inform the attorney that since a copy was not purchased, once the transcript/deposition is complete, the court reporter will contact the witness to have him or her schedule a time to appear at the court reporter's office to review the transcript/deposition for Read & Sign.

The court reporter may consider billing the attorney if it is discovered that the attorney has obtained a transcript/deposition from someone other than the court reporter.

If a court reporter is in court and an attorney makes a copy of the transcript/deposition without paying the court reporter, or if the court reporter discovers that the transcript/deposition was copied without the court reporter's knowledge, the court reporter could consider billing the non-paying party after the fact.

If a court reporter is in court, the court reporter should remind the judge that neither he or she nor the attorneys should be distributing copies of the transcript/deposition. Anyone who needs a copy should see the court reporter.

## II. Filling In for Official Court Reporters During Judicial Proceedings In Court

When an official court reporter is having someone fill in for him or her, the court reporter should leave the judicial assistant of the judge a list of the name(s) of the court reporter(s) with contact information and list the date(s) they will cover.

The fill-in reporter will need to sign an oath of office at the beginning of the day. The official court reporter should remind the judge and judicial assistant concerning this oath. A copy of the oath form should be provided to them for convenience. [E-Forms - Alabama Administrative Office of Courts \(alacourt.gov\)](https://www.alacourt.gov)

**The official court reporter should make an “FYI” sheet for the fill-in reporter, which should include the following:**

- What time to arrive, how to expect the day to progress, and around what time proceeding(s) will conclude that day.
- The judge’s name and office staff’s names and contact information as well as who the court reporter should check in with when he or she arrives.
- Specific information/materials relating to case(s) he or she will be handling that day and where to find that information.
- A document that has the date(s) and time(s) of the proceeding(s) he or she will cover along with the case number(s), style(s) of the case(s), and attorney(s) on the case(s).
- If he or she is covering docket(s), a list of attorney(s), attorney(s) for the District Attorney’s Office, or other court personnel who will be in the courtroom (clerks, probation officers, correctional officers, etc.).
- If the judge swears in witnesses or if the court reporter should be prepared to do so.
- The judge’s preferred method for handling sidebar/bench conference discussions.
- If the judge has any idiosyncrasies or specific ways he or she likes things handled. This information should help things go smoothly and ensure that the court reporter feels comfortable as well as ensure that he or she would be willing to cover again in the future.
- Specific instructions on who maintains custody of the exhibits. The court reporter should be asked to write the date(s), case number(s), and list what exhibits were received or not.
- Instructions should be left on where to “store” the exhibits if the court reporter retains custody of them.
- Instructions should be left on what exhibits the court reporter should retain custody of and which exhibits may be returned to the parties.
- The Trial Exhibit Index form should be available if needed. [AOC \(alacourt.gov\)](http://alacourt.gov)
- The exhibit(s) should be labeled clearly with the case number(s).
- If there is a court docket available, a copy should be left for the court reporter. The court reporter also can take notes there and leave a copy instead of the FYI sheet if preferred.
- The court reporter should copy the FYI sheet, marking the proceeding(s) he or she covered and whether or not there were exhibits for his or her records as well as the official court reporter’s records. Some hearing(s)/case(s) could have been continued, so this fact may help the official court reporter know if a different court reporter covered something on the record in his or her stead.

- If necessary, the court reporter should check with the judicial assistant for any hearing(s)/case(s)/docket(s) that may have been added on for that day before leaving.
- An outline of how the circuit handles payment. Larger circuits have court administrators who handle the approval and payment. In smaller circuits, the official court reporter must submit the preapproval paperwork and the fee declaration for payment. (Instructions for this procedure can be found in the Alabama Court Reporters Manual at [alcra.org](http://alcra.org))
- The court reporter must create a STAARS vendor account if he or she has not already done so. (Instructions on this procedure can be found in the Alabama Court Reporters Manual at [alcra.org](http://alcra.org))
- If the court reporter covers jury trial(s):
  - o The complaint(s)/indictment(s), list(s) of parties, witness list(s) and exhibit list(s), if available, should be provided.
  - o Information should be provided concerning what goes on the record, i.e., opening statements, closing statements, sidebars, etc. In capital murder cases, everything is on the record, including opening statements.
  - o If the court reporter is covering jury trial(s), tips that would help make jury voir dire and selection easier in the courtroom.
  - o The court reporter always should note that the defendant(s) and attorney(s) are present and note if the jury is present or not each time they get back on the record.
  - o The court reporter should ask both sides for potential witness lists. If a judge prefers to have a copy of these lists before trials begin, the court reporter should be informed of that fact.
  - o The court reporter should ask for exhibit list(s) if they are not available ahead of time and should see if he or she needs to mark any exhibits before the trial(s) begin or on breaks so as to not hold up the proceeding(s) by having to mark a lot of exhibits during the trial(s).

This document should be emailed to the fill-in court reporter ahead of time and a copy of it should be left in the official court reporter's office or his or her desk in the courtroom.

The fill-in reporter should be informed that if a transcript is produced from any proceeding he or she takes, he or she must use the official transcript format found in [Rule 29, Alabama Rules of Judicial Administration](#).

The Alabama Court Reporters Manual is available and very useful for a fill-in court reporter. The court reporter should be encouraged to review it ahead of time.

### III. Court Reporters Transcribing Statements from Audio or Audiovisual Records

Should court reporters certify or not certify witness statements, police interviews, etc. from audio or audiovisual records?

- Some court reporters choose to certify these types of transcripts. If a court reporter chooses to certify them, the certificate pages should be changed to reflect that they were prepared to the best of his or her ability from audio or audiovisual records and that the court reporter was not present for the proceedings.
- It is acceptable to choose not to include certificate pages on these types of transcripts and not to label them as transcripts on the title pages.

**\*\*\*NCRA'S COPE (Code of Professional Ethics) may be found at [www.ncra.org](http://www.ncra.org). This Code is a great resource.** For example, [Advisory Opinion 38 | NCRA](#) An Attorney Requests a Copy of a Reporter's Backup Audio Media may be found on this website.