

Blog #41 – Tips for Court Reporters, Videographers, and Attorneys re Video Conferencing

“I don’t want to fly to Cleveland for a two-hour deposition. What are my options?” Clark, our calendar coordinator, was asked this question last week by one of our clients. As travel becomes more stressful, expensive, and time consuming, attorneys are looking for technology solutions to allow them to depose clients nationally and/or internationally without leaving their city. The question is: what are your options?

1. Traditional Video Conferencing: Many of the large law firms are buying video conference equipment and have the equipment in-house. If a law firm does not have the equipment, typically the firm will call their court reporter and ask the firm to set up a video conference. Many court reporting firms have in-house video conference equipment and offer it as a service. The court reporting firm will find a public room in the location where the deponent is and coordinate the event.

Tips for Traditional VC to attorneys:

- a. Make your notice very clear where deponent will be and the time **including the time zone**.
 - b. It is best to have a videographer and reporter with the witness. A notary needs to swear in the witness.
 - c. Exhibits: As much as possible, anticipate what exhibit(s) you will want to show the witness. Have the exhibits shipped to the deposition site. If you want the court reporter to present the exhibit(s) to the witness, please give her/him a chance to get the document(s) out. She/he cannot write testimony and hand out documents at the same time.
 - d. Be conscious of time. The public rooms and line charges will be billed on an hourly basis.
 - e. If your law firm has in-house equipment, be clear with your court reporting firm whether you want to use IP or ISDN. If you are using your in-house VC equipment and are using IP protocol, you will want IP on the other end. A bridge can be brought in so the IP speaks to the ISDN, but it adds a cost to the event.
 - f. Expect your court reporting firm or VC provider to do a test the day before the event.
2. Skype: Clients are calling in requesting Skype. Skype is free software. When Skype was first put into the market it was meant to be an audio application and the video was added later. The coordinator of the Skype deposition needs to have a good camera and be in a location where DSL or T1 technology is available via a CT5 connection.

Beware of Skype: I have heard from many IT people it is easy to hack into a Skype event. I just Googled **Skype** and **hack** and found numerous sites that sell software that allows a person to hack into a Skype feed. No one would ever want testimony out in the public domain.

General tips for Court Reporters and Videographers:

1. If you are assigned to a VC deposition, be organized. You are going to need to get the names of everyone participating, including the people at the remote location for your appearance page.
2. If you are asked to help coordinate the exhibits, have them readily available to you and away from the witness. Take charge in a nice way. Don't let attorney(s) talk while you are finding a document and handing it to the witness.
3. Many times you will be alone with the witness, and everyone else will be at a remote location. If the witness wants to start chatting about the case or why he/she is there, quickly and firmly interrupt the witness, change the subject or say something such as, "I am only here to take down the testimony. I can't talk about the case." I can easily imagine a scenario in which the first question by the attorney taking the deposition is, "Did you discuss your deposition with anyone?" And the witness answers, "Yes, with the court reporter."

I hope this helps answer some of the questions about the use of video conferencing. Our firm finds it to be extremely valuable for our clients. Please contact me if you would like more information.

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