

ACRA 2023 TOWN HALL

Presented by Terry Libretti and Angela F. Miller



CERTIFICATION REQUIREMENTS

Certified Reporters Program
All court reporters working in state courts in Arizona must be certified and must have Standard Certification or Provisional Standard Certification.



The Court Reporter Standard Certification Program (CR) provides statewide certification for persons in Arizona who are qualified to be certified. Code Section 7-206 governs court reporter standard certification and applies to any person who records and transcribes a verbatim record in any sworn proceeding by means of written symbols or abbreviations in shorthand or machine writing in Arizona's state courts pursuant to Arizona Revised Statutes Title 32, Chapter 40.

Section 7-206: Certified Reporter

“Certified reporter” means “a person who is certified by the board and who records and transcribes a verbatim record in any sworn proceeding by means of written symbols or abbreviations in shorthand, machine writing or voice writing” as provided in A.R.S. § 32- 4002(3).

Arizona Certified Reporter Board has two openings for Certified Reporters:
Official Reporter & Freelance Reporter

Apply: Send resume and volunteer application form to courtrep@courts.az.gov
More Info: azcourts.gov/cld/Certified-Reporters-Program

ACRA LOBBYING EFFORTS

APRIL 22, 2023



Our Lobbyists

CREOSOTE

p a r t n e r s

MARILYN RODRIGUEZ

GAELLE ESPOSITO



CURRENT EFFORTS

- Raising the statutory page rates for Arizona Certified Reporters on criminal matters.
- Current statutory rates were enacted in **1987**
- **Bipartisan & Office of Court Administration support**
- **Coordination with Governor's Office to ensure it is included in budget**



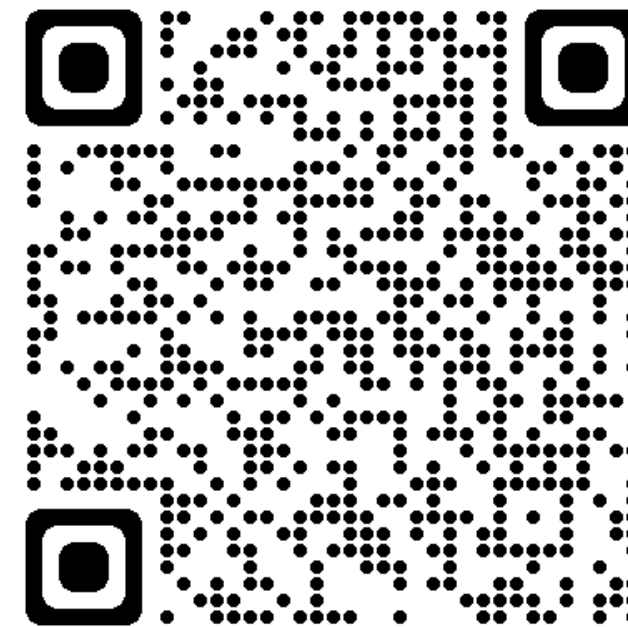
ARS 12-224

Salary; fees for transcripts; free transcripts; office supplies

E. The necessary supplies for conduct of the office of reporter shall be furnished by the county.

CURRENT

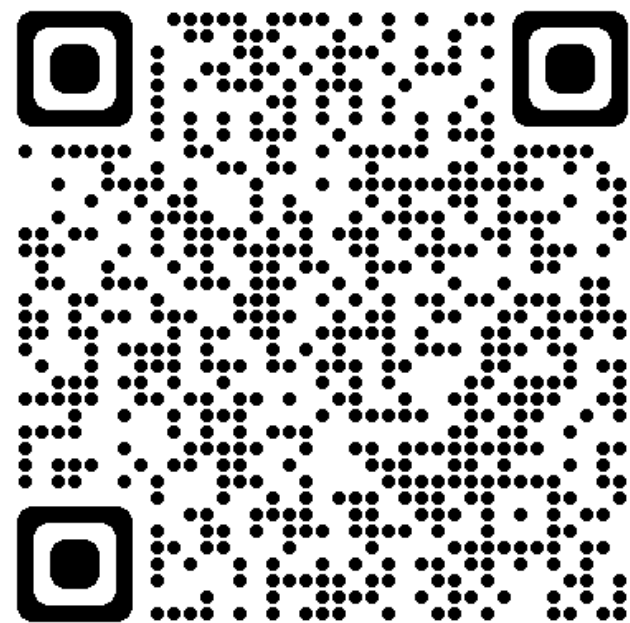
- ORIGINAL
\$2.50 per page
- COPY
\$0.30 per page



PROPOSED

- ORIGINAL "at least"
\$3.50 per page
- COPY
\$0.50 per page
- Beginning January 15, 2025, and every five years thereafter, to increase court reporter fees according to the increase in the cost of living

Contact Your Legislators



Website :
www.azleg.gov/findmylegislator

E-mail your legislator(s) asking to support court reporters by giving the profession a raise in transcript page rates for the first time this century.

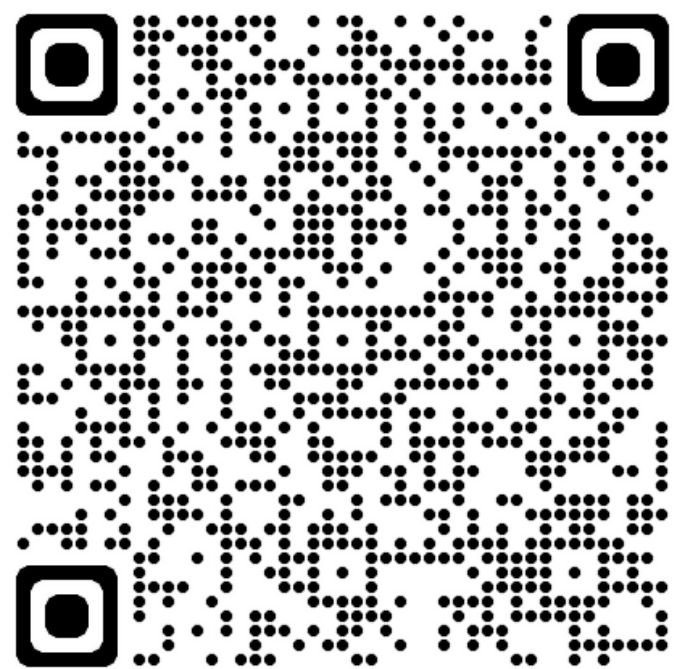
COURT REPORTING SCHOOLS & SCHOLARSHIP/GRANTS

- Gateway Community College - **CLOSING**
- NCRA DiscoverSteno A to Z
- ProjectSteno
- Online schools and programs
- NCRA Scholarships and Grant information



NCRA NCRF

ncra.org/home/student-s-teachers/Student-resources



Scholarships and Grants

Students

NCRF Career Launcher Grants
(five to seven each quarter)

Opens

Ongoing

Closes

Mar. 14, June 14,
Sept. 14, Dec. 14, 2023

Award Amount

Career Launcher
(10 modules)

NCRF Gina Battaglia Memorial Student
Intern Scholarship

March 1, 2023

March 31, 2023

\$1,000

NCRA A to Z® Scholarships (15)

July 1, 2023

Sept. 1, 2023

\$750 each

NCRA CASE Student Scholarships (five)

July 1, 2023

Sept. 1, 2023

\$1,500, 1,000

Student Intern Scholarships (two)

Sept. 1, 2023

Dec. 10, 2023

\$1,000 each

New Professionals

New Professional Reporter Grants (two)

Opens

April 1, 2023

Closes

June 2, 2023

Award Amount

\$2,000 and

Monyeen Black Memorial Grant (one)

May 1, 2023

June 17, 2023

\$1,000

Michelle Grimes Memorial Grant (one)

May 1, 2023

June 17, 2023

\$1,000

Professionals

Carl Saucedo Grant

Opens

Jan. 16, 2023

Closes

March 30, 2023

Award Amount

\$1,000

Court to CART Grant

Feb. 1, 2023

March 31, 2023

\$1,000



WHAT IS DIGITAL REPORTING?





DIGITAL RECORDERS

SWEAR IN WITNESSES

MONITOR AUDIO

MARK EXHIBITS

CAN READ BACK



A.I., Artificial Intelligence, Software

85% Accuracy rate

- Does not factor in different dialects
- Simultaneously speaking
- Mumbler



WHAT HAPPENS TO THE AUDIO FILE?

The auto file is split up into several files.
Files are sent to multiple transcriptionists
all over the country.





CHAIN OF CUSTODY? CERTIFIED TRANSCRIPTS?





TN REPORTING METHODS

STENO

VOICE

ELECTRONIC

TCRA

TCRA is seeking a revision to the current court reporter licensure law in the area of the licensure of Electronic Reporters.

Reporters termed as Electronic Reporters who use digital recorders only.

ERs to have both the CER and CET certifications through their national organization, which is AAERT, in order to be licensed.

**REMOTE
DEPOSITIONS
ARE EASY
PREY FOR
DIGITAL
AGENCIES**



MELISSA BUCHMAN, ESQ.

- **Remote Deposition**
- **Notice: Court Reporter**
- **Transcript ordered**
- **Fifty-five pages missing**
- **Digital recorder, not a court reporter.**

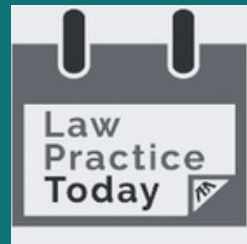




CA AB156

A person who holds a valid certificate as a shorthand reporter shall be known as a “certified shorthand reporter,” and prohibits any other person, except as specified, from using that title or any words or symbols that indicate or tend to indicate that they are a certified shorthand reporter.

A violation of the provisions regulating shorthand reporters **is a misdemeanor.**



Digital Reporting and Alternative Capture Methods: What You Need to Know

"State-specific differences can lead to potential admissibility issues. The parties to a deposition should always confirm in a written **stipulation** or by a **stipulation** on the record at the deposition their agreement to use any non-stenographic reporting method, ideally citing the applicable statute, court rule, and/or rule of civil procedure."





RULE 30 - DEPOSITIONS

Current Rules and Proposed Rules

ARIZ. R. CIV. P. 30

METHOD OF RECORDING

- (3)(A) Permitted Methods. **Unless all parties agree or the court orders otherwise, testimony must be recorded by a certified reporter** and may also be recorded by audio or audiovisual means.
- (B) Method Stated in the Notice. **The party who notices the deposition must state in the notice the method for recording the testimony.** If the deposition will be recorded by audiovisual means, the notice must state the method and manner of audiovisual recording and the person or company that will conduct such recording. Unless the parties agree or the court orders otherwise, the noticing party bears the recording costs.

CERTIFICATION/DELIVERY

- (f)(1) The officer must certify in writing that the deponent was duly sworn by the officer and that the deposition accurately records the deponent's testimony. The certificate must accompany the record of the deposition. **Unless the court orders otherwise, the officer must seal the deposition in an envelope or package bearing the title of the action and marked "Deposition of [witness's name]" and must promptly deliver it to the attorney who arranged for the transcript or recording. The attorney must store it under conditions that will protect it against loss, destruction, tampering, or deterioration.**

FEDERAL RULE 30. DEPOSITIONS BY ORAL EXAMINATION

- (2) Objections. An objection at the time of the examination—whether to evidence, to a party's conduct, to the officer's qualifications, to the manner of taking the deposition, or to any other aspect of the deposition—must be noted on the record, but the examination still proceeds; the testimony is taken subject to any objection

METHOD OF RECORDING

- (A) Method Stated in the Notice. The party who notices the deposition must state in the notice the method for recording the testimony. **Unless the court orders otherwise, testimony may be recorded by audio, audiovisual, or stenographic means.** The noticing party bears the recording costs. Any party may arrange to transcribe a deposition.
- (B) Additional Method. With prior notice to the deponent and other parties, any party may designate another method for recording the testimony in addition to that specified in the original notice. That party bears the expense of the additional record or transcript unless the court orders otherwise.

CERTIFICATION/DELIVERY

- (f) (1) Certification and Delivery. The officer must certify in writing that the witness was duly sworn and that the deposition accurately records the witness's testimony. The certificate must accompany the record of the deposition. **Unless the court orders otherwise, the officer must seal the deposition in an envelope or package bearing the title of the action and marked "Deposition of [witness's name]" and must promptly send it to the attorney who arranged for the transcript or recording. The attorney must store it under conditions that will protect it against loss, destruction, tampering, or deterioration.**

GRASSROOT EFFORTS



WORD OF MOUTH

Get the word out that digital reporters are not certified in AZ and some companies are attempting to get attorneys to stipulate to their use.

EDUCATING ATTORNEYS & SECRETARIES

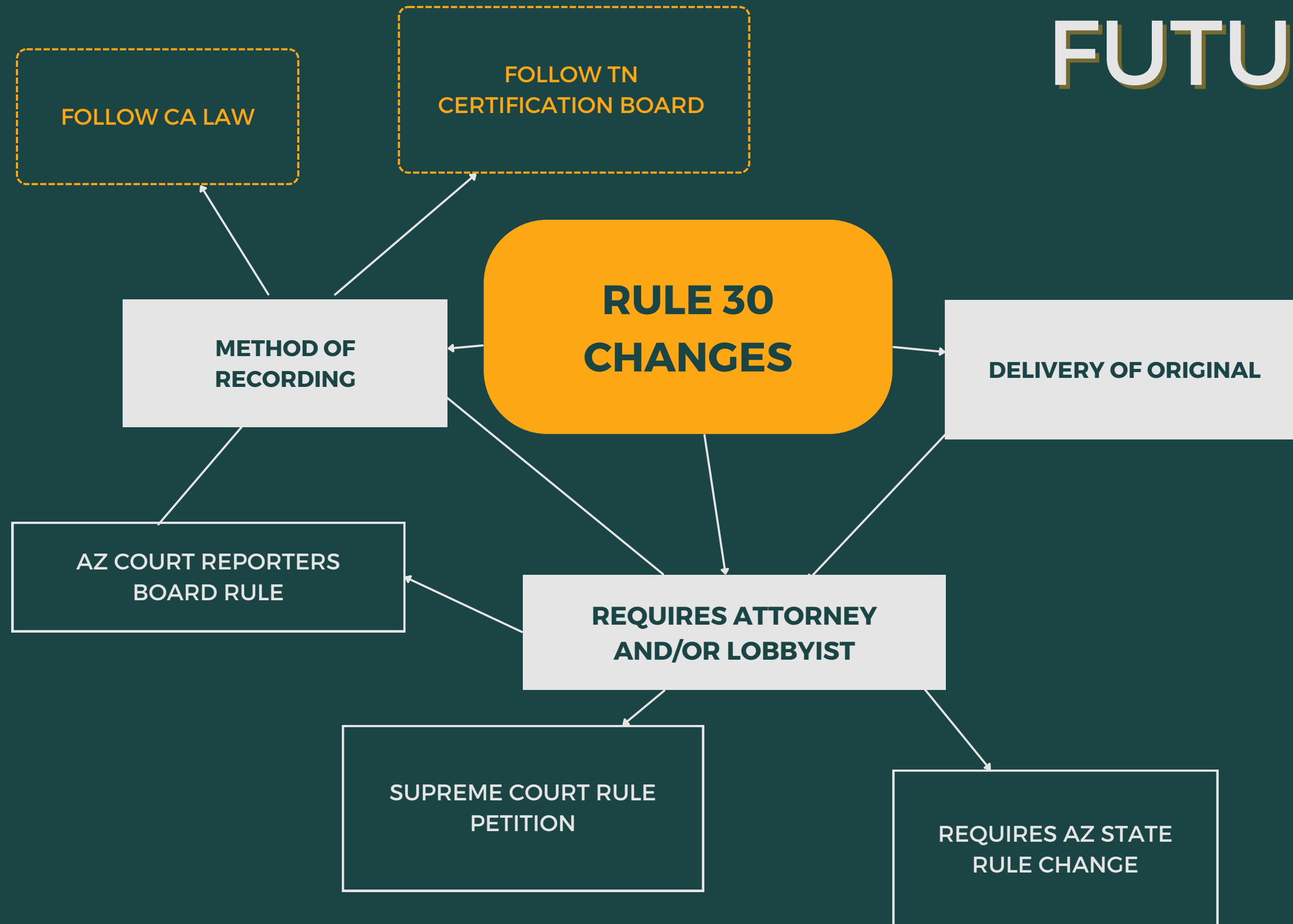
Let attorneys & secretaries know to specify on NOD the method of recording as Court Reporter, Certified Reporter, Stenographer, VoiceWriter.

Hand out or send the ACRA Flyer with information on Rule 30

CREDENTIALS

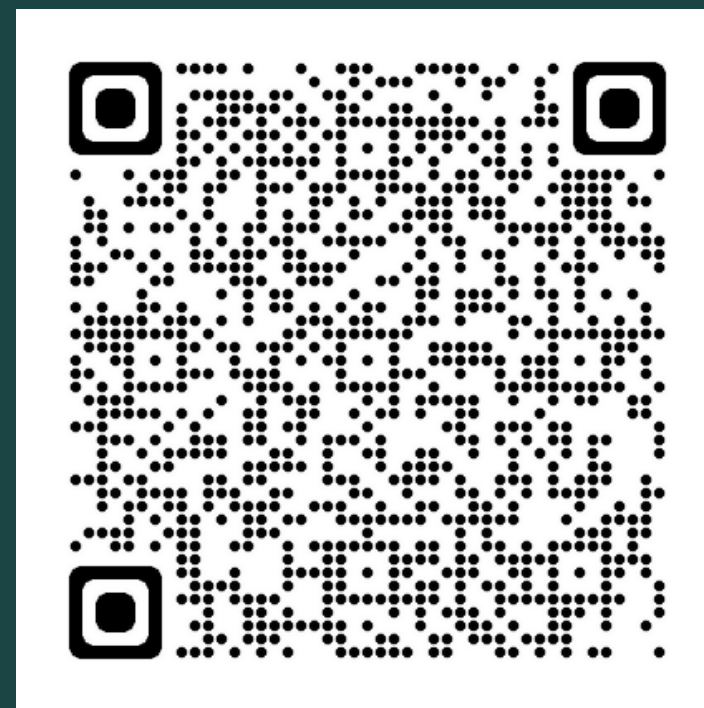
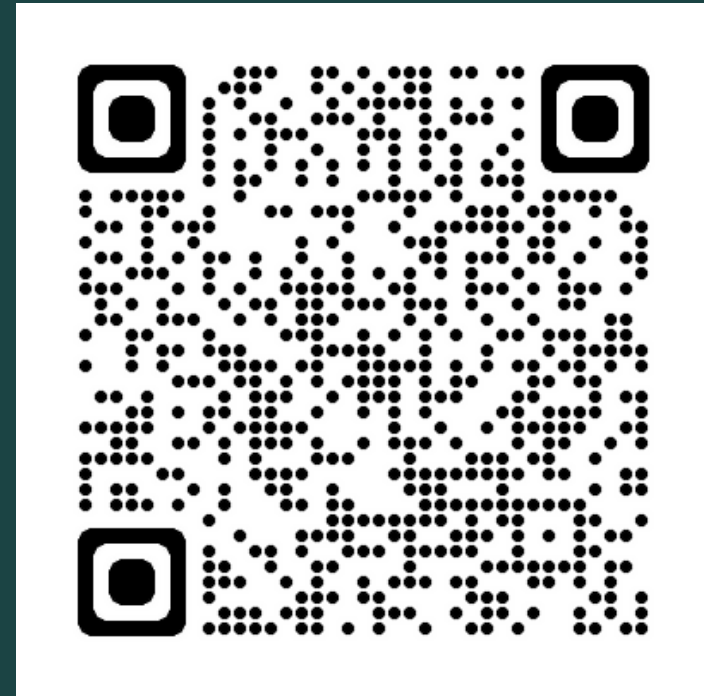
Always note your credentials on all correspondence and transcripts - especially when working remote

ACRA PROPOSED FUTURE GOALS



ACRA
Resources
Page
ACRAonline.org

NCRA
Information
and Resource
Center
NCRAonline.org



ATTENTION ARIZONA ATTORNEYS

COURT REPORTERS IN ARIZONA MUST BE CERTIFIED

Knowing the court rules and existing laws in Arizona regarding certified court reporters is more important than ever.

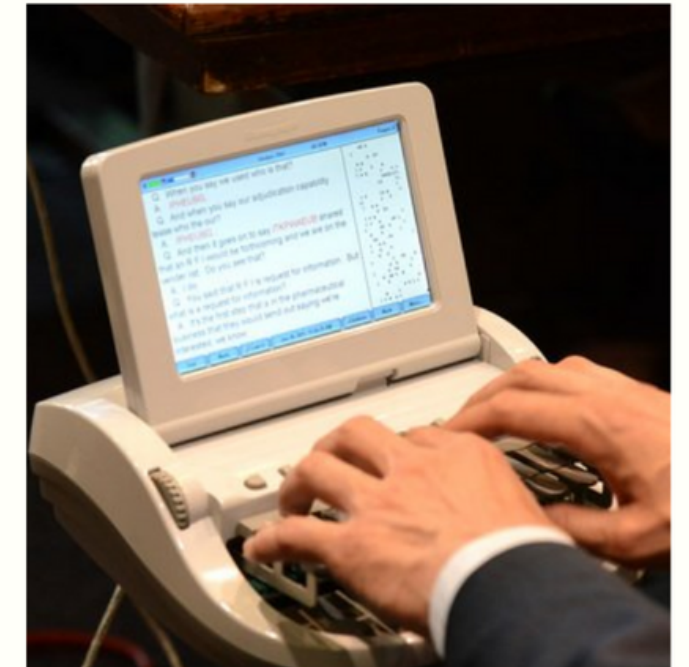
You may be surprised to find an uncertified "digital reporter" appear at your deposition. Be aware that in Arizona, court reporters must be certified according to law AND court reporting firms must be registered in Arizona with the Arizona Certification and Licensing division.

A.R.S. § 32-4003(A) provides "A person shall not report proceedings in any court in this state and shall not report depositions in this state for use in any court in this state unless the person is certified pursuant to this chapter."

A.R.S. § 32-4003(D) provides: "It is unlawful for any person who is not certified pursuant to this chapter to represent oneself as a certified reporter." For eligibility to report a verbatim record in any sworn proceeding in this state for use in any court in this state, all persons shall hold a valid certificate and comply with the requirements of this section. Certified reporting is integrally related to the prompt, effective and impartial operation of the judicial system.

ACJA Section 7-206 "Registered reporting firm" means an individual or entity that is registered pursuant to this section and for compensation offers to provide or provides reporting services or related services but does not personally provide the service as a certified reporter.

All Arizona certified reporters MUST include their license number on their business cards, all correspondence, and transcripts. If you don't see it, ask for it to be provided.



IS YOUR COURT REPORTER CERTIFIED AND LICENSED TO TAKE DEPOSITIONS IN ARIZONA?

HAVE YOU BEEN ASKED TO STIPULATE TO USING A "DIGITAL REPORTER" TO COVER YOUR DEPOSITION?

DIGITAL REPORTERS ARE NOT CERTIFIED TO PERFORM COURT REPORTING SERVICES IN ARIZONA

SPECIFY ON YOUR NOTICE OF DEPOSITION IT WILL BE TAKEN BEFORE A CERTIFIED COURT REPORTER

Arizona Court

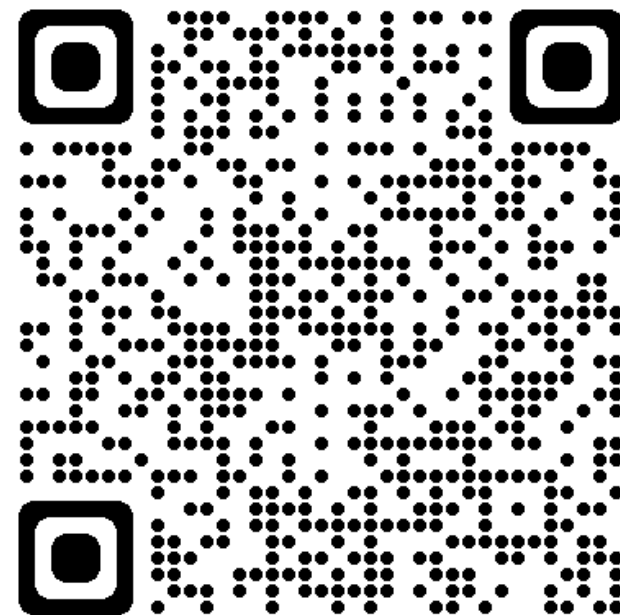


DONATIONS

ACRA REPRESENTS THE ENTIRE
STENOGRAPH PROFESSION IN ARIZONA.

ACRA IS RAN BY AN ALL-VOLUNTEER
BOARD, SURVIVING AND WORKING SOLELY
ON DONATIONS, MEMBERSHIP FEES, AND
CONVENTION REGISTRATIONS. IN ORDER TO
CONTINUE TO PROMOTE OUR PROFESSION
AND BE A UNITED VOICE IN BOTH
LEGISLATIVE AND LEGAL ISSUES, ACRA
NEEDS DONATIONS.

ACRAonline.org/donate



The background is a solid teal color. It features several geometric shapes: a large white hexagon in the center, a smaller white hexagon inside it, and four orange triangles in the corners (top-right, bottom-left, and two others partially visible).

Q&A

**THANK
YOU**