



TEXDRA's Tips on Reporting Remotely

Have you considered reporting remotely? You could keep revenue coming in without being exposed to the virus. Since we are in uncharted waters, we thought we'd offer some suggested tips for reporting remotely. Let's all share our ideas on TEXDRA Connects to support the reporting community in Texas.

These are merely suggestions and not based on any legal opinions.

- If you are appearing remotely from home, ensure you have a strong Internet connection (preferably wired) and good speakers. Ensure that there will be no background noises at your home, i.e., barking dog(s), crying children, doorbell ringing, etc., that would cause an interruption to the deposition taking place.
- If you are using your smartphone for the audio portion, consider getting a wireless speaker to amplify the sound. Also, don't forget to put it on Do Not Disturb so you are not interrupted by incoming calls and text messages. A strong reason to consider using your phone is if your Internet connection disconnects temporarily, you can quickly stop the proceedings via your phone until your connection has been reestablished.
- Before the start of a remote deposition, identify yourself and give your CSR number. This will assure those attending that you are, in fact, a certified shorthand reporter.
- As you would in any video or telephone conference, ask everyone to identify themselves. Remind all attendees that speaking over each other in this setting has consequences as words can literally be lost into the ether. This can be done either on or off the record. Make sure the appearance page reflects who is appearing remotely.
- When preparing the transcript, the location of the deposition is where the witness is physically located.
- If you want to read a statement into the record documenting the fact this is a remote deposition, feel free to do so. We have an example below.

READ-IN EXAMPLE:

“Pursuant to the First Emergency Order Regarding the COVID-19 State of Disaster, paragraphs 2.b. and 2.c., this deposition of [WITNESS] is being conducted remotely via [Zoom/Remote Counsel/telephonically] Today’s date is [DATE], and the time is [TIME a.m./p.m.]

The witness is located at [LOCATION OF WITNESS]. My name is [NAME OF REPORTER], Texas CSR No. [#####]. I am administering the oath and reporting the deposition remotely by [stenographic means/oral stenography] from [my residence within the State of Texas/the office of ABC] located at [LOCATION (you don’t have to give your residence address if done at home)].

The witness has represented to me under oath that he/she is [WITNESS NAME]. (You will have to modify your oath slightly to include this.)

Would counsel please state their appearances for the record.”

ADDITIONAL SUGGESTIONS:

Modify your title page to include the additional language of “pursuant to the First Emergency Order Regarding the COVID-19 State of Disaster. Also, include the word “remotely” where appropriate on the title and certificate pages. Also, as with all remote depositions, include the language on the appearance page (Appearing via Videoconference) or (Appearing Telephonically) by each person appearing remotely.

EXAMPLE OATH:

Do you solemnly swear that you are [WITNESS NAME] and that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

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If you have other suggestions, we'd love to hear them! If you're active on TEXDRA Connects, please post them there. Or if you'd prefer, email your suggestions to info@texdra.org.

STAY SAFE AND HEALTHY OUT THERE!