



**BEST PRACTICES
IN CONDUCTING
REMOTE
DEPOSITIONS**

FEDERAL BAR ASSOCIATION SAN DIEGO ZOOM WEBINAR

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A black and white photograph of a dog, possibly a Weimaraner, sitting at a desk in an office. The dog is looking towards a laptop screen. The background shows a desk with a keyboard, a mouse, and some papers. The overall tone is professional and focused.

**It takes more than a webcam
and an internet connection to
safely and securely conduct a
deposition & capture the record.**

WHAT'S DIFFERENT WITH REMOTE COURT REPORTER SERVICES



Location:

- Court reporter and witness are not in the same room
- All other participants are remote, separate or together

Fully digital process

- On-line proceeding (videoconferencing)
- Exhibit submission
- Paperless transcript/exhibits
- Digital Errata

Remote Options

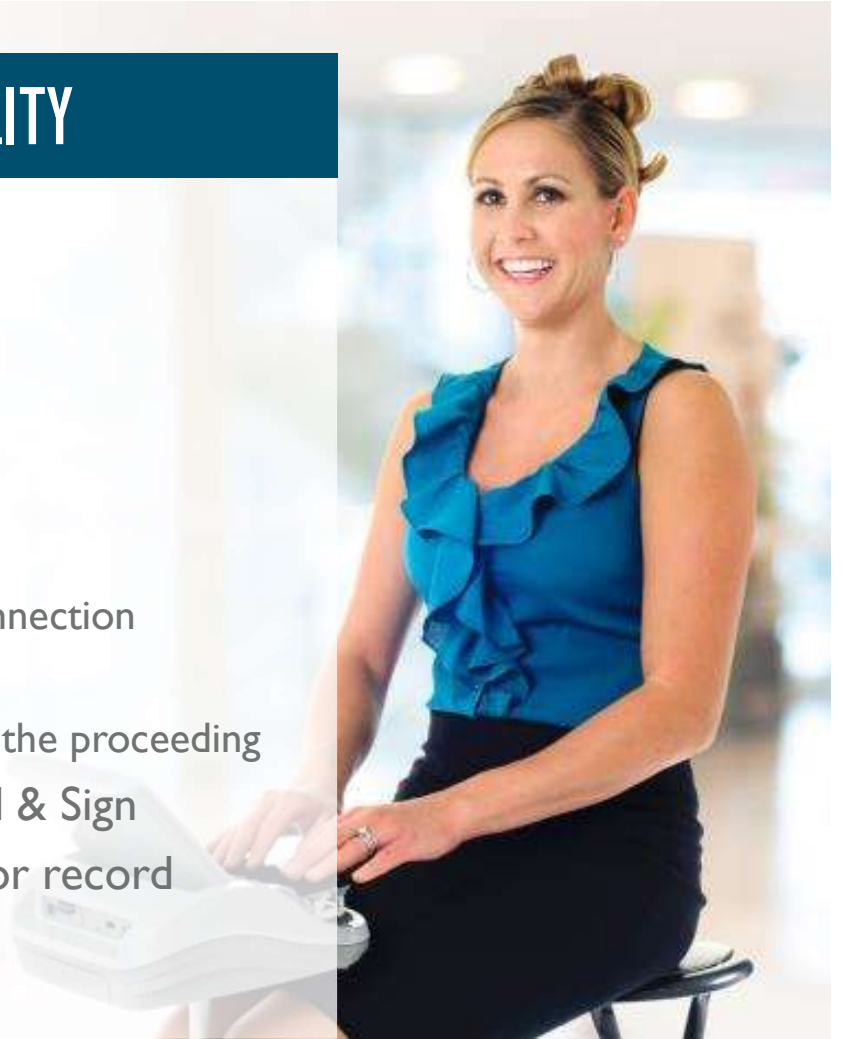
- Realtime Reporter
- Videographer
- Interpreter
- In-proceeding support (technical support, breakout room management, exhibit management)

WHAT TO EXPECT FROM THE COURT REPORTING AGENCY

- Remote Court Reporting Experience (didn't invent this service offering due to COVID)
- Enterprise-level technology developed with information security framework
- Assigned court reporter trained on conducting remote depositions, the videoconferencing platform, roles and responsibilities
- Agency service team member:
 - Pre-testing with all participants
 - Opens the deposition, validates all participants, remains available for support
- Agency has documented workflow for managing exhibits from introduction to final deliverable
 - Available in-proceeding exhibit management personnel

REMOTE REPORTER ROLE & RESPONSIBILITY

- Viewed on the screen
- Initiates the proceeding to go on the record
- Identifies attendees for the record
- Swears in the deponent remotely
- During the proceeding
 - Pauses the proceeding if anyone loses their connection
 - Focuses on the record capture
 - Records the entrance or exit of parties during the proceeding
- Collects witness email address for Digital Read & Sign
- Post proceeding, collects introduced exhibits for record production



A REMOTE REPORTER ROLE SHOULD NOT

Do anything that risks capturing a verbatim record

- Does not manage or share exhibits during remote proceeding
- Does not record the proceeding using the videoconferencing platform
- Should not provide technical support to the participants in the proceeding



EXHIBITS PREPARATION: EXHIBIT STRATEGY DECISION

- Email the exhibits to all participants (include witness & opposing counsel)
- If the element of **surprise is important** introduce the exhibit from your computer via share screen for the first time **during the proceeding**



EXHIBITS PREPARATION

Marking the Exhibits

- Agree on numbering with opposing counsel to simplify marking of exhibits
- Pre-mark the exhibits
- Exhibit number in file name
- Agency assistance with exhibits

Self-Stamping Solutions

Adobe Acrobat Reader

- For PC users:
 - <https://get.adobe.com/reader/?promoid=HRZAC>
- For Mac users:
 - <https://supportdownloads.adobe.com/detail.jsp?ftpID=5588>

ExhibitStickers.com

- Add digital exhibit stickers directly to your Adobe PDF exhibits



EXHIBITS AT THE PROCEEDING: YOUR RESPONSIBILITIES

- Counsel ensures exhibit is viewable on the computer they are using for the videoconferencing session
- Exhibits introduced during the proceeding
 - Distribute exhibit to all parties
 - Email, videoconferencing file transfer feature, file sharing platform
 - Counsel shares view of exhibit via videoconference “share document” function
 - Can give remote control to witness to “turn pages”
- Post-deposition, counsel provides the shared exhibits to the court reporter for the record
 - Securely emails or uploads the exhibit files per agency instructions

Thank you
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