

March 20, 2019

Wisconsin Supreme Court
P.O. Box 1688
Madison, WI 53701-1688

RE: Rule Petition 19-01 relating to making the record

Dear Honorable Justices of the Supreme Court:

Thank you for your commitment to ensuring an accurate record in Wisconsin courtrooms. I have been a court reporter since 2013. I previously worked in Eau Claire County and currently work in Chippewa County as an official court reporter. I write to convey my personal experiences with digital audio recording ("DAR") that I believe are relevant as you consider making DAR an official means of taking the verbatim record in Petition 19-01.

In Eau Claire County, the court commissioner's courtroom has a DAR system. If a transcript was requested for these hearings held in the court commissioner's courtroom, the court reporters would transcribe the audio recordings. There were many times where I could not decipher who was talking or what was being said. Transcribing a 15-minute hearing turned into an hour of listening to the recording over and over trying to ascertain what was being said. In the end, the transcripts to these hearings were littered with inaudibles and unknown speakers. Aside from trying to produce a transcript from the monitored DAR equipment, I have never had to put inaudible in any of my transcripts.

I can recall a time during a guardianship hearing where the monitor of the DAR did not turn the system on right away. The recording started after the hearing had started and it started right at the time that the court commissioner was denying the ward's request for a new attorney. Therefore, the entire request and argument for new counsel was not there. The due process rights of the ward and the integrity of the verbatim record were gone.

As an official court reporter, I can recall when the entire CCAP computer system went down in the middle of the hearing. Since I am an official court reporter with my own equipment, we were able to continue the proceedings and complete the hearing without rescheduling, which, in turn, saved transport fees, attorney fees, and precious court time.

Every day, as an official court reporter, not only do I maintain a verbatim record, but I also provide realtime for my judge. Both of these are invaluable and is something that DAR cannot provide.

I appreciate your consideration of my experiences regarding DAR when considering Petition 19-01. Thank you very much.

Sincerely,

Rheanna Fauske
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