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CLERK OF SUPREME COURT
OF WISCONSIN

15 March 2019

Clerk of Supreme Court
Attn: Deputy Clerk – Rules
PO Box 1688
Madison, WI 53701

RE: RULE PETITION 19-01 – COURT REPORTING

Dear Honorable Justices of the Supreme Court:

The American Association of Electronic Reporters and Transcribers (AAERT) represents digital court reporters and transcribers across the country and throughout Wisconsin. We are very much in favor of the proposed rule changes.

This rule change puts Wisconsin at the forefront of solving the growing shortage of stenographic court reporters. The Supporting Memorandum by Judge Koschnick lays out in detail the reasons for the current shortage and that the solution to this crisis is the inclusion of digital audio reporters. In fact, our membership of certified professionals represents the solution to Wisconsin's court reporter shortage.

Advantages of Electronic/Digital Court Reporting

- Accuracy and Completeness. Digital court reporting is an alternative method that capitalizes on innovations in technology to capture the spoken word, preserve it, and create the official record. Digital equipment in the hands of a trained and certified court reporter is capable of creating a complete and accurate record of what was said by all the participants in any type of proceeding. Studies involving head-to-head comparison of digital court reporting and stenographic reporting have concluded that transcripts produced from records created by digital court reporters are as accurate -- and, in many cases, more accurate -- than those produced by stenographic means.
- Increases the Supply of Skilled Court Reporters. Qualified digital court reporters can be trained and certified over a relatively short timeframe. This more efficient approach to education is attractive to persons interested in becoming court reporters because it lowers the cost barriers, in terms of time and money, to entry into the profession without sacrificing the quality of the skilled professional that is produced.
- Cost Savings. As budgets for states, court systems and the legal marketplace continue to tighten, Court Systems need to remain diligent regarding cost containment. Allowing additional qualified and certified reporters to work in the State of Wisconsin will, thanks to the law of supply and demand, allow the State to adhere to its budget requirements while ensuring that there is no compromise in the quality of the record.



Validity of AAERT Certification

- AAERT offers two standard certifications: Certified Electronic Court Reporter (CER) and Certified Electronic Transcriber (CET). These certification tests measure the accuracy of the record as well as court reporting policies and procedures. In addition to required levels of education, the AAERT certification requires at least one year of direct court reporting and/or transcribing work experience. Accuracy is the primary focus of AAERT certification, and in order to pass, final transcripts must be 98 percent accurate. To maintain their proficiency and professional knowledge AAERT certified court reporters and transcribers must complete continuing education (CEUs) each year.
- AAERT certification is already recognized in many states including Florida, Georgia, Massachusetts, Tennessee and North Dakota. In addition, there are an increasing number of federal and state level contracts that require AAERT certification, including the Court of Federal Claims and US Tax Court, to name a few.

Digital Court Reporting Best Practices

Having certified digital court reporters onsite at proceedings and following AAERT Best Practices ensures that the official record is complete and accurate. There are several points with to keep in mind:

- The digital court reporter is using confidence monitoring to be sure that the recording is always clear and audible.
 - If someone cannot be heard for any reason (speaking at a low volume, person facing away from microphone, loud external noise, etc.) the digital court reporter will intervene (with the permission of the judge) and ask that they repeat what they said.
- The digital court reporter is taking extensive notes detailing speaker identification, terms, proper nouns, etc. so that the final transcript is complete and virtually error free.
- The digital court reporter will manage the record to be sure that the official transcript accurately reflects the case information, who was present at the proceeding, on/off the record times, etc.

Digital audio court reporters can help alleviate the court reporter shortage in Wisconsin and therefore, AAERT is in full support of the rule changes outlined in 19-01.

If you have any questions or if we can be of any assistance in this transition please do not hesitate to contact us. Thank you very much for your consideration.

Sincerely,

Rick Russell

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