

GUIDING PRINCIPLES ON THE USE OF DIGITAL AUDIO RECORDING

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Guiding Principles on the Use of DAR

On April 22, 2019, the Wisconsin Supreme Court issued Supreme Court Order 19-01, which established monitored digital audio recording (DAR) as a standard means of taking the record in Wisconsin. These guiding principles provide direction to circuit court staff, judges, reserve judges, and litigants on how to appropriately use DAR equipment and ensure the integrity of the record. Court commissioners are encouraged to follow these guidelines if their district chooses to utilize digital audio recording during their proceedings. These Guiding Principles also contain policies for the use of alternative means of making the record using DAR in accordance with [SCR 71.01\(3\)](#).

Definitions

Confidence Monitoring: The practice of continually assessing the performance of the DAR unit to ensure that a sufficient verbatim record is being captured in a manner that will allow for a quality transcript to be completed.

Court Official: A circuit judge or a reserve judge.

Court Reporter: An individual who is responsible for taking the verbatim record of court proceedings as required under Wisconsin Supreme Court rules and state statutes. A court reporter may be a stenographic, digital, or voice reporter who records and transcribes a verbatim record of proceedings in circuit court.

Digital Court Reporter: Digital court reporters are court reporters who use audio recording as their primary means of taking the record. Digital court reporters may be the personal appointees of judges under s. 751.02, Wisconsin Statutes. They may also be hired at the district level to provide coverage of court proceedings or be contracted at a district level to provide per diem coverage of court proceedings.

Monitor: An individual, other than a court reporter, designated by a court official to monitor the digital audio recording equipment as an alternative means of taking the record when a court reporter is unavailable.

When should DAR be used?

Proceedings with a Digital Court Reporter

Digital audio recording is a recognized method of taking the circuit court record, and digital court reporters may serve as official, district, or per diem court reporters. Digital court reporters can take the record for any type of proceeding.

Proceedings without a Court Reporter

Under [SCR 71.01\(3\)](#), the Director of State Courts may establish policies for the use of alternative means of making a verbatim record. As provided under [SCR 71.05](#), the person reporting a court activity or proceeding may use alternative means if the following conditions are met:

- (1) After a reasonable effort to locate a court reporter is made, a court reporter is not available;
- (2) The circuit court judge, with the approval of the chief judge of that district, determines that the use of alternative means is necessary.

There are times when court proceedings may be held when a court reporter is not available. When using DAR as an alternative means for taking the record in those circumstances, the DAR equipment should be monitored by the courtroom clerk or another person assigned by the court official to monitor (hereafter referred to as “monitor”). When determining who to use as a monitor, considerations include the complexity of the proceeding, the likelihood of a transcript request, and the skill and training of the individual.

When a court reporter is unavailable, the use of a DAR machine with a monitor may be used for low transcript hearings, less complex proceedings, or certain court commissioner hearings. The use of a DAR machine with a monitor is not recommended for trials, evidentiary hearings, or hearings with Americans with Disabilities Act (ADA) requirements or interpreters.

The DAR system should never be unmonitored for proceedings required to be reported under SCR 71.01(2).

The following types of proceedings may be appropriate for alternative use of a DAR system with a monitor:

- Small claims
- Juvenile (except TPR)
- Forfeiture and traffic
- Probate
- Intake
- Treatment court

The following types of proceedings are not recommended for alternative use of a DAR system with a monitor:

- Trials
- Evidentiary hearings
- Proceedings requiring American with Disabilities Act (ADA) requirements
- Hearings with interpreters
- Felony sentencings
- Contested family proceedings
- TPR proceedings
- John Doe proceedings

General Responsibilities of the Digital Court Reporter or Monitor

In general, the digital court reporter is responsible for:

- Testing the equipment to ensure its ability to capture the verbatim record.
- Confidence monitoring throughout the proceeding through headphones to ensure the proceedings are being recorded properly.
- Taking and maintaining log notes and relevant lists of attorneys' names and addresses, witnesses, exhibits, and other information to assist with transcription.
- Playing back recorded court proceedings as directed by the court official.
- Ensuring that the recording is properly stored and retained.

In general, the monitor is responsible for:

- Testing the equipment to ensure its ability to capture the verbatim record.
- Confidence monitoring throughout the proceeding through headphones to ensure the proceedings are being recorded properly.
- Using in-court processing to take minutes of the proceedings (when the monitor is the courtroom clerk).
- Ensuring that the recording is properly stored and retained.

System Testing and Confidence Monitoring

Testing of the Equipment

Regular upkeep of the hardware and software is necessary to maintain the equipment, including checking microphones, replacing batteries, and running regular systems checks. Every county shall designate individual(s) who will be responsible for this upkeep.

Prior to any hearing, the digital court reporter or monitor shall test the equipment to ensure that it is working properly. Test the recording quality of each microphone by speaking into the microphone and verifying playback quality by listening to the recorded result on each audio channel. Report any problems to CCAP so that they can be fixed before the day's proceedings. Look at the court calendar to determine whether special adjustments would need to be given for attorneys or parties. For example, a digital court reporter may need to determine appropriate procedures prior to a court hearing to capture the record for foreign language interpreters, videoconferencing participants, or attorneys conducting voir dire.

Outside of hearings, the county should periodically test the system to ensure it is working appropriately.

Confidence Monitoring Generally

All digital court reporters and monitors are required to conduct confidence monitoring in order to ensure that an accurate verbatim record is being recorded. Confidence monitoring is the practice of periodically assessing the performance of the DAR unit to ensure that a sufficient verbatim record is being captured in a manner that will allow for a quality transcript to be completed, as required by [SCR 71.04](#). This procedure is to be followed during court proceedings.

Start of a Court Proceeding

When a court proceeding is starting, the digital court reporter/monitor should observe the visual outputs on the DAR unit and conduct an initial confidence monitoring of the recording quality via the headset. This should include isolating each channel to verify that all channels are recording properly. If there appears to be a malfunction with the DAR unit that is resulting in an insufficient record being captured, the digital court reporter/monitor is to immediately notify the court official that the hearing should be stopped due to the problem. The CCAP Call Center should be immediately contacted for assistance and notified that court proceedings are being delayed by the DAR issue.

During a Court Proceeding

During a court proceeding, the digital court reporter/monitor should use the headset to listen to recordings as they are being made using confidence monitoring to verify the quality. If there is or appears to be a malfunction with the DAR unit that is resulting in an insufficient record being captured, the digital court reporter/monitor is to immediately notify the court official that the hearing should be stopped due to the problem. The CCAP Call Center should be immediately contacted for assistance and notified that court proceedings are being delayed by the DAR issue.

Operating the Equipment

Off-the-Record Conversations

The recording should be stopped for off-the-record discussions at the direction of the court official. Sidebar and bench conferences are typically a part of the official record and should be recorded unless the court official orders otherwise. The court official should verbally state when the court proceeding is on or off the record in order to eliminate confusion.

Confidential Communications

All on-the-record conversations of attorneys and parties that occur in the courtroom are to be recorded. Microphones will be equipped with mute buttons to permit attorneys and parties to communicate confidentially off the record. The court official should notify all participants of mute features at the start of a proceeding. If the microphones are not equipped with mute functions, the parties should be notified prior to the proceeding on how to appropriately conduct confidential discussions.

Interrupting Proceedings to Communicate Verbatim Record Deficiency

The monitor or digital court reporter should speak with the responsible court official to determine the appropriate way to interrupt a court proceeding when the record is not being sufficiently captured. The court official should work closely with the monitor or digital court reporter to ensure that an accurate verbatim record is being captured.

The digital court reporter/monitor should strive for an unobtrusive presence and should only interrupt proceedings when necessary and in accordance with protocols established by the court official. Digital court reporters/monitors should use their best judgment before interrupting. A digital court reporter/monitor may want to interrupt the proceedings to request the following:

- Request that a party move closer to the microphone.
- Request the correct spelling of names or technical or unfamiliar names.

- Request that a person stop tapping a microphone/shuffling papers.
- Request that parties stop speaking at the same time.
- Request that a party slow down his/her speech pattern.
- Request that a non-verbal response be made audible.
- Request that individuals in the gallery remain quiet.

The below circumstances are additional examples of when a digital court reporter/monitor may want to interrupt the proceeding to ensure the audio recording is accurately capturing what is being said:

- The court official asks someone from the gallery to speak. In order to ensure an accurate verbatim record, the digital court reporter/monitor should instruct the individual speaking to approach one of the microphones at counsel table.
- Multiple people are talking at once. The digital court reporter/monitor should interrupt the proceedings, asking each person to talk one at a time so that the recording can appropriately pick up the individual voices.
- The attorney fails to unmute his microphone after consulting with his/her client and starts to address the court. The digital court reporter/monitor should have the attorney unmute his/her microphone and repeat what s/he was saying to the court.
- The attorneys wish to participate in a sidebar conversation with the judge, but start talking away from the microphone. The digital court reporter/monitor should instruct the attorneys to speak into the microphone if the conversation should be on the record.
- An attorney would like to stand/move around during trial/voir dire. The digital court reporter should provide that attorney with a lapel hand-held microphone when available.
- The court official has finished the hearing and gone off the record. The digital court reporter/monitor has turned off the DAR. However, an attorney says they have something else to say on the record. The digital court reporter/monitor should tell the attorney to wait to speak until the digital court reporter has turned the DAR back on.

Log Notes

It is recommended that digital court reporters create log notes.

The primary objective for the creation of log notes is to allow for a simplified search of the electronic record for the playback of testimony both during and after court proceedings as well as the creation of a transcript from the electronic record. Log notes are not intended to replace minute sheets. Log notes should be entered directly into CCAP case management/the DAR system.

To facilitate the creation of log notes, the courtroom clerk could print off a calendar for the digital court reporter, showing the relevant case information for that day, including case numbers, parties, and attorneys. In some courtrooms, the bailiff uses a sign-in sheet indicating who will be appearing in court. In those situations, the bailiff should also provide this document to the digital court reporter.

If a digital court reporter is creating log notes, the following **minimum** standards must be met with regard to developing log notes for playback or the completion of a transcript:

- The Call of the Case – the court official calls the case caption, case number. Enter the location, date and time started/time stopped.
- Names of Parties Present – each party present should introduce themselves on the record and spell their name. This assists with speaker identification for the transcription.
- Witness Names – before each witness testifies, they need to state and spell their name for the record. The witness oath should also be annotated.
- Opening Statement, Direct Examination, Cross Examination, Redirect Examination, Re-cross Examination, Voir Dire, Examination by the Court Official, Rebuttal and Closing Statement.
- Objections – this is a very important item to log note. Make certain that the time and speaker are identified for quick search and playback.
- Exhibits – proper identification of exhibits requires that there is a log note clearly stating that it is offered and received and an identification of what the exhibit is.
- Orders – identify any orders issued from the bench.
- Nonverbal actions are noted when they affect the court record. Typical examples include jury in/out, pause, witness reviewing document(s), counsel confer regarding exhibit numbers off the record, and most importantly, when a witness responds either affirmatively or negatively with a nod of the head.

Off-the-record discussions may not be evident if they are not recorded clearly. Please log note “Off the Record” with times at the beginning and ending of this discussion.

Courtroom Clerk Minute-Taking Standards

In many courts, the courtroom clerk uses the in-court processing feature of the CCAP software and follows the court minute-taking standards, which provide a basic outline of what minutes should contain for various case types. If the courtroom clerk has been designated as the monitor of the DAR system as an alternative means of taking the record, conforming minutes may serve the same function as court reporter log notes as long as start and stop times are noted for segments of each proceeding. Courtroom clerks should follow court minute-taking standards to capture a reliable log of the proceedings.

Training

Several people in each courthouse should be trained to use the DAR system.

Training for Digital Court Reporters

All digital court reporters should be trained on how to use the equipment prior to using it to take the verbatim record. CCAP provides training on the DAR equipment when it is installed. In addition, CCAP will be regularly posting training materials online. Digital court reporters must be adept at both taking the record as well as transcribing that record in accordance with the standards for [reporting](#) and [transcribing](#) set by the American Association of Electronic Reporters and Transcribers (AAERT). If possible, a digital court reporter should become AAERT certified as a Certified Electronic Reporter and Certified Electronic Transcriber within two years of being hired with the Wisconsin Court System. When using DAR, digital court reporters are expected to follow the [Digital Court Reporter Checklist](#) located at the end of these principles.

Training for Monitors

All monitors should be trained on how to use the equipment prior to using DAR as an alternative means of taking the record. CCAP will train monitors on how to operate the system (i.e. conducting pre-court systems checks, confidence monitoring, etc...) when systems are installed. When using DAR as an alternative means, courtroom clerks are expected to follow the [Simultaneous Clerking and DAR Monitoring Checklist](#) located at the end of these principles.

Equipment

Successful implementation of DAR depends on high-quality equipment. Only CCAP-approved hardware and software may be used, and adherence to CCAP technical standards is necessary. Use of nonstandard equipment shall be discontinued.

Setup and Location

The setup for DAR equipment may differ depending on whether the equipment is being used by a digital court reporter or whether the equipment is being used by a monitor. DAR systems set up for use in courtrooms will be accessed from either the clerk or court reporter's work space. Local staff should work with their district court administrator (DCA) if there are any concerns related to the DAR setup.

Recording and Microphones

Monitors and digital court reporters should use CCAP-provided DAR systems. CCAP will provide microphones as part of the DAR system installation. When generating the verbatim record, a transcriber can isolate channels to quickly ascertain who is speaking when multiple individuals are talking at the same time. The microphones should capture individuals' voices when they move throughout the courtroom (such as during trial or evidentiary hearings). If proceedings are not adequately captured, when necessary, CCAP can provide a handheld microphone for use with the DAR system.

Supplies

All necessary supplies for producing a recording, making log notes, and preserving the record should be available and accessible to the digital court reporter. Monitors should also have access to necessary supplies for using DAR as an alternative means of taking the record. Supplies could include headphones, microphones, the court calendar, pens, pencils, legal pads, witness and exhibit lists, etc.

Storage of Digital Audio Recordings

Daily Shutdown Procedures

Upon completion of the court proceedings for the day, the digital court reporter/monitor is responsible for making sure the digitally recorded proceedings and related materials (log notes) are properly stored in the central audio library on the court system network. In addition, the digital court reporter or monitor should log off the DAR unit, but leave it powered on to receive CCAP updates. The DAR unit should be shut down and restarted each morning to apply updates and refresh the system.

Storage

Digital audio recordings of court proceedings constitute a verbatim record under [SCR 71.03](#). The rule states: “The original stenographic notes, voice recordings, digital audio recordings, or other verbatim record required under [SCR 71.01\(2\)](#), made on the record or pursuant to an order of the court, constitute part of the records of the court in which made and are not the property of the court reporter.” The clerk of circuit court shall be the custodian of the digital recordings.

Retention

Digital audio recordings shall be retained and maintained in compliance with [SCR 72.01\(47\)](#). Although the audio recordings only need to be retained for 10 years, internal policy is to store them for 50 years after the hearing. Duplicates of the electronic record may be purchased by parties to whom a transcript would be available.

Signage

Signage is important for litigants, staff, and the public when using digital audio recording systems. Signage provides an important reminder that the proceedings are recorded and that anything spoken may be recorded. The language on the signs should be brief and concise. The following is suggested language that should be placed at each table microphone, podium, and on the court official’s bench anytime digital recording equipment is used:

- The court may be digitally recording proceedings.
- Speak clearly and slowly into the microphone.
- Do not whisper.
- Do not speak over another person.
- Remain seated or at the podium.
- Mute microphone for private conversations.
- Do not shuffle papers.
- Do not place papers/items on top of microphones.

The following is suggested language that should be at the entrance door and/or entry to the litigation area:

The court may be digitally recording proceedings. Silence in the gallery and litigation area is required. Remain seated and do not approach the bench until instructed to do so.

Courtroom participants may also need to be informed that the recording system may purposefully or inadvertently remain operational between proceedings and/or after the proceeding has ended. All attorneys and courtroom participants should follow the [Attorneys and Courtroom Participants DAR Checklist](#) located at the end of these principles.

Transcript Production

Digital court reporters are responsible for producing the transcript or making copies of the audio recording upon request. If the verbatim record was captured by a digital audio recording not monitored by a court reporter (i.e. a monitor), the transcript should be prepared by the court

reporter assigned to the responsible court official. The chief judge or DCA may re-assign the transcript as needed. [See Rules of Trial Court Administration 6.](#)

Request for Digital Audio Recordings

There are two ways for a digital audio recording to be requested:

- Request for a written transcript from the digital audio recording
- Request for a copy of the digital audio recording

Parties requesting a transcript from a proceeding that was digitally recorded or a copy of a proceeding that had been digitally recorded should use the Transcript/Copy Request and Information. The form is to be filled out by either the requesting party or the digital court reporter. If the digital court reporter is completing the form for the requesting party, s/he should read the form to the individual so that they are aware of their options and the costs.

Request for Written Transcripts

The production of transcripts under this section must be in accordance with the Wisconsin Court System Court Reporter Manual.

The digital court reporter shall be the primary resource for transcript production in matters s/he records for the court. The title page and certification page of the transcript of an electronically recorded proceeding shall include the words "Digitally Recorded" in parenthesis following the designation of the type of proceedings. Fees assessed for the certified transcript shall be in accordance with those established by s. 814.69, Wis. Stats.

Request for a Copy of the Digital Record

The Director of State Courts has developed policies for copying and charging a fee for an audio recording in accordance with Supreme Court Rule 71.03(6). Under these standards, if a member of the public wishes to purchase a copy of the audio recording in a matter that a transcript would be available to them, they may do so. Before providing the audio recording, the digital court reporter shall notify the presiding court official of the request to allow for redaction of inadvertent conversations. If the desired recorded hearing falls under statutory rules for confidentiality, then the digital court reporter is to first seek permission from the responsible court official before releasing a copy of the proceedings. A digital court reporter should only copy the portion of the audio recording that is related to the request.

The digital court reporter is responsible for the production of a digital copy of the court proceedings for the branch s/he serves.

The digital court reporter should inform the requesting party that any digital copy of a court proceeding is not a medium currently accepted by the court as the official certified transcript. The court will only accept certified typed transcripts for matters it has under review. A digital copy of the audio recording allows the requester to review their proceeding and determine whether or not they wish to proceed with their court matter or purchase a written certified transcript.

The current rate set by the Director of State Courts, presently \$10 per digital copy, will be paid to the digital court reporter as a form of their transcript income.

DAR Administration

The digital court reporter is responsible for the administration of the DAR system in accordance with the policies and procedures set forth by the Director of State Courts and Supreme Court Rule. Day-to-day oversight is by the assigned court official; however, the digital court reporter must work in conjunction with the DCA's office.

Court Official Responsibilities

When a DAR system is in use, the court official should provide an opening colloquy on courtroom procedures. If no court reporter is present, the court official should assume responsibility for reminding participants to stay near microphones, speak up, spell names, and note when court is on and off the record. Court officials should follow the [Court Officials DAR Checklist](#) located at the end of these principles.

Technical Support

If there are problems with the DAR system, the digital court reporter/monitor shall contact the CCAP Call Center at 1-800-422-7137 for assistance.

If all efforts to operate the DAR unit fail, then the digital court reporter/monitor shall inform the appointing court official and the DCA's office that the equipment is not available for recording court proceedings. The DCA shall assign another court reporter to cover the court proceedings, if possible. If no court reporter is available and the DAR equipment is not working, the court official will need to cancel that court proceeding.

DIGITAL AUDIO RECORDING CHECKLISTS
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COURT OFFICIALS DAR CHECKLIST

- Establish a plan for communication should there be a need for the digital court reporter or monitor to interrupt the proceedings because of concerns regarding the capturing of the record (i.e. muffled voices, microphone not functioning, etc...).
- State verbally when court is on or off the record.
- Open each session of court with an advisory statement such as the following:

“These proceedings are being digitally recorded. Please speak clearly and directly into the microphone. Do not speak over each other. All responses must be made orally. Avoid gesturing or head nodding, as these gestures will not be captured for the record. Please be mindful that rustling of papers at counsel table may be picked up by the microphones and unintentionally obscure the record. If you need to have a side conversation off the record with your client, please speak away from the microphone, mute the microphone, or speak softly so that the device does not accidentally record the conversation. If you mute the microphone, please be sure to unmute when you are done. At any point in time, I may pause the proceedings to ensure that an accurate verbatim record is captured.”
- Remind participants to speak loudly, clearly and directly into the microphone.
- Ask participants to give their appearance at the beginning of each proceeding and at the start of each day of a continuous, multi-day trial and to spell their full name for the record.
- Remind attorneys to take necessary precautions (i.e. cover or mute the microphone) when they wish to consult with their client during proceedings.
- Remind participants that only one person should speak at a time. Discourage overlapping questions and answers or colloquy.
- Point out to participants that coughing, sneezing, tapping of pens or rustling papers near a microphone may adversely affect the recording.
- Discourage participants from wandering around the courtroom unless wireless microphones are used. If necessary, permit participants to remain seated during proceedings and make sure they are speaking into a microphone.
- When participants have requested to address the court off the record, be certain to indicate that the court is off the record and state that it is back on the record when proceedings resume.
- Hold on the record bench/side bar conversations at the bench microphone.
- Leave the bench microphone on while court is in session except for off the record discussion.

- Clarify any nonverbal occurrences such as “witness nodded head,” indicating a “yes” response.
- Identify “this.” A reporter transcribing an audio recording will never know what “this” is unless it is identified on the record.
- Address jurors by name or number for proper identification during voir dire.

ATTORNEYS AND COURTROOM PARTICIPANTS DAR CHECKLIST

- Take precautions to protect disclosure of confidential communications. Use the mute button while consulting with your client or making any statements that you do not want recorded. Be sure the mute button is off and the microphone is on before proceeding. If the microphone does not contain a mute button, please speak softly away from the microphone.
- Identify yourself for the record. Spell your name and state who you represent.
- Provide the digital court reporter or monitor with the correct spellings of unusual or technical names and words used by you or your witnesses.
- Speak clearly and enunciate.
- Do not move microphones.
- Do not shuffle papers, tap pens, or make other noise near microphones.
- Always remain within arm's reach of a microphone. If you approach the podium or the bench, wait until you are within arm's reach of a microphone before speaking again. Speaking away from a microphone may not be on the record.
- Avoid speaking while witnesses or other counsel are speaking. Only one person should speak at a time.
- The recording system can only pick up verbally spoken words, avoid "uh huh," head nods, and gestures. Solicit verbal responses from all witnesses.
- Address jurors by name or number for proper identification during voir dire.
- Identify "this." A reporter transcribing will never know what "this" is unless it's identified on the record.
- The microphones should capture individuals' voices when they move throughout the courtroom (such as during trial or evidentiary hearings). If proceedings are not adequately captured, when necessary, CCAP can provide a handheld microphone for use with the DAR system.

DIGITAL COURT REPORTER CHECKLIST

At least 15 minutes before court, the DAR system must be tested.

- If there appears to be a malfunction with the DAR unit, the digital court reporter shall immediately notify the court official and contact the CCAP Call Center for assistance: 1-800-422-7137. Notify the call center that court needs to be on the record in a few minutes.
- The digital court reporter should talk with the court official prior to the hearing to determine the appropriate way to interrupt a court proceeding when the record is not being sufficiently captured.
- Open the **TheRecord Player**.
- Open the **FTR Reporter**.
- Select the Record button in the **FTR Reporter**.
- Verify that the Record Time is displaying the current time.
- Check to ensure the DAR system is working properly. Either with someone else speaking into each microphone or, if alone, using a cell phone or other device to play music.
 - Using headphones, ensure all microphones are working properly.
 - Ensure the Inputs display changes to green.
 - Ensure the Record Level Display changes to red.
- Ensure the recordings are being archived by confirming that the **FTR Reporter** displays two terminals in the lower left corner.

At the time of the hearing:

- Select the Record button in the **FTR Reporter**.
- In your log notes, indicate the start time of the hearing.
- Using headphones, ensure microphones are working properly. Monitor the volume at which each microphone is recording-adjusting volumes on each microphone as needed.
- Ensure the Inputs display changes to green.

- Ensure the Record Level Display changes to red.

Throughout the hearing:

- As the digital court reporter, you must be listening to the recording at all times. If something is not clear, there is excessive noise, or something said is not picked up by the recorder, you must let the court official know immediately.
- Ensure the Inputs display changes to green.
- Ensure the Record Level Display has remained red.
- Ensure that the Playback panel is actively recording by checking the time counter.

At the conclusion of the hearing:

- Stop the recording by clicking the Record button again in the **FTR Reporter**. The DAR system should not be recording in between hearings.
- In your log notes, indicate the end time of the hearing.

At the end of the day:

- Confirm there is no additional time to archive before closing the application or turning off the computer.
- Close the **FTR Reporter**.
- Restart the computer to refresh the DAR workstation for the next day's activities.

****For further information, see the CCAP FTR User Manual****

SIMULTANEOUS CLERKING AND DAR MONITORING CHECKLIST

At least 15 minutes before court, the DAR system must be tested.

- If there appears to be a malfunction with the DAR unit, the clerk shall immediately notify the court official and contact the CCAP Call Center for assistance: 1-800-422-7137. Notify the call center that court needs to be on the record in a few minutes.
- The clerk should talk with the court official prior to the hearing to determine the appropriate way to interrupt a court proceeding when the record is not being sufficiently captured.
- Open the **TheRecord Player**.
- Open the **FTR Reporter**.
- Select the Record button in the **FTR Reporter**.
- Verify that the Record Time is displaying the current time.
- Check to ensure the DAR system is working properly. Either with someone else speaking into each microphone or, if alone, using a cell phone or other device to play music.
 - Using headphones, ensure all microphones are working properly.
 - Ensure the Inputs display changes to green.
 - Ensure the Record Level Display changes to red.
- Ensure the recordings are being archived by confirming that the **FTR Reporter** displays two terminals in the lower left corner.

At the time of the hearing:

- Select the Record button in the **FTR Reporter**.
- In your minutes, indicate the start time of the hearing.
- Using headphones, ensure microphones are working properly.
- Ensure the Inputs display changes to green.
- Ensure the Record Level Display changes to red.

Periodically, throughout the hearing:

- Using headphones, ensure the microphones are still working properly.
- Ensure the Inputs display changes to green.
- Ensure the Record Level Display has remained red.
- The clerk should use the in-court processing feature of the CCAP software and follow the court minute-taking standards, which provide a basic outline of what minutes should contain for various case types. Conforming minutes may serve the same function as court reporter log notes as long as start and stop times are noted for segments of each proceeding.
- Ensure that the Playback panel is actively recording by checking the time counter.

At the conclusion of the hearing:

- Stop the recording by clicking the Record button again in the **FTR Reporter**. The DAR system should not be recording in between hearings.
- In your minutes, indicate the end time of the hearing.

At the end of the day:

- Confirm there is no additional time to archive before closing the application or turning off the computer.
- Close the **FTR Reporter**.
- Restart the computer to refresh the DAR workstation for the next day's activities.

****For further information, see the CCAP FTR User Manual****