



April 20, 2021

The COVID-19 pandemic both devastated and reshaped the world. America's legal system was rocked. Courtrooms and agencies alike shut down in March of 2020 as quarantine measures rolled across the country. When pandemic-induced measures continued unabated, many courtrooms, government agencies, and court reporting firms switched gears and quickly created solutions to conduct partially or fully remote proceedings without having time to develop best practices.

As a result, each entity created their own solution, often using software and hardware that was not designed for court reporting. Now, more than a year later, many are still dealing with audio issues resulting from these solutions that create a much higher number of indiscernibles in transcripts.

Since March of 2020, eScribers has listened to and transcribed tens of thousands of audio files recorded remotely. We have learned a great deal about what can be done to capture the best audio quality and the cleanest record with the systems you already have in place.

We have developed a list of Best Practices that you can implement into your current routine to help you ensure your recordings are as clean a record as possible, rivaling those you created when everyone sat together, unmasked, in the courtroom and conference room. We encourage you to share these recommendations with anyone involved in capturing a digital record of proceedings.



## BEST PRACTICES FOR REMOTE HEARINGS

### General guidelines

- Cell phone technology creates distortions, even when you do all you can to ensure the signals are all strong. Consider repeating the most important information, e.g., guilty v. not guilty, to ensure that no audio interference distorts the record.
- For those participating in person, be aware that masks create muffled distortions, even when the person is speaking clearly at a microphone. If you have any trouble understanding a participant, ask them to speak louder and clearer to ensure the record is clear.
- If anyone is having trouble hearing anyone else during the proceeding, you should assume that the record will be compromised. Therefore, pause the proceeding to resolve the issue as best as you can before continuing.
- If your remote meeting recording program permits, the court staff or court reporter should mute all participants unless they are speaking to minimize simultaneous speech which cannot be understood on the recording.

### Information for remote participants that should be shared when scheduling the proceeding:

- Remote participants should do all they can to ensure they will be appearing from a location free of extraneous background noise and with good telephone reception.
- Landline phones provide a cleaner record than cell phones and should be used if possible. If using a cell phone, the participant should ensure they have full cell coverage and should stay in one place so that the coverage does not waver as they move around.
- Participants should be in an indoor location for the duration of the proceeding to ensure there is no background noise such as a breeze or a passing car to interfere with the proceeding and so that their connection stays strong.
- Headsets with microphones that plug into the computer or phone provide the most consistent sound since the microphone is close to the participant's mouth. Also, if the speaker moves their head, the microphone moves with them.
- If two people will be attending a proceeding remotely from the same room, they should take care to avoid feedback loops by never having more than one microphone in use at a time.



Before the proceeding begins and after any recesses, review the following with all participants:

- All participants should mute themselves when not speaking.
  - Noises that will be heard when not muted include:
    - papers being moved too close to the microphone
    - dogs barking
    - staplers thumping
    - typing
    - kids talking
    - photocopying
    - fans
    - noises outside an open window such as traffic and wind blowing
    - gum-chewing, eating, drinking, nose-blowing, and all other "body" noises
- Speakers should introduce themselves briefly every time they start speaking so that there is no confusion. This becomes especially important if a transcript is ordered; without the court-specific reporting software that facilitates speaker identification through log notes, transcribers cannot determine who is speaking.
- If two or more people speak simultaneously, *both* will be inaudible. Therefore, you should wait to be recognized before speaking. In the case of objections, pause after objecting so the basis for the objection can be captured in the record.
- Participants should speak clearly and slowly to help overcome the issues caused by remote appearances and masks.
- Wait a full second after you are unmuted before speaking to ensure your first word isn't cut off by a technological delay.

After the proceeding

- Currently, some audio systems *do* have the ability to record the audio on separate channels. It may not be advertised, so it is worth asking. If your audio system has this ability, request your downloaded audio be sent as both the blended audio and the separate channels. When ordering a transcript, include both types of audio so that transcribers are better able to resolve what would otherwise be indiscernible.

