

PUBLIC COMMENTS

HB 228

HOUSE COMMITTEE ON JUDICIARY & CIVIL JURISPRUDENCE

Hearing Date: March 17, 2021 8:00 AM

Laura Tello, Court Reporter

Self, court reporter

Houston, TX

Dear Sir or Madam,

I respectfully beseech your common sense in not allowing this bill to pass. I can understand that there are those who think that electronic recording is the way to go nowadays in place of official court reporters but whomever gave that advice does not understand the implications of electronic recordings. They do not nor will they ever guarantee the security of an accurate record.

Only the human ear along with the human brain can distinguish and facilitate the spoken word in every instance amongst all kinds of extenuating goings on that humans bring to any room or court. Recordings are known to malfunction, not give good quality, or require such absolute controlled circumstances which are virtually impossible for humans to achieve when in heavy thought to present their cases with sentiment and emotion.

To get the record accurately and without delay in realtime, you need a human court reporter to do the job of taking down every record. So, I, again, respectfully request that you do not pass HB 228.

Thank you very much.

Ehdi Sepulveda, Court Reporter

Self, Court Reporter

Katy, TX

Dear Sir,

Digital recording cannot produce instantaneous, real-time transcription; whereas, court reporters are able to provide instantaneous transcripts and instant readback when needed. The highest level of accuracy is a court reporter slowing everyone down and making sure everyone takes their time. Most judges hold that court reporters provide value in ways that digital recording cannot. Realtime reporting makes sure that the proceedings are being recorded and any errors can be detected as they happen. Reporters also help moderate proceedings. They can ask speakers to repeat themselves and prevent more than one person from speaking at a time. Attorney-client privilege can be obstructed by digital recording but stenographers can stop typing if they overhear something that should be omitted from the record.

Sincerely,

Ehdi Sepulveda, Certified Shorthand Reporter

Rick Thompson

Self

Liberty, TX

Please vote against this bill. The only certifiable GOOD record of the proceedings is by a Court Reporter.

Tamara Cox

Printed on: March 23, 2021 11:23 AM

Self court reporter

Rosenberg, TX

I am in opposition of House Bill 228 regarding electronic recording devices to report proceedings before certain courts. It is proven that electronic recording devices are inferior to live, certified shorthand reporters.

Sherry Hale

Sherry Hale Reporting

Houston, TX

Do you type your text messages or do you speak them into your phone? If you speak them into your phone, you know you have to proofread them before hitting the send button because it is riddled with errors. This same thing would happen in official court records and nobody would want that. This is common sense. At this time electric recordings in a court proceeding would be disastrous.

Janalyn Elkins

Self

Horseshoe Bay, TX

I am extremely opposed to allowing courts to electronically record proceedings rather than using a certified court reporter. CSRs have had years of professional training to produce a verbatim record. There are many instances of electronics failing which would put the proceeding in jeopardy of mistrial. Please vote no to HB 228 and preserve the integrity of the court's record

Monica Grassmuck

Self-CSR

League city, TX

Good evening. I am a resident of Galveston County, League City and respectfully strongly oppose HB 228 for the following reasons: inefficient; unreliable; unable to keep track of offered and admitted exhibits; unfit to mark exhibits; cannot differentiate multiple speakers; distorted audio from a cough, shuffle of papers, door closing, etc.; incapable notifying parties with technical difficulties; many occurrences deemed for a mistrial. It is extremely difficult, stressful, and expensive for parties to make the crucial decision to proceed with litigation but continue to empower all to go to trials and hearings with confidence and certainty with an extensively trained, educated, and experienced Certified Shorthand Reporter.

Respectfully,

Monica D. Grassmuck, CSR

Official Court Reporter

125th Civil District Court

Kristen Kopp

Self

Blue Ridge, TX

Electronic Recording doesn't get a written record in front of the higher courts/appellate courts. Tex.R.Ap.P and the Uniform Format Manual is not waived when local government waives the rights of their citizens to have a court reporter present and a useable appellate record invoked. Archival is already something a court reporter provides separately using less archival space than any recording would. Another thing that a court reporter provides is state-of-the-art technology that is not dependent on the pace of local government. Live monitoring is available through a court reporter's realtime feed of every word and procedure. A live court reporter is still cheaper than these ER systems overall and there are white papers to prove that up. Sadly, this idea isn't

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novel or inventive and usually ends up being a costly mistake. Let's instead learn from those governments having to live that mistake down.

Charyna Lashley, Official Court Reporter

Official Court Reporter

HUMBLE, TX

As a court reporter I want to emphasize how important a live, certified court reporter is. A digital recorder is not reliable. The recording can't tell the difference when it comes to legal terminology. If there is a portion that is not to be on the record, a recording will not know to stop recording. If there is an off-the-record conversation being said, the recording will not know that that conversation is nonessential.

We, court reporters, have dedicated our lives to learn and enhance our skill. We are able to provide real-time to our judges. A recorder can't do that because the operator must type it all up from scratch.

If there is noise in the room, a recording will drop the words that it couldn't hear. If the operator didn't know they needed to ask the speaker to repeat the question or answer, you'll have an inaudible or indescribable.

I Using a recorders in the court is never a good practice of getting the record. Other states have tried it and it failed. In a courtroom setting you're dealing with people's freedom. If there was a cough during an important testimony, the recorder doesn't know it missed it until the transcriber types it up. I would hate for my family member to lose thier freedom because a machine missed a crucial point.

I am against digital or electronic recorders in the courtroom. Please do not pass this.

Erin Thomas

Self, court reporting student

Kingwood, TX

Electronic recording devices cannot capture a legal proceeding with the amount of reliability that a shorthand reporter can. The great state of Texas would be remiss if it allowed itself to resign to the use of a machine that has a history of failure and an inability to capture clear speech when there is cross talk, a speaker with an accent, or a speaker who may not be loud enough. The machine does not have the ability a human reporter has to speak up and defend the accuracy of the record. It can be difficult to resist the urge to use the cheaper, newer, more modern technology rather than a trained, highly educated, skilled and certified professional. But new is not always better, and the fate of any of us who could be stood before a judge should not hinge upon a bad audio capture when an accurate verbatim record is the alternative.

Brenda Gardner, Court reporter

Self

Richardson, TX

I respectfully request that you not replace a person trained in keeping the record with a recording machine that cannot distinguish two people talking at the same time and will miss words if there is a cough or other noise in the room. The accuracy and speed of a transcript turnaround cannot be duplicated. Thank you for your time and consideration to this very important matter.

Warmest Regards,

Brenda Gardner, CSR

Lynet Witty, Mrs

Self

Splendora, TX

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I strongly oppose this bill. Court reporters are needed in every courtroom to keep record.

Angelia Singleton

self

Spring, TX

I am totally against this bill.

Angelina Lozano

Texas Court Reporters

San Antonio, TX

I am writing in opposition to HB 228. It is vital to the upholding of a fair and right legal proceeding that an electronic device NOT be allowed to record or report any legal proceedings before any courts. A human Certified Shorthand Reporter certified by the State of Texas is so very important to ensure that all legal proceedings are reported correctly and without errors. An electronic recording cannot decipher between different language accents as well as a human person can. An electronic recording cannot ask for something to be repeated because an overhead plane, or air conditioning system, or other noise drowned out certain testimony. An electronic recording is not accurate enough to report proceedings verbatim the way a Certified Shorthand Reporter certified by the State of Texas is trained and certified to do. Please do not take this out of the hands (no pun intended :) of the professionals, the (human) Certified Shorthand Reporter certified by our own State of Texas.

Thank you,

Angelina Lozano #2892

Diana Weibel

WEIBEL DIANA LEAL, CSR

MISSION, TX

I AM STRONGLY AGAINST ALLOWING ELECTRONIC RECORDING DEVICES TO REPORT PROCEEDINGS BEFORE THE COURT INSTEAD OF AN ACTUAL CERTIFIED COURT REPORTER. IN ORDER TO PRESERVE THE INTEGRITY OF THE RECORD AND MAINTAIN THE HIGHEST ACCURACY NEEDED FOR SUCH IMPORTANT PROCEEDINGS, IT IS IMPERATIVE THAT CERTIFIED COURT REPORTERS ARE REQUIRED TO ACHIEVE THIS CRITICAL AND VITAL TASK. WE MUST STRIVE TO GET THE BEST QUALITY RECORD POSSIBLE BY THE OUTSTANDING CERTIFIED COURT REPORTERS IN OUR STATE, NOT SETTLE FOR A SUBSTANDARD RECORD BY A RECORDING DEVICE ONLY. I HIGHLY URGE THIS BILL NOT TO BE APPROVED.

Barbara Tokuz

self, Official Court Reporter

Rockwall, TX

Electronic recording can be helpful in traffic court or non courts of record; however, in misdemeanor, civil, family law, or felony courts where a court transcript must be produced by a competent individual, there needs to be a trained, certified court reporter who can be held accountable. The certified court reporter is required to keep their notes of all proceedings for 3 years on civil cases and 15 years on felony criminal cases. There have been many times over the past 35 years of my career when attorneys, judges, or State prosecutors have asked me for records going back as many as 10 years because of lost clerk records, files, or confusion on what took place. An electronic recording has to be stored and retrieved. Who is the person who will be held accountable for all of that? A court coordinator who is here today and gone tomorrow? A clerk? A secretary? A transcriber from India? If it is your court case and the record matters, who do you want? Do you want a State certified reporter who can be jailed and held accountable and who was actually present during the proceedings, or do you want to hope that someone can find the recording and transcribe it with 50% accuracy? The Certified Court Reporter, CSR, does so much more than take down a record.

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They are allowed to interrupt the proceedings when voices are inaudible, there are outdoor noises, coughing, and will ask the person to repeat. Many times when exhibits are introduced, there is confusion on what the numbering is, incorrect double numbering, and if it was actually offered and/or admitted. The court reporter makes sure the exhibits don't walk out of the room and everything is straightened out before witnesses and attorneys leave the room. The court reporter makes sure that the indexing in the transcript accurately reflects what happened, which is a tedious, painstaking task. There are countless little things that reporters do during proceedings that cannot be done by the flip of a switch on a digital recorder -- which said digital machine may or may not be working. During hearings the court reporter holds onto exhibits, does an inventory each day, and locks them up overnight, and brings them into the hearing room safely each day. After the conclusion of felony cases, the court reporter hands over contraband to the Sheriff's Department and a chain of command form is signed. Do not be fooled by people trying to sell expensive installations for hundreds of thousands of dollars for a recording device which does not take the place of a human brain. Artificial intelligence, along with a human, is great technology; but a recorder alone is just a recorder. Buyer beware.

Dawn Flippin, Me.

Self-employed court reporter

San Antonio, TX

I have been reporting for almost 30 years & have transcribed more audios of legal proceedings than I can count. And I can attest that they are not nearly as accurate as being there live. A court reporter can ask for clarification when a recording does not. If judges are interested in lawful, accurate transcripts of legal proceedings, they will insist on having a court reporter present in their court.

Ruth Aguilar

Self - Court Reporter

El Paso, TX

I am opposed to electronic recording devices to report proceedings. There are so many problems with recordings. A few examples are people speak over each other and don't identify themselves making transcribing them extremely difficult. Court reporters are guardians of the record.

Terri Chase

self - stenographer

Addison, TX

As a court reporter since 1983 and it being my only profession, I have much experience to state how important it is to have a physical court reporter in the courtroom. I've experienced many things that I want to share: (1)language issues where I've had to interrupt to make certain I heard and understood. (2)arguments between counsel, with such heated emotions, talking over one another (3)the Court interrupting and speaking on top of attorneys or vice versa (4)too soft-spoken speakers (5)mismarked exhibits that no one seems to pay attention to but myself.

I can name many more. I've also transcribed audiotaped hearings due to Covid-19 and they're just horrible. The audio is horrible because the speaker's voice trails off at the end and the muffled sounds from papers or just coughing. Just a mess. I really believe that if you think about the ramifications this can present and the retrials because of such a mess-up, it would cost the taxpayer even more, having to retry a case. Thank you for your considerations, and I'm sure you will make the right decision.
TLC

Roxanne Wiltshire

Self

Pearland, TX

Oppose this Bill. Very detrimental to the safety of the record.

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Donna Collins

Self - 48 years as a Texas court reporter

Dallas, TX

Many courtrooms around the country have tried replacing court reporters with alternative recording systems and have returned to using live certified court reporters. There are inherently problems with inaudibles, overlapping speech, and overall system failures with any type of recording, digital or otherwise. Digitally recorded hearings generally take up to twice as long to be compiled, edited, and returned as a final document. There are also hidden costs such as maintenance fees and the cost of transcription. Even a digital record has to be listened to and manually transcribed for appeal. I view this as more of a cost issue and/or availability of reporters in a particular area. If cost of salary and benefits for a full-time official reporter is the primary reason for proposing this legislation to avoid those costs, consideration should be given to the option of hiring a per diem reporter (half day or full day) on an as-needed basis. With the ability to provide remote services, as we all have been doing this past year, a judge would not be limited to reporters living in their county but could utilize the service of any reporter in the state who can also, upon request, provide a "realtime" stream of text to the judge and the parties. Digital audio or video can't make that guarantee. Thank you for your consideration.

Laura Cutherell

Self-Court reporter

Houston, TX

I'm an official court reporter in Harris County and I strongly oppose this House Bill because to get an accurate transcript one needs to use a certified court reporter. Electronic recordings are not reliable, accurate or cheaper. All proceedings I work on are very important and I believe in putting out an accurate work product. Please reconsider this House Bill. Thank you, Laura Cutherell

Della North

HB228

North Richland Hills, TX

Dear Honorable Representative Moody. Hello! I've been an official court reporter for 12 years and I love my profession! I am writing in opposition of this Bill. We have court reporters that have taken the test and will be available! soon!! Please do not let this Bill pass!

Respectfully,

Della North

Corina Lozano

Self - court reporter/coordinator

Bellville, TX

I've been a court reporter for a little over 11 years now. In all that time of reporting, I can probably count on one hand the times the record was actually protected the entire time of any hearing and/or trial. I'm constantly reminding people to speak one at a time, speak up, give verbal responses, slow down, etc. i will never apologize for doing my job.

As court reporters, we ARE the guardians of the record. At the end of the day, the record is what is a true reflection of what occurred on the record. To think that a recorder can capture much less protect the record is just preposterous. In the event that a recording would have to be later transcribed for any reason, it would be virtually impossible to determine who was speaking unless each speaker identified who they were each and every time they spoke.

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Even the best of attorneys and judges have to be reminded from time to time that court reporters are there to do the job of taking the record. It is my sincere fear that to replace a court reporter by any other method of recording any type of hearing would be a grave injustice to the judicial process.

Sally Hagon

self - retired

Rosenberg, TX

I believe it is a mistake to allow the courts to use electronic recording devices. Technology cannot replace the accuracy and reliability of a court reporter. Recordings cannot distinguish between multiple speakers or ask for clarification during testimony. Recording devices cannot tell what is supposed to be off the record like attorney-client discussions. Every conversation in the courtroom becomes part of the official record even if it shouldn't be including privileged conversations being recorded. Privacy rights will be lost. How much more will it cost the county, state and tax payers to have a recording system? Along with the initial cost it will require upgrades and maintenance along with an IT person to fix any problems that may come up. There will be additional costs for storage, maintenance and security of all the electronic files. Who is responsible for that and how much will that cost? A court reporter can provide a printed or electronic version of the proceedings as needed. An electronic voice recording would have to be transcribed and it is probable multiple people could transcribe a recording thereby opening it up to different interpretations of the same record. That is not beneficial to either prosecution or defense. Court reporters are necessary for our courts. Technology may be new and improving but it should not replace a professional court reporter. I believe this act is detrimental to individuals and to the legal system of Texas.

Laura Rivera

Self Official CSR

San Antonio, TX

This is a terrible idea. The record is too important. There is no accountability with recordings. Recordings can't decipher accents and can't troubleshoot human habits such as interrupting each other and mumbling. This is similar to the idea of defunding the police. You save money in the short term but it is a disaster in the long term and not beneficial to anyone whatsoever.

GINA MAY

self/ Certified Shorthand Reporter (stenographer)

Spring Branch, TX

To the House Committee on Judiciary & Civil Jurisprudence:

I oppose this bill and I ask you to do the same. As a court reporter who has transcribed electronic recordings, I can attest to the fact that it is extremely difficult to get an accurate record from ER. Electronic recording is subpar when compared to a live stenographer taking down court proceedings in real time.

As a court stenographer who attends court while it is in session, I have the ability to ask for clarification when a door closes while someone answers, to stop someone when they speak over someone else. If someone has an accent or impediment, I can let the Court know immediately that the record is in jeopardy because the person is difficult to understand. As Certified Shorthand Reporters, we can't just get the gist of what someone is saying. We are required by law to provide a verbatim transcript and that cannot be done by providing a recording to someone after the fact.

As a court reporter who works with the technology in my courtroom, I can affirm that the technology is constantly nonfunctioning. Having a person to come look at the technology when it is broken can take weeks, sometimes months. Once we get someone there to actually fix the equipment, we're told that the part is no longer made and that the county has to buy a completely new setup that is out of date within six months.

No one would benefit from the passage of this bill. All parties, civil and criminal, will have difficulty getting a record certified by

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a stenographer. Stenographers are aware there is a shortage of court reporters. We are working hard to get more people certified to counteract this shortage. When bills such as these are proposed, students start to question whether there is a future in the profession and these bills do more harm than good.

That fact that this bill has even proposed is ridiculous and offensive. Politicians and County Commissioners should not be making decisions about a profession of which they have no knowledge. Stenographers work hard to provide accurate records of what transpires in court. Do not make our job harder by taking away our ability to step in and control a proceeding. People may think that all a court reporter does is make a record, but there is a very human aspect behind our jobs that no machine can mimic or replicate.

YOUR constituents are entitled to justice and in-person stenographers in a very real sense provide that. Do not take away that right with the misconception that a machine can do the same thing as a human.

Once again, I ask that your oppose HB 228.

Gina K. May, CSR

Rene Moarefi

TEXDRA

Houston, TX

I am OPPOSED to this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Haleigh Hernandez

Self, court reporter

Spring, TX

I am opposing this bill. Electronic recording is not and will never be as accurate as a human court reporter taking down proceedings. It is very difficult to certify to something you were not present for. Please deny this bill.

Tracy Plummer, Ms.

Texas Court Reporters Assoc

New Braunfels, TX

Please vote against this Bill. We all need our jobs, and it's a known fact having a reporter live is better than any recording being transcribed later. The Judges and their court reporter have a special rapport and I think the whole system would be jeopardized if we were nonexistent.

Lisa Hundt

Self - court reporter

Fate, TX

As a working stenographic court reporter in the State of Texas, I am strongly opposed to the proposed changes put forth in HB 228 regarding digital recording instead of stenographic reporting of court proceedings. Please vote against the passage of this bill.

Leticia Salas, Official Court Reporter

Self

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Houston, TX

I hereby oppose HB228. It is vitally important that we have a live court reporter to capture the spoken word in a court proceeding. When a recording is made of a proceeding, it is difficult to understand recorded proceedings with the many distractions that can happen in a courtroom; so I respectfully request that the live court reporter remain as the official guardian of the record and allow the judges to select an official court reporter for each individual court. I know that if I have went through litigation, I would not want my case to depend on a recording. Thank you in advance for voting no to HB228.

Erminia Uviedo

Bexar County Courthouse

San Antonio, TX

I strongly oppose this bill. As a Certified Stenographic Court Reporter for the past 25 years and five years as a transcriptionist before that, I have witnessed and had to transcribe many matters by audiotapes. Audio tapes are very very difficult to hear. Audio tapes pick up background noises, which drown out speakers. One cough from a spectator can mute any speaker talking at the time. They are not a reliable means for certifying a record. Many audio tape feeds fail, they cut out. Sometimes there end up being no recording due to battery life. Even videographers in depositions have had all their individual microphones fail. And at the end a transcriptionist would need to transcribe from a small digital recorder left at the end of the table which is so difficult to decipher.

Certified stenographic court reporters can stop the proceeding and ask for clarification. Certified stenographic court reporters usually sit right between the witness and the questioning attorneys and can provide a more accurate record than a tape recorder. A transcriptionist would have to identify speakers and objections and interjections, especially when there are multiple plaintiff attorneys and multiple defendant attorneys. Court Reporters also keep up with evidence and evidence renumbering and evidence number skipping, all things which would confuse a transcriptionist. Digital audio files can also be corrupted or manipulated.

This bill would be detrimental to the judicial process. Please veto this bill.

Maria Fattahi

Texas Certified Court Reporters/Auxiliary Official Court Reporter

San Antonio, TX

The in-person CERTIFIED court reporter is most crucial when two people are talking simultaneously, as well as interrupting the proceedings should there be a word or a phrase that was misunderstood because the persons are speaking too fast. Or if a witness' response was obscured by outside noise or a sneeze or a cough, etc., a CERTIFIED in-person court reporter can ask the person to repeat what was said.

Or what about when the jury is deliberating and there needs to be read back for clarification, should it be a criminal matter or a civil matter, can a digital recorder give instantaneous read back? Or instantaneous production of the proceedings through Real Time transcription?

It's been proven time and time again in the states throughout the United States that digital recorders are subpar and inferior and do not produce an accurate, unbiased verbatim record or can it be produced in a timely manner when requested. There are transcripts from digital recordings in the record where the "typist" places "inaudible," "unintelligible" and "indiscernible." Clearly that is an incomplete and inaccurate production of the proceedings. How is a Court of Appeals supposed to render a decision when they have an incomplete and inaccurate record or a jury to render a just verdict? I am totally in opposition of HB228!

Jennifer Sanders

self/court reporter

Carrollton, TX

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I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Christy Nowotny, TX CSR 11536

self - court reporter

San Antonio, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

irene valdes

self/ court reporter

HOUSTON, TX

every case deserves attention. would you like to depend on some AI or electronic device to get the testimony ACCURATELY. My iPhone is extremely inaccurate and further proof that AI is incapable of getting everything down correctly and identifying speakers correctly. Doesn't matter how insignificant you deem the case. the parties expect and should receive the same attention to detail as someone fighting for their freedom . it matters to them. who can decide what case is important enough to qualify for a live court reporter and whose case is NOT IMPORTANT enough to reap those same benefits from having a live court reporter present? Electronic recording is leaving everything up to a TYPIST who may not be able to spell or use a synonym correctly. COURT REPORTERS study and train their whole careers. We NEVER STOP training and continuing education and certification. COURT REPORTERS ARE THE GUARDIANS OF THE RECORD!!

Beth Rodriguez

Beth Howard & Associates

Dallas, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. It puts the judicial record - of vital importance to the parties in any proceeding -- at the mercy of whoever is monitoring and transcribing sometimes extremely personal and sensitive information. Transcription is often offshored to the lowest bidder, resulting in personal information or even corporate trade secret information being disseminated internationally without any checks or balances. Keep court reporters in place doing what they, and they alone, are trained and certified and ethically bound to do: Protecting the record.

Michele Fritsche

self/official court reporter

Giddings, TX

I am in opposition to this bill. This bill would allow any uncertified, unregulated, or untrained person with any recording device to replace a trained and educated certified shorthand court reporter in our court system. Cases could be in jeopardy of being thrown out due to an "operator" forgetting to hit record and recording said proceeding. This method of "recording" is also subject to manipulation, which could jeopardize the accuracy of the hearing.

Terri Smith, Court Reporter

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Self, Court Reporter

Jacksonville, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Melisa Duncan

Duncan Realtime Reporting

Mansfield, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Alicia Brooks

Self

Taft, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

I do not think that this would aid in the administration of justice.

Jill Driscoll

Licensed court reporters

Conroe, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

The live reporter with a license on the line is a neutral witness to the proceedings and is charged with the heavy responsibility to maintain and produce records even years after hearings/trials take place. These are the most important events oftentimes in the lives of the parties to these proceedings. They deserve the utmost respect and protection.

Thank you.

Cassandra McCoy

Self - Official Court Reporter

Cleveland, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Jo Ann Kelley

self

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League City, TX

I oppose this bill. This bill will take away the certified professional court reporter's job with an unlicensed person to just push a button hoping the electronic device works or hoping they don't forget to turn it on. This will cause many mistrials and a lot of extra money when you realize the recording device didn't work or doesn't pick up speakers or is inaudible with background noise. You name it

Denyce Sanders

Myself

Houston, TX

Haven't y'all learned that electronic recording can't be trusted and cannot replace a LIVE, educated, background checked court reporter????? Button pushers have NO place in the legal system!

Melanie Smith

self - court reporter

Longview, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. Deepfake recording. Deepfake recording could be detrimental to court cases. I strongly oppose this bill. A live court reporter is the gold standard for taking down the record.

Jennefer Franklin

Self, freelance court reporter

Alvin, TX

I strongly oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record or have issues with the recording itself due to environmental noise such as coughing, paper shuffling, simultaneous speaking, to name a few. This method is also subject to manipulation resulting in a deepfake recording.

Amanda Blomstrom

Self, court reporter

Frisco, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Patricia Morales

Self - Official Court Reporter

Corpus Christi, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

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Angela McBride

Angela McBride, Certified Shorthand Reporter

Houston, TX

I am opposed to HB 228 passing. Courts should elect to have a certified shorthand reporter instead of a court recorder as the official record. Our justice system has always stood on the right to a fair trial, but it goes without saying that a fair trial means one where the proceedings are transcribed verbatim and accurately. It has been proved that recorders are not accurate in their transcription; therefore everyone who comes before any court would have their cases poorly reported and the courts would subject themselves to appeals and having to have the proceedings done over again. Thank you.

Nashawn Meneley, CSR

Self - Certified Texas Court Reporter

New Braunfels, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Susan Baker, Ms.

self- Certified Shorthand Reporter Texas No. 1561 - certified November 9, 1979

Houston, TX

Please vote AGAINST

Annette Peltier

Texas Court. Reporter

Houston, TX

You cannot protect the integrity of a proceeding with any electronic device. They malfunction all the time. A human cannot certify that what is on a recording actually happened if they were not there. There is no personal knowledge of the proceedings. Unqualified people are out in the world now video recording proceedings unsuccessfully. This would just be another bad idea! Plus, are you all really okay with putting thousands out of work -- and for what? It won't save money or time. Worst case, recording fails and there is no record. Someone coughs and there is no record or an inaccurate record. Someone shuffles papers and there is an inaccurate record. Any HUMAN COURT REPORTER will tell you this happens all the time, interference. Only a human being can stop, ask for clarification, and GET THE RECORD RIGHT! Lawyers and judges ALREADY HAVE THE RIGHT to record a proceeding in Texas and most choose not to because when they have tried it, they dislike it! Why would you want to put more people out of work!!!!

Julia Rangel

Self

NEW CANEY, TX

As a court reporter in Texas, I strongly disagree with the passing of this Bill228. A recording is a dangerous path to take in lieu of a live court reporter. Too many things can go wrong. No audio working, who is transcribing the hearing, where are the transcribers located? Do citizens want their business out of the hands of a sworn, certified reporter? Social security numbers, HIPAA information, medical information is shared in court every day and as certified reporters, we are required under law to maintain a person's information. With recording, who is the one with the information? What kind of training have they had, if at all? Each person is entitled to their own privacy and shouldn't have to worry about their information being stolen by somebody who isn't qualified to handle their information. Reporters have guidelines to follow, typists do not. If this bill passes, too many

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things can go wrong and I would hate that someone's life could be ruined by this mistake. There are no guidelines for "transcriptionists" whereas certified reporters are governed by law and have multiple guidelines to follow. This bill is in nobody's best interest except for maybe attorneys who don't want to split the purse for their client's own well being.

Pamela Letz, CSR

Abilene Court Reporters

Abilene, TX

I highly oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record or made an egregious error in understanding. This method is also subject to manipulation resulting in an untrue recording.

Shari Kloos

Self - court reporter

Dumas, TX

I am a Texas court reporter. I am in OPPOSITION of this bill. This bill WOULD STRIP THE ATTORNEYS WHO NEED A TIMELY TRANSCRIPT or even just an aid to draft the orders of the court. A live reporter will ensure a proper record is made. A live reporter will ensure there are no inaudible words. A live reporter can and does transcribe parts of testimony during trials that the attorneys need for closing remarks or cross examination. There is no way a recording and then transcription could possibly replace a live reporter. The consequences would be disastrous.

Ken & Anne Hobble

Self

Plano, TX

We urge you to oppose hb 228. Court Reporters are an integral and necessary part of our court system. Electronic records have proven to be an unreliable way to make an accurate version of court proceedings please oppose this bill

M. Suzanne Carroll

Certified Shorthand Reporters in the State of Texas

Fort Worth, TX

I am a Certified Court Reporter in the State of Texas and have a lot of training to be able to do my job with excellence and proficiency. Electronic recording devices do not hold a candle to what I can do and the accuracy and proficiency of a court transcript that I can produce. I have tried to transcribe electronic devices without having been present in the courtroom and it is an impossible task to be able to reflect an accurate record. What if someone sneezes or coughs during the proceedings and words are missing? What if a loud noise occurs and it's not picked up on a device? What if the acoustics are horrible in the courtroom - which they are in a lot of courtrooms- and it doesn't pick up well? How is an electric device going to pick up who is speaking and when? It's not that smart to know who is speaking. I am able to pick up all of those things as they are happening because I am trained to watch and pay attention to everything and get it on the record. A live certified court reporter is the only way in which to secure an accurate record and there is nothing that can replace a live court reporter. This question has been posed for over 20 years of trying to introduce an electronic recording device to replace a court reporter and the reason it has not been done yet is because smart people realize the value in having a live court reporter there to oversee the proceedings and make sure that everything in the transcript reflects an accurate record. A court reporter is able to decipher nonverbal gestures, to ensure exhibits are being marked appropriately and is able to oversee everything that is happening in a court proceeding. I do not understand why court reporters keep trying to have to fight for our profession against a recording device. It makes absolutely no sense. Judges understand this. Lawyers understand this. Most people get this so why do we have to keep beating a dead horse over this issue?. Nothing will replace a court reporter and if you want messy transcript and inaccurate information, then by all means go

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for it, but I can promise you that you will regret it when you see the work. You will end up having to undo this ridiculous bill. I have heard from lawyers and judges who have tried going down the avenue of recording devices only to be highly disappointed in the finished product and have realized it was a mistake. So Please for the sake of a clean, accurate record and for the sake of the judicial system, please don't water it down to be nonessential by replacing proficient, live Texas Certified Court Reporters with an electronic recording device. Thank you!

Robin Cooksey

self - court reporter

Riverside, TX

I am writing in opposition to HB 228. Under the current Texas rules and statutes, the judge is the one who determines which system of recordkeeping to use to record their court's proceedings, and that is the way it should remain.

This bill appears to be in response to efforts by some counties to reduce budget deficits by reducing court reporter salaries and/or encouraging electronic court recordings that use staff that, in most instances, are less trained and thus less expensive than official court reporters. In other words, because some counties are struggling financially, they propose to mandate statewide what staff judges should hire and what technology those judges should implement.

The fact of the matter is, certified shorthand reporters are licensed by the Texas Supreme Court. They are governed and held accountable by the Supreme Court and the Judicial Branch Certification Commission. There is no governing body that oversees electronic/digital reporters/recorders, thus, they are accountable to no one.

When every word is potentially dispositive of issues being tried, state-of-the-art electronic recording devices/systems are not able to accurately discern and record in a courtroom setting. Courtrooms cannot ever be a place where the potential exists for even the slightest inaccuracy. That is why many judges, who preside over cases involving multiple parties, witnesses and exhibits only use certified shorthand reporters. They are the keepers of the record. They are the gold standard. They are impartial, and they do not allow anything to blur the precision of the record.

The passage of HB 228 would place more credibility in an electronic recording system in which there is no accountability, thus reducing the judge's ability to hire or retain certified shorthand reporters in whom the judge has complete faith. This in turn demotes the dependability of the proceedings that every judge strives to guarantee and which every citizen deserves and expects.

Therefore, I urge you to defeat HB 228.

Dana Taylor

self - court reporter

Mansfield, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

KELLY FISHER

SELF - COURT REPORTER

AUSTIN, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Kim Tindall, Ms.

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Self

Bergheim, TX

I oppose this bill. I am a Texas Certified Shorthand Reporter and own a court reporting firm that offers services across the entire state. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because of operator error and is an inferior method of making the record.

Dawn Van Stean

self, court reporter

Houston, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Nashawn Meneley, CSR

Self - Certified Texas Court Reporter

New Braunfels, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, Certified Court Reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. The Certified Court Reporter is there to take down a verbatim record and can stop the proceedings and ask for clarification if someone has an accent, speech impediment, et cetera, or if someone sneezes, coughs, or some other background noise cancels out what the attorney/witness/judge is saying. If the electronic recording device fails (and it will), there will be no record. If there is background noise (and there will be), important testimony will be lost. There is no way to produce the record as fast and as accurate as a Certified Court Reporter writing it simultaneously as the proceedings are occurring. Every court case deserves to be taken seriously and should have the right to a good record and the electronic recording of proceedings would severely undermine that right.

Cindy Huggins

Retired 216th Official

Hunt, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Jennifer Gibo

Self - Lawyer

Paris, TX

As a practicing attorney, I have had the experience of having a full contested hearing that lasted all day where the proceedings were only recorded. Later, there was a dispute about the hearing and we needed to see the transcript. This is when it was discovered that there was some sort of issue with the recording and we did not have record of the proceeding in this contested custody case. This led to us having to have additional hearings on this matter. A recording can not substitute for a person. A court reporter records what is going on, prevents people talking at once, and provides a definitive final transcript of the hearing. This prevents needless additional litigation and cost. A court reporter is an active role that can not be replaced by a passive device.

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Robert Buie, President and Owner

Self and my company, MBA Reporting Services, Inc.

Plano, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Rachel kocurek

SELF - Court Reporter

Friendswood, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Lisa Greenwalt

self -- court reporter

Boerne, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record or other audio glitches that may occur. This method is also subject to manipulation resulting in a deep fake recording.

Wendy Golding

Self - Freelance court reporter

McKinney, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any manner of recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Hayley Stiteler

TCRA

Bastrop, TX

This bill will put all counties in financial turmoil. They tried to implement digital recording devices in New Mexico to cut down on costs to pay officials, but they found that this only resulted in more expense because they had to rehear many cases due to the way the proceedings were handled and poor quality of transcripts. If this worked, we would already be doing it. You cannot simply rely on audio. Audio is completely unreliable in court cases. When you are dealing with the best interests of children, people who are fighting for their guilt/innocence in a trial, or seeking justice for being the victim of a crime, there is no room for mistakes.

As a certified shorthand reporter, my license is on the line. I work diligently to take down every word verbatim. I take pride in my work. I interrupt when I miss something, I ask questions for clarifications of spellings, I do research. I make sure that my record is clear and accurate. The quality of court records will decline immediately. If I miss something because there were people talking over each other, I clear up the record. But if you are not simultaneously making the record, when you go back hours or days later,

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that testimony is gone and the ability to clarify the omitted testimony is gone, too.

There is only one method of reporting court proceedings, and that is by stenographic means only. How can someone who merely pushes a button possibly be paying attention to unclear testimony or make out what is said if there is a cough or sneeze that takes over the audio? That missing testimony will not ever be recovered because you simply cannot rely on audio to record court proceedings.

For all these reasons, I ask that you deny HB228.
Thank you.

Hannah Baxter

Self. Lamar county Jp 5-1 asst. chief deputy clerk

Lake Creek, TX

Court reporters are VITAL to our judiciary system. I cannot imagine how messed up, unreliable etc our records would be without a human court reporter. It would be a big mistake to allow a commissioners court determine what happens in a judges court room. Also, how many times have you spoken into "Siri" and what Siri produced as your words were not correct. If it's not broke don't try to fix it. Please understand that majority of our community understands the important role of technology. Technology has made our lives easier in so many ways. In this instance we need our human court reports to continue doing the great job that they are doing.

Karen Scully

Self

Dallas, TX

Never has worked, never will. Go ahead and try. You will fail as per the usual. Get rid of ALL stupid politicians voting on things they absolutely know nothing about!

LAURIE CARLISLE

Carlisle Reporting

Houston, TX

I am very opposed to this bill. This "system" has proven to be very flawed for many years and for many reasons. Having an uncertified, unregulated, untrained person be responsible for such a crucial piece of the legal process is a grave mistake. It takes so much training and education to be able to produce an accurate record of proceedings. Just hitting a record button and then passing the recording on to a "typist" without this specialized training will result in very poor, sometimes unusable transcripts. Attorneys have been horrified by the result of this method time and time again. Thank you.

Laura Montalvo

self -- certified court reporter

San Antonio, TX

I oppose this bill. Many courts in the past have used electronic recording and went back to using court reporters because of operator malfunction or equipment malfunction. If this bill passes, you will be allowing any person, untrained individuals, uncertified individuals, possibly criminals to record proceedings. Digital recorders and videographers are not regulated by the state. These unregulated individuals will have access to private information. Also, court audio and videos can be manipulated with artificial intelligence and video technology, turning them into deepfake audios and deepfake videos.

Mellony Ariail

Texas Court Reporters Association

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Corinth, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do regardless of how good it may be. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Mellony Ariail, President, Texas Court Reporters Association

Janet Hoffman, Ms.

self, court reporter

Spring, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Marcy Clark, CSR

Self, Court Reporter

BOERNE, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Loren Gonzales

Yourself, Court Reporter

HOUSTON, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Erin Furgason

self. court reporter

Houston, TX

I am in opposition to this bill because it affects my livelihood plus the record. We provide a very essential part to the court process by making sure it's done right. We can interrupt if people are talking over each other or are too loud, etc. We can produce transcripts in a very fast fashion, including same day. I did audio transcription as a job 8 years ago, and I cannot tell you how many times I had to go tell the courts to turn on the audio. I would also have countless "inaudible" in the transcript from people talking over each other or someone coughing while someone was speaking or speaking too fast. Please do not pass this bill. It will

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end up with many mistrials and delays.

Alisa Raumaaker

Alisa Raumaaker

LUMBERTON, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording

Mary Mills

Harris County

Pearland, TX

I am strongly opposed to the use of an electronic recording device in place of a court reporter. As recently demonstrated by the Zoom court proceedings taking place throughout the state of Texas due to Covid-19, there is always a sound or movement in the courtroom that tends to block out what the speaker is saying. If a court reporter were not present to accurately take down the proceedings, a great deal of the proceedings would be inaudible. A live person would be able to stop the speaker and ask the speaker to repeat what was previously said. A recording device could never do that, or even the person operating the device would not know when the recording device has malfunctioned. After all, a recording device is just a machine that has a mind of its own.

Kathleen Miller, Federal Official Court Reporter

self -- court reporter

Humble, TX

Passing this bill would be a terrible step in the wrong direction. I work in the federal courts, and Electronic Recording is used in the magistrate courts. I often access these ERO transcripts for spellings and case-specific information, and I have personally seen transcripts with "inaudibles" and "indiscernibles" on every single page of the record. Bench conferences are often shown as unintelligible. Transcript quality is just not good.

When a trial is complete, the transcript is the only thing a litigant has to rely on as a record of what actually happened. Court reporters have so much to offer in the way of streaming realtime for remote access, ability to create immediate rough drafts, and expedited final certified transcripts. Many states in this country have tried to use electronic recording and discovered that transcript quality is beyond poor, and the states have returned to the use of a live court reporter. Court reporters report a hearing/deposition with an eye towards what the final record will look like. A person pushing the button of a tape recorder has absolutely no idea what sort of quality recording they are getting or not getting, and they have no training in regards to transcript preparation. The irony is many of the electronic recordings that are transcribed are actually prepared by court reporters. I always try to avoid being put in the position of transcribing a hearing from an audio tape, as there is just no control over the proceedings. The proceedings are done, so to speak, and the audio quality is set, good or bad.

I would urge the defeat of this bill. Please do not put Texas litigants in the position of electronic recording. They deserve more. Thank you for your time.

Andrea Desormeaux

Self/court reporter

Manvel, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an

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"operator" forgot to hit record. This method is also subject to manipulation resulting in a fake recording.

Liche Cavazos

Self, Official Court Reporter for 218th District Court

San Antonio, TX

I strongly oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. There will be many, many inaudibles due to paper shuffling near the microphones and unidentified speakers on the transcript and not to mention multiple discussions during the proceedings. There will be no read back on the spot if an attorney and/or judge requesting what was stated on the record to refresh their memory during lengthy objections. One last thing on a personal note. If this bill passes, this will cause numerous job losses. I will end with this:

Here is an excerpt from a neuro-psychologist's deposition which we think you will find very interesting!

The neuropsychologist is describing the intricacies of the human brain.

Neuropsychologist: May I give an example of this?

Counsel: Sure.

Neuropsychologist: Okay. If you look — and the example is this: Our brains are a miracle. Okay. They're a miracle that needs to be protected. And if you look at the court reporter right now, as an example, okay, this is a miracle in progress happening right before your eyes.

Let me just explain what she needs to do. I am speaking, so the information has to come in through her ear into her temporal lobe, and it has to go log itself into the language center. She has to be able to comprehend what I'm saying.

Then it has to get rerouted to the prefrontal cortex where it has to hold — she has to be able to hold the information, because, you know, I continuously talk so she has to hold it. Right? Then she has to analyze it, integrate it and synthesize it. Then it has to go back to the cerebellum and she has to be able to execute this, and she has to be able to then convert my words into those little squiggly marks. Have you ever seen court reporters have little squiggly language things?

So she has to convert it into a different language, and the white matter tracks allows her to reroute all of this information simultaneously without effort. Okay.

We take our brains for granted. She's sitting here. I'm probably talking too fast for her, but she's able to do this simultaneously. Seamlessly. Okay.

No animal on the planet can do this. All right. That's why I believe court reporters will never be replaced. Because no technical — no technology could replace the beauty of that brain and the miracle of that brain. And that's why your brain should always be protected and you should take care of it.

From Alabama Court Reporting Association to share with ABI court reporters nationwide.

Micheal Johnson

Self/Court Reporter

Cedar Park, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

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Peggy Ballew, Certified court reporter
Tarrant County
Weatherford, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Javier Leal, Manager Certified Shorthand Court Reporter
Harris County, TX Certified Shorthand Court Reporters.
Humble, TX

Hello. Greetings. To whom it may concern. My name is Javier Leal and I am a licensed certified Shorthand Court Reporter here in Harris County, Texas. I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Linda Tarr, Mrs.
self, court reporting student
Spring, TX

I respectfully ask the committee to oppose HB 228.

An electronic tape-recording will not accurately capture proceedings. I have personal experience of just how terrible tape-recordings can be as I used to listen to and type electronic tape-recordings of preliminary hearings and trials when I lived in Canada. It was often extremely difficult to make out what people were saying on those recordings. Sometimes one person would be audible, but the others weren't. Sometimes no one was audible. Many times one or more microphones would not be operating at all, and it was a guess as to what was said by listening to microphones that were at a distance from the speaker. It was common to have buzzing microphones, loud air-conditioning systems or fans, or other interference that would overwhelm the speaker. It would be a fair statement to say that a clear recording of all speakers for the entire proceeding was extremely rare.

Important proceedings require a live court reporter - someone who is present, who can hear what is being said, and can stop the proceedings to clarify something that was not said loud enough or that was missed because of a sneeze or an ambulance driving by. Court reporters are highly skilled and trained to take down the spoken word at conversational speed. Background noise will not affect a court reporter, but it can wipe out an entire proceeding if it is being tape-recorded. Congress uses court reporters, not tape-recorders, because they know how important it is to have an accurate record.

Electronic tape-recordings have been tried in other states, and many of them are going back to live court reporters since the tape-recordings failed miserably.

Please ensure that the record being taken is accurate by using live court reporters only.

Linda Tarr

Christine Sperbeck
Self - Freelance Court Reporter
Grapevine, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Kathy Bradford
self court reporter

Dallas, TX

I oppose this bill. As a certified shorthand reporter, I see firsthand how you need to be able to see who is talking because people sound the same a lot of times. I also have to control speakers who tend to talk over each other, thus having a bunch of garble on the record if I don't tell them I need them to speak one at a time. People have all sorts of accents that are hard to decipher, which I have to stop and ask them to repeat what they say. People mumble a lot, and I have to tell them to speak up. As a reporter, we are able to tell immediately if something is not clear. We can then get clarification at the time the record is being made. If someone is recording it, there will be indiscernible audio, maybe at times where the testimony is crucial. What code of ethics does a digital recorder have? A certified shorthand reporter has to be impartial and fair to all parties and has a code of ethics to follow to make sure there is no impartiality. We have a license to maintain in producing the record, so we maintain the highest of standards. There have been many courts who have tried recording proceedings who have gone back to using certified shorthand reporters because of the number of cases that are dropped or thrown out because the record is not clear or is garbled or doesn't work at all. A reporter can also give a rough draft or do real-time and provide an immediate record if needed. A digital recorder cannot do this. If the digital recording equipment doesn't work, there is not record. As a certified shorthand reporter, I have three to four backups at all times. These are the main reasons I oppose this bill.

Melinda Garriga, CSR, RPR

Official Court Reporter for CCL (Ector County, TX) - self

Odessa, TX

To the House Committee on Judiciary & Civil Jurisprudence:

As a Certified Shorthand Reporter for 28 years, I am in OPPOSITION to HB 228. Under the current Texas rules and statutes, Texas Judges are the ones who hire their staff in each courtroom in the great state of Texas. Experience, qualifications and expertise are crucial when the citizens of Texas are involved in a civil or criminal trial, family matter whether it be a divorce or a custody dispute, probate matter, and CPS matters. Texas Certified Shorthand Reporters attend court reporting programs and are highly trained. They study legal and medical terminology and rules and regulations which are in the Texas Government Code. There is a litany list of ethics that Court Reporters in Texas must abide by. Upon passing our exam at 180 wpm (literary), 200 wpm (Jury Charge) and 225 (Question/Answer), we also have a criminal background check and are fingerprinted to obtain our certification.

Certified Shorthand Reporters are LICENSED by the Supreme Court of Texas and are required by law to prepare a verbatim record. In other words, we can lose our license should there be an error in the Reporter's Record. What would a District or County Judge do if a person that was responsible for pushing a button or lose the audio or exhibits of a trial? Would that person be held accountable? Would the taxpayers of that county want to pay for another trial? Would the parties of that case have cause to sue the commissioners of that county for lost testimony and/or evidence? Certified Shorthand Reporters are held accountable to the Judicial Branch Certification Commission. We have to obtain continuing education credits every two years to renew our license. Would a staff person have to do that? Who would transcribe the testimony of that murder trial? These are questions you need to ask yourselves.

With all due respect, the Commissioners' Court usually consists of business leaders in the community who have no legal background or knowledge in judicial matters. They have good intentions, but the control of hiring and firing the staff in a court of law should be maintained by the Judge who was elected or appointed in that courtroom and who has the education and knowledge on how to conduct an accurate and fair trial in his/her courtroom.

I respectfully request for you to defeat HB 228.

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Sincerely,
Melinda Garriga, CSR, RPR
Texas License #2979
Past President of Texas Court Reporters Association (2007-2008)
Official Court Reporter in Ector County, Texas

Melinda Garriga, CERTIFIED SHORTHAND REPORTER

Official Court Reporter - self

Odessa, TX

To the House Committee on Judiciary & Civil Jurisprudence:

As a Certified Shorthand Reporter for 28 years, I am in OPPOSITION to HB 228. Under the current Texas rules and statutes, Texas Judges are the ones who hire their staff in each courtroom in the great state of Texas. Experience, qualifications and expertise are crucial when the citizens of Texas are involved in a civil or criminal trial, family matter whether it be a divorce or a custody dispute, probate matter, and CPS matters. Texas Certified Shorthand Reporters attend court reporting programs and are highly trained. They study legal and medical terminology and rules and regulations which are in the Texas Government Code. There is a litany list of ethics that Court Reporters in Texas must abide by. Upon passing our exam at 180 wpm (literary), 200 wpm (Jury Charge) and 225 (Question/Answer), we also have a criminal background check and are fingerprinted to obtain our certification.

Certified Shorthand Reporters are LICENSED by the Supreme Court of Texas and are required by law to prepare a verbatim record. In other words, we can lose our license should there be an error in the Reporter's Record. What would a District or County Judge do if a person that was responsible for pushing a button or lose the audio or exhibits of a trial? Would that person be held accountable? Would the taxpayers of that county want to pay for another trial? Would the parties of that case have cause to sue the commissioners of that county for lost testimony and/or evidence? Certified Shorthand Reporters are held accountable to the Judicial Branch Certification Commission. We have to obtain continuing education credits every two years to renew our license. Would a staff person have to do that? Who would transcribe the testimony of that murder trial? These are questions you need to ask yourselves.

With all due respect, the Commissioners' Court usually consists of business leaders in the community who have no legal background or knowledge in judicial matters. They have good intentions, but the control of hiring and firing the staff in a court of law should be maintained by the Judge who was elected or appointed in that courtroom and who has the education and knowledge on how to conduct an accurate and fair trial in his/her courtroom.

I respectfully request for you to defeat HB 228.

Sincerely,
Melinda Garriga, CSR, RPR
Texas License #2979
Past President of Texas Court Reporters Association (2007-2008)
Official Court Reporter in Ector County, Texas

Amy Enberg

Self/Court Reporter

Llano, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Shari Krieger, Official Court Reporter

Self/court reporter

Printed on: March 23, 2021 11:23 AM

Mansfield, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Ramona Gonzalez, Official Court Reporter

Harris County

Houston, TX

I am writing to you to ask you to oppose House Bill 228 relating to the use of an electronic recording device to report proceedings before certain courts; authorizing fees. A recording device cannot replace the skills a court reporter provides while present in court. It is impossible for a recording device to identify who is speaking, who enters or exits the courtroom, and most certainly cannot stop the parties when they are speaking simultaneously. Vital testimony can be lost when people are talking over each other. As official court reporters we care about our county's court system and making sure it runs efficiently and smoothly. We take our jobs very seriously in ensuring all litigants receive an accurate and verbatim record. Once again, I ask for your support in opposing House Bill 228. Thank you.

Michelle Miller

Self, court reporter

Humble, TX

This would be detrimental to all in the legal field. Recording the proceedings still does not provide a transcript of the proceedings. A court reporter must be present to ensure the proceedings are accurate. No machine in the world will be able to do that with multiple speakers. This has been tried and tried again, and the machines always fail. Court reporters are always called back in. Do not take away the integrity of the record of proceedings. This truly affects all litigants, family, civil and criminal.

Tamara Braun

Certified Shorthand Reporter / self

Hockley, TX

IN OPPOSITION TO this bill.

I am a Texas court reporter certified by the Supreme Court of Texas. I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Christy sievert

Christy R. Sievert, CSR, RPR - Texas Certified Shorthand Reporter

Rockwall, TX

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As a TX certified shorthand court reporter, I vehemently oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Carolyn Coronado, Mrs.

Carolyn Ruiz Coronado (2194)

Houston, TX

Dear Honorable Members of the Judiciary & Civil Jurisprudence Committee:

I please oppose HB 228. Firstly, the method of recording proceedings is an inferior and antiquated method and not reliable. In the short run, it will cost counties more money to have to retry cases when the recording fails; and it is sure to fail at some point. Please do not help Texas counties make the mistake of installing recording systems instead of hiring a professional, impartial, highly-skilled officer of the court who is held to high standards in reporting cases that mean so much to the litigants and parties to a suit. Everyone's case is important to them; and they deserve and have the right to an accurate, verbatim and complete transcript in a timely manner. Only Certified Shorthand Reporters can deliver such transcripts.

Secondly, the Texas Supreme Court already has the authority to give approval to a court when they request the installation of recording devices in their courtroom. There is already a mechanism for this. There is no need to take the Texas Supreme Court's authority and pass it to the counties' commissioners court.

Thirdly, Texas court reporters have done a fantastic job of recruiting and recently have added more court reporters to the workforce. There have been about three more court reporting schools open in Texas within the last three years. Our numbers are increasing and soon any court reporter shortage will be a thing of the past. No need for Texas courts to take chances on a less capable method of reporting cases.

Lastly, thank you for your time and attention in reading my plea. Thank you for your service to the citizens of Texas.

Respectfully,

Carolyn Ruiz Coronado, CSR, RPR

Kelly Rivera

Self - Freelance Court Reporter

Houston, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Michele Kuhlmann

Self/Court Reporter

Marble Falls, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Ofelia Stevens

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Self, certified court reporter

Missouri City, TX

Please vote NO to HB 228. Court reporters are the gold standard when it comes to the integrity and accuracy of the official record of court proceedings. Court reporters go through rigorous training and testing to become certified in the state of Texas. There have been an abundance of cases that have been thrown out, had to be dismissed or retried because of electronic recording malfunction, user error, unable to identify speakers, loud noises and a litany of other reasons regarding ER. There have also been times when no one has been able to produce a record for an appeal that was electronically recorded for the reasons I just listed.

I implore you to please keep the gold standard in the great state of Texas, and ensure that everyone has an accurate and complete record when they have their day in our judicial process. Thank you for your time and consideration.

Ofelia C. Stevens

Debbie Davidson

Self/Certified Court Reporter

San Antonio, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Tanya Letbetter

Self - CSR

Flower Mound, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Ann Renee Reagan

Self - Court Reporter

Houston, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Chris Johnson, Judge

Hays County Court at Law #2

San Marcos, TX

As the Judge of a trial court of general jurisdiction and a courtroom attorney of nearly twenty years, I am vehemently opposed to any bill that authorizes courts of record to use any recording device that is not controlled or operated by a certified court reporter. The traditional methods employed by court reporters are the only way to ensure an accurate, honest and complete record. Verbatim electronic recordings may at first seem the most accurate; they may appear to solve a genuine shortage of court reporters; they fail to do either and produce an inferior record that reviewing courts will be required to dig through and interpret without the benefit of having been in the courtroom. In effect the reviewing court becomes a fact witness substituting their best guess for what actually occurred: they must not only interpret the law, but also the testimony. With electronic recording, the courtroom record is hostage to the loudest screamer. One of the essential rolls a certified court reporter plays in the courtroom is protector of the record. Mere loud noise and bullying will overwhelm a recording device, but not a human who understands that judge, knows the courtroom and witnesses the participants. It is the thinking, prudent and above all honest court reporter who is

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the recorder of the truth in a courtroom. A brainless automation is not capable of replacing a certified court reporter. It will, however, be less expensive. This cheapness will encourage many - if not most - commissioner's courts to replace live court reporters with electronic recorders. Such a financially motivated move will work irreparable harm to litigants and pass the work off to reviewing courts, all to produce an inferior and less accurate record. Our forefathers were not fools. The modern certified court reporter is a part of a tradition that goes back to the very foundations of the practice of law. With good reason we have resisted changing this method of recording for more than a generation. Do not strip from me and every other trial judge one of our most valuable assets. I strongly oppose this bill.

Terrilyn Crowley

Self, Texas certified shorthand reporter

Houston, TX

I am very opposed to this bill. This "system" has proven to be very flawed for many years and for many reasons. Having an uncertified, unregulated, untrained person be responsible for such a crucial piece of the legal process is a grave mistake. It takes much training and education to be able to produce an accurate record of proceedings. Just hitting a record button and then passing the recording to a typist without this special training will result in very poor, sometimes unusable transcripts. Attorneys have been horrified by the result of this method time and time again. Very truly, Terrilyn Crowley

W Mary Truman

City of Houston Municipal Courts

Sugar Land, TX

It's the UNHEARD/UNINTELLIGIBLE answers that matter, It's those answers that need a live body thinking, analyzing, interrupting, interpreting, and reporting for prosperity that gives defendants "their day in court."

Heather Holden

Self

New Braunfels, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Trisha Matthews

Self - Official Court Reporter for the 230th District Court

Magnolia, TX

I oppose this bill. Since we have been in this pandemic and using Zoom for proceedings, it has become more evident that audio recording is not the way to go. When the "all transcript" is used, the transcription of what is being said is so far off that the Court has to re-translate it to what was actually said. That is why a live, experienced, trained and certified stenographic court reporter is so vital to the court system. I have been an official reporter for almost 20 years. I cannot imagine the rights of defendants and victims being violated without having an accurate and complete transcript allow them to appeal. I do not think that the Court of Appeals or the Supreme Court of Texas wants to sort through hours of video/audio recordings to make their rulings on cases involving someone's liberty and life. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deep fake recording.

Tina Young, Mrs.

Court Reporter, 452nd Judicial District

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Brady, TX

I am the Official Court Reporter in District Court 452. I have had the pleasure of working with Mr. Murr as an attorney in my District.

I am not sure, though, that Mr. Murr has examined the importance of a court reporter when making this bill, and I feel it is most important to hear from both sides before making this recommendation.

If Mr. Murr had asked me, as a reporter, I would have told him I feel a Reporter's Record is one of the most integral parts of a trial in which justice is sought to be served, one prepared by a reporter who has been properly trained and also has been required to pass a State-certified test on knowledge of the profession and rigorous skills required by the State of Texas. Our profession has worked tirelessly to improve this most important aspect of our Court systems to see that justice does prevail. Through the Reporter's Record we can go back and see history through records of trials through the years.

If records are produced from electronic devices, which may or may not be working properly or are not able to record all speakers and are transcribed by untrained personnel, the results would be damaging in so many ways.

If a court reporter is in the courtroom, you are able to know a record is being taken and that all audible communication is reported. If not, the reporter will interrupt the proceedings making sure that the most accurate record will be available. Also, with the Rules in place for reporters to retain exhibits and also to keep the records for the required number of years, you can obtain records from the past that may be needed.

Please feel free to contact me with any follow-up you may have and I would be glad to speak with you.

Thank you for your time.

Karen Young

self, official court reporter

Rosharon, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deep fake recording.

Shannon Simmons, Certified Shorthand Report, Registered Professional Reporter

Self - Official Court Reporter of Harris County Criminal Court at Law 10

Jersey Village, TX

I am opposed to this bill because not only could it affect the livelihood of all educated, professional, certified shorthand court reporters all across Texas, but I truly believe that the use of electronic recording has proven time and time again to be ineffective and unreliable in the capture, preservation, and transcription of evidence and testimony needed to ensure the integrity of our legal justice system. For the reasons so stated, I am opposed to this bill and would strongly urge against setting a precedent for unfair due process of law in our great state of Texas.

Sol Casseb, Judge

Self

San Antonio, TX

Please do NOT do away with live Court Reporters. They are essential to the proper and efficient administration of justice.

Laurie Shearer

Self, court reporter

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Rosharon, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Christy Fagan

self - court reporter

Mansfield, TX

This would be detrimental to the court system in general and I am in opposition to this bill. You cannot and should not replace a trained court reporter with a button pusher. You have to have years of experience in the field of court reporting to even be able to obtain a job as an official working in the courts to be able to take down testimony, know the procedures, the importance of things, and then be able to product a VERBATIM transcript afterwards. Using recording-only method: If the recording is bad, then what? If they forget to push record, then what? If they leave the recorder on during private or off-the-record conversations, then what? If they lose the recording, then what? Using a certified, trained, experienced court reporter: If any of the above happens, they have their steno notes to be able to go back and create the ENTIRE record. No retrials, no wasting of taxpayer money to do it all over again, no injustice to criminal defendants having to do a second trial. You will have a record because they have several methods of taking the record. It's been all over the news all over the world about how this has already happened. Why in the world would you ever put this in place when you've already seen exactly what can happen?

Debbie Edwards, CSR, TCRR, TMR

Self, Court Reporter

Mansfield, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems, which include complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., 5 hours to review video compared to 30 minutes to view reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Kathryn Baker

Kathryn R Baker, LLC

Arlington, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. Do the right thing and vote against this bill!

Dianna Edwards, Court Reporter

Self

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Orange, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Lisa Morton

self/official court reporter

Glen Rose, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an electronic recording device cannot do regardless of how good it may be. Court reporters are also ethically bound to maintain these records and protect their authenticity. Many states that have previously implemented electronic recording in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of real-time transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides. What it boils down to is it seems like it's saving money, but in the end it doesn't save money and produces an extremely poor product. You can compare a transcript made by a certified court reporter versus one transcribed from audio and tell the difference in quality. I have been a reporter for almost 30 years and vigorously oppose this bill. This would make an already backlogged system ten times worse. Thank you for your consideration.

Darline King

Self - Official Court Reporter - 363rd Judicial District Court

Dallas, TX

I oppose this bill. I have been a certified official court reporter for 44 years in Dallas County, Texas. There have been pilot projects on electronic recording in courts that failed miserably. Felony criminal district courts trials where a defendant faces life in the penitentiary is not a setting that you would leave the appellate record to an electronic recording device. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record or no one was aware that proceedings were not actually being recorded. This method is also subject to manipulation resulting in a deepfake recording.

Diane Robert

self

TERRELL, TX, TX

: I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Sarah Moreland

Official Court Reporter for the 260th District Court

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Orange, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record or background noises drowning out testimony resulting in expensive retrials. This method is also subject to manipulation resulting in a deepfake recording. Thank you.

Malissa Rudd

Self/Court Reporter

Frisco, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Diane Robert

self

Terrell, TX

: I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Pennie Futrell, CSR

Texas Certified Shorthand Reporter #4108

Keller, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, UNBIASED, ACCURATE certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. This method also allows for a felon, non-HIPAA compliant, and/or potentially a relative of a party to the court proceeding to be responsible for the recording. This presents a problem for the citizens of Texas that they are relying on Texas lawmakers to look out for their interests. The citizens of Texas deserve lawmakers to realize the issues that could possibly arise from this UNREGULATED RECORDING.

I have been a Certified Shorthand Reporter, licensed by the State of Texas for over 31 years. I know the challenges faced in a courtroom or any proceeding where an accurate record is mandatory. The sound of doors shutting from someone coming in or out of the room, and a recording can't pick up what is being said. A CSR decipher what is being said because they are there and can either see/hear the words being spoken or we can ask for it to be repeated. A RECORDING CANNOT DO THIS. Just imagine when a witness is giving the name of an accomplice or an answer that is critical to this case and lawn mowers mow right by a window in the building/courtroom the proceedings are taking place in, and the recording doesn't pick up what is said due to the loud noises. IT HAPPENS. I've witnessed it. A Certified Shorthand Reporter licensed by the State of Texas is able to ask for the witness to repeat what was said. A RECORDING IS NOT.

A Certified Shorthand Reporter licensed by the State of Texas responsible for the VERBATIM record is what the citizens of the state of Texas are entitled to and deserve. They do not deserve to present their case to the Court of Appeals with "(inaudible)" laced throughout the transcript, which is what a RECORDING will produce. A transcript that is taken down in person by a live Certified Shorthand Reporter licensed by the State of Texas will not contain instances where words are missing due to the shortcomings of a recording.

The citizens of Texas deserve the most accurate form of making and preserving a record: a Certified Shorthand Reporter, licensed by the State of Texas.

Jean Fraunhofer

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self - Texas Certified Shorthand Reporter

NEW BRAUNFELS, TX

I vehemently oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, degreed, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording and compromising the integrity of the legal record. Yes, I am a Texas certified shorthand reporter and have 34 years of experience, but I also have great respect for our judicial system, as should every citizen and every member of our Texas legislature.

Please do not pass this bill. Thank you.

Dalia Inman

self/certified shorthand court reporter

Cedar Park, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Candyce Fisher

Self, Texas Certified Shorthand Reporter

RED OAK, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Traci Johnston

Official court reporters/self

Weatherford, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Pam Coder, Ms.

self

Houston, TX

Dear Committee Members: I am a Texas Certified Shorthand Reporter. I am very opposed to this bill. The proposed bill would

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allow commissioners' courts across Texas to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge of judicial matters. As a certified court reporter in Texas, we are required by law to make a verbatim record of proceedings to ensure the accuracy of the words spoken, which an electronic device cannot do regardless of how good the makers of these products make them sound. As a reporter we are ethically bound to maintain these very records and protect their authenticity for future legal proceedings. Many states that had previously implemented ER in their courts have returned to court reporters after many problems with these systems, including complaints of quality of transcripts produced from electronic recordings (numerous unintelligible answers), backlog of cases at the appellate level, time and equipment involved in reviewing video testimony; i.e. five hours to review video compared to 30 minutes to review reporter's transcripts, missing or inaudible recordings, retrials due to lost digital recordings, lack of confidence in the system by attorneys who hired their own reporters for fear of inaccurate record, violation of clients' rights in criminal matters due to inaudibles in the recordings, forgetting to turn on the device, and unexpected costs and additional personnel required to perform all the functions that a court reporter already currently provides. I would respectfully invite you to attempt to transcribe a legal deposition or hearing from an electronic recording where you have a contentious case and everyone is trying to prove their point at the same time. The result is many unintelligible parentheticals in a record. Please consider if this were a case you were involved in....that one unintelligible parenthetical could be at just the response in the proceedings that you needed to win your case. You just lost because you had an electronic recording and everyone spoke at the same time and a reporter was not there to clarify and "referee" the proceeding. We can hear and take down multiple speakers at one time. We can read back a selected portion without the attorneys having to listen to an entire audio recording. We use word indexes for transcripts to aid in finding information quickly and efficiently. A recording device no matter what they tell you from these recording companies, cannot do that. Thank you for listening. For fair and impartial proceedings for the litigants of Texas, please let this bill die in committee. Respectfully, Pam Coder.

Judy Gamm

Self - Court Reporter

Mabank, TX

I strongly oppose this bill. Using any kind of electronic recording rather than a live, certified Court Reporter is detrimental to our judicial system. Electronic recordings can fail, be lost, or get corrupted digitally. Multiple speakers talking at the same time cannot be deciphered, and two or more people that sound alike cannot be distinguished by a transcriptionist listening to an audio file. Relying on electronic recordings has failed in other states and cost more time and money for litigants and taxpayers. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Holli Harrison

Self/official court reporter

Orange, TX

I am an official court reporter. I am not in favor of this bill. This would have cases retried because the operator forgot to "push" the button to record or someone not being able to get all of what is being said from a tape because of people talking over each other. There is nothing better than a live court reporter.

Connie Chan

Self, court reporter

Bayou Vista, TX

I am in opposition to this bill.

Paula Beaver

Kerr County

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Comfort, TX

I strongly encourage you to please vote against this bill. A live court reporter is trained and certified in providing the most accurate, efficient record for use in the court system. I have a wonderful rapport with the judge I work for, and all I have to do is look at him and he knows that I need the attorneys/witness to either slow down, speak up or stop talking over one another. Most judges also benefit greatly from the use of real-time during court proceedings. Court reporters are required to stay up to date on the latest technology in order to provide the best record possible. There are so many distractions and noises in a courtroom that can muffle the testimony. A live reporter can be sure to have something repeated if that occurs. With a recording, a key piece of information can be lost in the background noise never to be documented. Thank you.

Amri Davison

self

Alvin, TX

Court reporters cannot be replaced by electronic recording devices. As a lot of us have experienced through our Zoom hearings, if more than one person is speaking at a time that testimony would be lost if not for a live person to interrupt and let people know. Along with people speaking over each other, different sounds in the courtroom; ie, coughing, sneezing, shuffling of papers, printers, bailiff's radio, chatter in the courtroom can also distort and/or cause the loss of testimony. I just completed a Zoom hearing this morning where there was a defendant in our courtroom snoring. It was so loud that there is no way an audio recording would have been able to pick up what was being said during our Zoom. I provide real time translation for my judge. An electronic recording device is not capable of doing that.

Tena Argenbright

self

Rusk, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a fake recording. Also, if a transcript is requested by a party or an appeal is filed, the recording is transcribed by someone from an independent company that is not regulated by the Judicial Branch and therefore does not have to abide by the rules set out by the Judicial Branch in regards to the Transcript Manual that all certified court reporters have to abide by.

Lynnette Erskine

self

League City, TX

I am in opposition of this bill. This bill would allow an non-certified, unregulated, untrained individual with any recording device replace a trained, educated, certified court reporter in the courtroom. This method could be subjected to manipulation. No machine can replace a human. If I cannot hear it or understand something live in the courtroom, a tape recorder cannot either. By the time you transcribe a recording, it is too late to ask for clarification. Other states have attempted ER. They have found it to be unreliable. Cases are flipped more easily with a ER transcript due to the lack of the record. In addition, court reporters are the ones that are in charge of the exhibits and manage them in court proceedings. A tape recorder cannot do that.

Destiny Moses

self - official court reporter, 416th District Court of Collin County

Van Alstyne, TX

1.This bill would take the power of appointing an official court reporter away from our judges and hand it over to the Commissioner's Courts of each county. This could raise Constitutional questions on the separation of powers for our different

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branches of government.

2.This could create a politics game when the situation arises that a Commissioners Court appoints a judge to a bench. They could decide to only appoint a judge based on if they are willing to exempt hiring a court reporter and using an electronic recording device. Which may have positive fiscal implications for the county but negative consequences for litigants, appeals, and our judicial system as a whole.

3.This bill would allow any uncertified, unregulated, untrained operator to be recording sensitive information and testimony. As you know, court reporters are highly trained and skilled professionals and we take an oath to execute our duties. The outcomes on appeals would be based on the quality of these electronic records, that have a history of malfunctions, horrible transcripts, and just missing portions in some cases.

4.These electronic recordings could also be subject to "deep fake" tampering. We see more and more now "deep fake" videos that have been manipulated and these recordings have the potential to be manipulated.

5.This exemption already lies with the Supreme Court of Texas to waive the appointment of an official court reporter and that is where the power should stay, not with each Commissioners Court.

6. The bill has very vague language such as "using a good quality electronic recording device." Good quality recording device can be interpreted so many different ways and who will be deciding whether it's good or not. I believe good quality will come down to the cost of the device which is not what our judicial system needs.

7.Under Section D, it orders the Commissioners Court to adopt policy for the provisions of transcript or requests on appeal. The Commissioners Courts have no idea what goes into preparing a transcript for appeal so they could possibly be putting in policies that are based on costs effectiveness, don't follow the rules, and could possibly just shift more of the costs to litigants.

8.Under Section E, ordering the Commissioners Court to adopt a policy for a person to object to fees again, places the Commissioners Court in the realm of the Judicial Branch where it has no knowledge of practice or rules in the system.

Destiny Moses

self - official court reporter, 416th District Court, Collin County, Texas

Van Alstyne, TX

continued from previous submission

9. On HB 1685, at the bottom of Section C "If a case is appealed, the proceedings shall be transcribed from the recording by an official court reporter." Our certifications are not to be used for transcribing. We certify transcripts based on being present in the hearings. There is no way a court reporter can or should be certifying proceedings that are recorded. This line also shows the importance of having a certified transcript on appeal and can't have it both ways. If these courts want the ability to have a certified transcript, they should have a live court reporter.

10. Just as an overall thought, there has been a shortage of court reporters in the State, but TCRA has answered the call and enrollment in court reporting programs in Texas has tripled since 2017. Three new court reporting schools have been opened and this last test saw 30 students pass the skills portion of the exam. The JBCC has worked to get more licensed reporters in Texas through endorsement and reporters from substantially equivalent states. The Texas Court Reporters Association and the Texas Deposition Reporters Association are working very hard on recruitment and we are headed in the right direction. We shouldn't let the judicial system suffer with inferior technology, especially in our County and District Courts where the State of Texas' Citizens liberty, family issues, and civil complaints are being heard.

Kim Daigle

Self, Court Reporter

Vidor, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is, also, subject to manipulation resulting in a deepfake recording.

Holly Bishop, Official Court Reporter

Self

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Arlington, TX

Passing a bill to allow electronic recording would be the biggest travesty in our legal system. If only Mr. Murr would come sit with an official in a civil district court during a trial or hearing to see exactly what goes on besides the reporter sitting there taking the record, but at the same time, observing who is speaking, identifying the speakers, stopping attorneys when they are talking on top of each other so a clear record can be made, writing real time to the judge so that they can go back and quickly review remarks for objections, providing daily copies for the attorneys so that they can prepare witnesses, experts, review testimony. None of these things would happen if a recording was made of the trial or hearing. You WOULD NOT get an accurate transcript of the proceedings, there would be no one to keep up with the exhibits, and you would not get the transcript in a timely manner. These are just a few examples of why allowing electronic recording into our judicial system would be such a travesty. Thank you - Holly Bishop

Shelly Stephenson, Official Court Reporter

self — court reporter

Silsbee, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Minnie Cadena

self/court reporter

Friendswood, TX

I am a court reporter of 27 years and I strongly oppose the use of recording devices. An accurate record can only be made by a live certified court reporter. Audios do not have the ability to ask for clarification, mark and maintain exhibits, or speaker identify. When you have someone's liberty at stake, it is an accurate record by a court reporter that is the only option.

Alexandra McDaniel, CSR

Harris County Official Court Reporter's Association

Houston, TX

Hello. My name is Alexandra McDaniel and I am a Certified Shorthand Reporter for the State of Texas. Please vote no on this use of ER in the court room. I have been a court reporter for over 10 years. I love my profession and believe in the accuracy of the stenographic record. It will cost the County and the State more in funds to have ER put in since the recordings will have to be sent to stenographer to try to transcribe anyway if anyone needs a record of their proceeding. It will certainly not be as accurate since we will be having to capture everything from a recording device. I am the Official Court Reporter in Harris County Civil Court at Law No. 4 with Judge Lesley Briones presiding. She loves being able to see my writing in Realtime to be able to go back and confirm what was said in jury trials and hearings. That is so important to our judicial system. To be able to see the accuracy of the record in Realtime and to be able to expect a record within a matter of days and with complete accuracy. You will not get this with an electronic recorder. People's lives and freedoms are on the line every day in the judicial system. Our job as court reporters is to write verbatim everything that is happening in the court room. Our stenographic records are relied upon in order to prove whatever a party's case may be from a family case where the loss of parental rights are involved or a murder case where a family is waiting on justice for their loved one. It is essential to keep court reporters in the courtroom to ensure every person has the right to due process and a fair and accurate trial. Not to mention that by passing this bill, many court reporters may be replaced or terminated for these to be put into use. That would result in the loss of many jobs all over the County and the State. In counties where this has happened, the court reporter's lost their jobs and attorneys were at a loss having to wait months and months for records that were not accurate. Please consider turning this bill down. It is not what's best for the people of Texas or the judicial system altogether. Thank you for your consideration.

Leah Leal

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Self, Court Reporter

League City, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Christy Cortopassi, Ms.

self - court reporter

Flower Mound, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Susan Scott

Self - Court Reporter

Houston, TX

I am OPPOSED to HB 228 because electronic recording is no substitute for a live court reporter, and uncertified digital recordings are too unreliable when litigant rights are at stake. The public deserves their day in court and equal opportunity for justice and electronic recording is a substandard method of capturing the critically important record of proceedings. Further, "advances" in the digital manipulation of audio and video recorded media, commonly known as "deepfakes," prove that an accountable human being is undeniably necessary who can attest to the accuracy of the record (in Texas, licensed Certified Shorthand Reporters or CSRs). The people of this great state deserve better. Please VOTE NO ON HB 228. The crucial rights of the public depend upon it. Thank you.

karen woolsey, Ms.

Certified Reporters

Katy, TX

Hello. I've been a certified court reporter working in the courts since 1984. I oppose bill 228. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Please do not pass this bill and keep our court proceedings accurate with a certified shorthand reporter and not a tape recording.

Ramona Bohnet, CSR

self, free-lance court reporter, prior official reporter

San Antonio, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. I'm actually trying to transcribe a digital recording that was given to me by an attorney to transcribe and it's a MESS!!! The audio quality is awful and it's very difficult to decipher what the parties are saying. A certified court reporter should have been there to be able to interject and ask for clarification. This will definitely NOT be a verbatim transcript, which is what would have been provided had an actual certified court reporter been present to report the hearing.

Vickie Hildebrandt
self/court reporter
Houston, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Diana Thrash
Self - Court Reporter
Edinburg, TX

I am in opposition to HB 228. This bill would allow any uncertified, untrained individual with a recording device to replace the Certified Shorthand Reporters, who are trained and required to maintain Continuing Education, including ethics. This could result in cases being thrown out for a number of reasons, including that the operator simply forgot to hit record.

Bertha Prieto
Self, court reporter for the 41st District Court in El Paso
Horizon City, TX

On behalf of myself and the court reporters of El Paso, we take a stand against electronic recording. The skill of writing the verbatim record on a stenographic machine is sacred and should remain so. When I received my training 25 years ago, it was not easy. To do so takes a high level of training. When I became certified, I knew that I was not only going to be an important part of the judicial system, but I also knew that I was to be given the grave responsibility of becoming a "guardian of the record." I take this responsibility with great pride and urge the members of the committee to oppose the passing of this bill. Certifying a record by any other means is insulting and a slap in the face to the profession of court reporters who are highly trained to do so. Please do not water down a litigant's right to justice by applying a means "electronic recording" that has proven itself to be unreliable. Please help court reporters continue to provide an accurate record of all legal proceedings in a court of law. This is a litigant's sacred right!

Tina Young
Self Court Reporter
Quinlan, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Shawna Cox
Certified Court Reporters
Plano, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Delores Johnson
HCO CRA

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HOUSTON, TX

Court reporting and freelance reporters serve a vital role identifying speakers accurately and electronic recording does compromise the distinction. Please keep electronic recording out of the courts and keep freelance and keep stenographer reporting for courts.

Jonna Greenwood

Self - Official Court Reporter

Arlington, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation. There are times when things are recorded that are not on the official record.

Elva Chapa, CSR

Bexar County Courthouse/Children's Ct 3.06

San Antonio, TX

The use of a electronic recording device is not effective in the day-to-day hearings in Children's Court, 3.06, or in any courtroom, due to lack of conciseness and loss of noise cancelling of audio Zoom hearings or when we go back to the courthouse and not able to catch every word due to the position of where the electronic recording device will be situated for the day. We, as reporters, can make out what is being said on the record by asking witnesses and attorneys to speak up, by repositioning our chairs and moving closer to a witness to be able to hear more clearly what is being said rather than putting inaudible everywhere in the transcript that a transcriber would have to put in theirs when they type up the proceedings from a recording. Also, reporters have the task of marking in exhibits live during hearings versus having someone being handed the exhibits and not knowing which is which when they receive them to be marked into evidence after the hearing has been conducted. We also can provide real-time screens to the Judge and whoever else participates in the hearings and extra fees are authorized by the Judge to be able to make it accessible to all parties. With the electronic recording device, you get none of that. No real guarantee that what was said verbatim will be caught on the electronic recording device. And when these cases go up on appeal, which do you think the defendant would want, a transcript that was recorded and maybe got word for word or a live reporter who definitely captures the written word as close to perfect as humanly possible? Would you want a child custody case left in the hands of a recording or left in the hands of an official reporter? Thank you.

Patricia Gaddis

Gaddis Court Reporting

San Antonio, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a fake recording. If you're old enough, remember Watergate?

Donna King, CSR

Self

Spring, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit "Record." This method is also subject to manipulation resulting in a deepfake recording.

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Ashley Liles
Self. Legal secretary
Palestine, TX

I disapprove. This would create many problems in court.

Deanne Bridwell
Official Court Reporter-Harris County District Courts
Houston, TX

Texas Court Reporters are very much OPPOSED to this bill. The use of electronic recording will be detrimental to the court system. ER is severely flawed which will result in court delays, extra court costs, extra court personnel, continued updating of equipment, not to mention retrials due to recording malfunction. Court reporters provide time savings, cost savings, and much greater accuracy and efficiency. Simple background noises can severely distort the quality of an audio recording which can make it impossible to create an accurate transcription and we know this all too well with the use of zoom hearings. Not having a court reporter will also eliminate instant testimony readback. Indistinct and inaudible testimony will wreak havoc on our judicial system. I respectfully ask that you vote AGAINST HB 228. Thank you.

Gloria Casiano, Court reporter
Hidalgo County Courthouse
McAllen, TX

I oppose this bill because there will be uncertified, unregulated and untrained individuals that will be doing the job of a court reporter who has been certified through the Texas Supreme Court. By allowing these individuals to use recording devices, many court cases could be thrown out because of faulty recorders or faulty recordings. Thanks.

Dawn Tooke, Ms.
self - court reporter
McKinney, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Charlene White
self/court reporter
Fort Worth, TX

I OPPOSE this bill. It would allow any individual with a recording device to replace a skilled, trained, certified shorthand reporter authorized in our court system. Our judicial system must be held to a higher standard, and certification, training, and a real live human being is what must be retained to ensure the veracity of the spoken word. We cannot allow our environment to be subjected to the possibility of deepfake recordings.

Ceecee Griffin
Self
Corpus Christi, TX

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Hello, I'm a scopist/editor with 15 years' experience, and having editing transcripts from a digital recording alone versus a court reporter in the room to help control what is inaudible or indiscernible i find makes a significant difference in the quality of any transcript.

Please reconsider this bill and the damage it would cause to the integrity of the justice system in the long run. I would encourage you to instead find ways to recruit to the field of court reporting so there is no shortfall of available reporters for even the lower courts.

Sincerely,
Ceecee Griffin

Larry Coker, Atty
Self
Palestine, TX

Oppose! The commissioner's court members generally have no knowledge of the importance nor the uses for a Court Reporter transcript from a court trial. The uses are often instantaneous in the middle of a trial as well as post trial needs. Only a live court reporter can know when two or more people are talking and cannot be distinguished which makes a recording useless. Only a I've court Reporter knows when someone is talking too softly or too fast. Or cannot be understood for other reasons, such as accent. Only a court Reporter knows when communication is not clear with words but live people understand because gestures were used.

Keep our court reporters live and in person!

Geneva Villanueva
self court reporter
Pearland, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record and not realizing that attorneys are talking too fast and making the record unintelligible and leave out words necessary for production and not realizing how deep someone's accent is to even produce it and have someone guessing at actual words because of heavy accent. This method is also subject to manipulation resulting in a deepfake recording that could hurt a litigant's case.

Patricia Madrid
Self, official court reporter
El Paso, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Amanda Fazio
Self, court reporter
Pearland, TX

I am strongly opposed to HB 228. This bill puts into jeopardy the promise of an accurate record for all parties involved in court proceedings. Having been a certified court reporter employed with Harris County criminal district courts for nearly 13 years now, I can say from experience that digital recorders do not suffice in being able to provide a true and accurate transcript, especially now in a day of using Zoom. Not only are words lost when there are noise interruptions in the courtroom but having a live

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reporter present to inform parties when they are speaking too softly or too quickly or mumbling or talking over one another is essential. There have been countless times when I have gone back to listen to a part of the proceedings and have been unable to decipher what was being said, despite having a top-of-the-line recorder. Having an accurate record is far too important to rely on a digital recorder to do the job of a live court reporter.

Jo-Anne Hilverding

self/court reporter

El Paso, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. We, court reporters, do not take the responsibility of producing a record lightly. Much is encompassed in our profession that requires discernment and sometimes on-the-fly decision making, which an electronic recording cannot do. I implore you to not chance our judicial system to such unreliability. All parties involved in litigation deserve to have their rights protected. Having a highly trained and certified court reporter as the record keeper ensures this right.

irene valdes

self/court reporter

HOUSTON, TX

i am opposed to this bill. electronic recording can be manipulated and NOT BE ACCURATE but what they "think" they heard

Camilla Madrid

Self/court reporter

El Paso, TX

I oppose this bill, as it could dangerously affect the integrity of Texas court records. Thank you.

Sincerely,

Camilla Madrid

Kimberly Koetter

self - Official District Court Reporter

Inez, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record, causing additional litigation costs that would have been avoided. I as a certified court reporter would not feel comfortable transcribing the audio after the fact because I could not verify if the recording had been altered or not. Leave the certified court reporters in the courtroom, please.

DANIEL DEAN, J.D.

SELF ATTORNEY

PALESTINE, TX

I HAVE PRACTICED LAW IN ANDERSON COUNTY TEXAS FOR 43 YEARS. YOU NEED A COURT REPORT PLUS AN ELECTRONIC RECORDING DEVICE. HANDLING EVIDENCE IS KEY.

Debora Lee, CSR, RPR

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Self and Certified Court Reporters

El Paso, TX

I OPPOSE this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit "record" or a transcript errors committed by someone who was not even in the room. This method is also subject to manipulation resulting in a deepfake recording. We, court reporters, do not take the responsibility of producing a record lightly.

Much is encompassed in our profession that requires discernment and sometimes on-the-fly decision making, which an electronic recording cannot do. I implore you to not chance our judicial system to such unreliability. All parties involved in litigation deserve to have their rights protected. Having a highly trained and certified court reporter as the record keeper ensures this right.

Kelley Burns

self - Official Court Reporter

Orange, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. The recording could pick up attorney/client privilege conversations which could result in a mistrial. A court reporter knows not to allow those in the record. Papers shuffling, loud noises, sneezes, or coughs drown out the words spoken on a recorder which could result in important testimony being omitted. A trained certified reporter is always needed for court proceedings.

MELODY REJCEK

Official Reporter

Palmer, TX

I oppose this bill for several reasons. A court reporter is an asset in any court proceeding. We can read back instantaneously if there needs clarification for any party or the judge on what was said. When multiple people start to speak at one time, the reporter is there to interrupt and make sure the record will be clear by having one person speak at a time. There are also instances where the witness or party will speak too softly so the court reporter, once again, can intervene for clarification. Court reporters are licensed and go through a rigorous program to obtain their certifications and must maintain 10 hours of continuing education. We are skilled to produce transcripts efficiently and in a timely manner. Our skills also allow us to offer a Realtime capability so the words appear simultaneously. This bill would, however, allow any uncertified, unregulated, and untrained individual with any recording device to replace the trained and educated court reporter. This will surely cause cases to be thrown out because an operator forgot to turn on the recording device or the device malfunctioned. Allowing electronic recording devices into the court system would be a detriment to us all.

Kristina Massey

self, Assistant District Attorney Houston County District Attorney's Office

Crockett, TX

This is not a good bill. This bill will allow commissioner's courts to decide if a court reporter is needed. If they want to save the money, they will just deem them not needed. Those of us involved in the court, with law degrees that have to deal with the record, would be the one's that are harmed by this. We NEED our court reporters in District Court. Those of us in rural counties will be the most affected as our commissioner courts already don't want to pay for the things we need. This will give them an opportunity to further disrupt justice in our counties. Please do not move this bill forward as written.

Andrea Logue

Court Reporters

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El Paso, TX

As a court reporter in El Paso County Texas for over eight years, it is unreal to me that it is believed that an electronic recording would be considered to replace a court reporter. People do not normally talk in a way that would be easy to capture on a recording or to type up off of a recording. I encourage more research to be done in this matter to show just how important and crucial it is that a live person be present to take down proceedings. nothing can replace the accuracy or hard work of a court reporter, especially not electronic recording.

Lucretia Thomas, Court Reporter

Self

El Paso, TX

I vehemently oppose this bill. Please keep live court reporters that ensure a complete, fair and accurate transcript.

Cynthia Hyatt

self

La Vernia, TX

All courts should use the most accurate method of preserving a record, a certified court reporter. I am opposed to this bill.

Renee Barrett

Renee Barrett, Business Owner

Eules, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Melvin Emerson, 198th District Judge

Kerr County

Kerrville, TX

I respectfully request you to please vote against this bill. Frequently there are physical as well as verbal communications to be recorded in the record. In addition, it's important to have local licensed, qualified court reporters that may be held accountable for the accuracy of their records. Attorneys frequently rely on instant accessibility to best represent their clients. Having a trained and certified court reporter in person in the courtroom would provide for the most accurate, efficient court proceedings. The rapport between Judges and court reporters provide for the best record possible. Please vote no.

Laura Akers

self and other court reporters in Texas

El Paso, TX

I oppose this bill. Electronic recording is a mediocre way of getting a record. Court proceedings are important and an arena where accuracy is a definite must! It is not a video being played for amusement and only the gist of what is said is acceptable.

Please do not vote for this bill. I am a court reporter with years of training and many years in the field. We as court reporters dedicate time and effort to make sure the records we produce are extremely accurate. You will not have this with electronic recording.

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Thank you for your attention in this matter.

Laura Akers
Certified shorthand reporter in and for the State of Texas

Kevin Bruzewski
Court reporters
Houston, TX

People get their day in court and want to be heard. Why would you ever trust an electronic recording instead of a live official court reporter for the record and exhibits.
A live certified court reporter goes through schooling, a state test, continuing education.

Please reject this bill.

Cindy Sympson
Sympson Reporting
Austin, TX

I am a 30+ year certified shorthand reporter. I STRONGLY oppose this bill.

Donna Kaspar
District Attorney's Office
Crockett, TX

I can't imagine how this is going to help. I can only see the hundreds of ways this will be a problem. How do I cite to a recording for appellate purposes? What happens if the recording malfunctions or we forget to turn it on in the middle of a big murder trial? Who is going to interpret the recording when everyone talks over each other or someone mumbles or is just hard to understand? These are just a few of the ways I see this going wrong. The judge of the court is a better person to control how the record is made than the commissioner's court.

Debbie Bradley, Court Reporter
self, official court reporter
El Paso, TX

I strongly oppose this bill.

Cindy Sympson
Sympson Reporting
Austin, TX

My name is Cindy Sympson, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

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Breck Record
TCRA - Court Reporter
Midland, TX

Members:

My name is Breck Record, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Breck Record, CSR (TX), TCRR, FAPR, TMR, RMR, CRR, CRI, CCR (NM)
Official Court Reporter – 143rd Judicial District Court
Certified Realtime Reporter - Texas and National
Fellow of the Academy of Professional Reporters
TCRA Technology Chairman
SCO - Speed Contest Opinion
TCRA Speed Contest Literary
Cell: (281)254-5361
"See It Write Now"

Kim Pence
Self
Paige, TX

My name is Kim Pence, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Abbey Coronado, Ms.
Court Reporters
Houston, TX

My name is Abbey Coronado, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Kirk Moss, Mr.
Kirk Moss, Court Reporter, 325th District Court
Fort Worth, TX
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My name is Kirk Moss, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Daeleen Melendez

Court Reporters, El Paso County

Horizon City, TX

On behalf of myself and the court reporters of El Paso, we take a stand against electronic recording. The skill of writing the verbatim record on a stenographic machine is sacred and should remain so. When I received my training 15 years ago, it was not easy. To do so takes a high level of training. When I became certified, I knew that I was not only going to be an important part of the judicial system, but I also knew that I was to be given the grave responsibility of becoming a "guardian of the record." I take this responsibility with great pride and urge the members of the committee to oppose the passing of this bill. Certifying a record by any other means is insulting and a slap in the face to the profession of court reporters who are highly trained to do so. Please do not water down a litigant's right to justice by applying a means "electronic recording" that has proven itself to be unreliable. Please help court reporters continue to provide an accurate record of all legal proceedings in a court of law. This is a litigant's sacred right!

Karen Kolohe, CSR

Self

CEDAR PARK, TX

My name is Karen Kolohe, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. In order to ensure that court proceedings will be recorded with utmost accuracy and that the integrity of the record is upheld, an actual human being and certified shorthand reporter, as opposed to an electronic device, is still the most reliable and necessary approach to taking down an official court record.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Monica Ritchie

Self - Court reporter

FORT WORTH, TX

My name is Monica Ritchie, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Randy Shelton

Self

Beaumont, TX

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I believe it is extremely important for all court proceedings be recorded by a court reporter. Court reporters can provide real-time reporting during the proceedings, which greatly aids in understanding the proceedings and gives provides an opportunity to review prior testimony instantaneously. Court reporters can rapidly transcribe a record to ensure that understandings of rulings are accurate. Voice recordings are unreliable, and it can take days or weeks to transcribe them. Also, a in person court reporter can ask witnesses to repeat statements if the statements are unintelligible.

Ehdi Sepulveda, Sir or Madam

Self, Court Reporter

Katy, TX

My name is Ehdi Sepulveda and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Susan Beard

Certified Shorthand Reporter of 37.5 years in the State of Texas

VIDOR, TX

My name is Susan L. Beard, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Jennifer Karl, Court reporter

Texas certified shorthand reporter

Victoria, TX

My name is Jennifer Karl, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Cynthia Grijalva

Official Texas Court Reporter

Katy, TX

My name is Cynthia Grijalva, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an

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inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Gayle Patterson, Court Reporter

Self - Court Reporter

Houston, TX

My name is Gayle Patterson, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Audra Paty, Mrs.

Self/Court Reporter

Ovilla, TX

My name is Audra Paty and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Shantel Zambrano

Self, Official Court Reporter

Edinburg, TX

My name is Shantel Kay Zambrano, and I am a Texas certified shorthand reporter. I am also an official court reporter in Hidalgo County for County Court at Law No. 4 for Judge Federico Garza, Jr. I oppose HB 228/1685 because this bill an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Christy Moya

Self, Official Court Reporter for Victoria County Court at Law #1

Edna, TX

My name is Christy Moya, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many

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courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Being a certified court reporter is a skill that is not easy to attain and much more complicated than just pressing "record" and using a typewriter. We take pride in the accuracy of our transcripts and take an oath to do just that or else we face the loss of our livelihoods and what we worked so very hard for in school, and to take and pass the state test, which is also no easy feat. My fear is that people learn how to manipulate recording systems by shuffling papers, coughing, mumbling, etc. Without a live certified shorthand reporter there to ask a witness or attorney to repeat what they said, that testimony is lost forever.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Jennifer Jacobs

Self, Certified Shorthand Reporter

Carrollton, TX

My name is Jennifer Jacobs, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. In addition, there are avenues available to attorneys to file complaints and grievances when transcripts are inaccurate. What avenues will they have to ensure official court proceedings are accurate if there is only an uncertified recorder? I am certified by the authority of the State of Texas and upon the recommendation of the Judicial Branch Certification Commission. If electronic recordings and electronic recording personnel are allowed to be utilized, who will be responsible when something goes missing? What avenues of complaints are there for the parties and attorneys who desperately need their transcripts to be accurate, certified, and actionable?

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

CHARIS HENDRICK

Court Reporter

Ovilla, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a fake recording. Thank you!

Jennifer Marquardt

Self - Texas CSR (Certified Shorthand Reporter)

Katy, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Betty Lynn Cade

Self

Arlington, TX

Good afternoon.

My name is Betty Lynn Cade, and I am a proud Certified Shorthand Reporter in and for the Great State of Texas and have been since 1984. I oppose HB 228 and HB 1685 because this bill allows an inferior method of reporting court proceedings by allowing uncertified and untrained individuals to record court proceedings.

Many courts and states in the past have utilized electronic recording and have gone back to certified shorthand reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings (and I've seen this happen to a friend up in Paris), and extreme unexpected costs of maintenance and additional personnel required to perform all the functions that a certified shorthand reporter provides.

I am urging you to please vote against HB 228/1685 to safeguard the rights of Texas residents.

Thank you for your attention to this matter.

/s/ Betty Lynn Cade
CSR #2475

Idalia Ramirez
Self. Official court reporter
Edinburg, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Judge Mike Engelhart, Hon.
151st Judicial District Court of Harris County, Texas
Houston, TX

I am writing only to discuss the effect this bill would have on trial courts. Removal of court reporters via this mechanism would result in inefficiencies and inaccuracies in the trial court record. Electronic recordings may be problematic because (1) parties tend to speak over each other rendering the argument or testimony indecipherable to a later listener who could not contemporaneously ask for clarification or repetition; (2) inaudible recordings or technical problems could cause the record of the proceeding to be lost forever, requiring a repeat hearing where valuable testimony might be permanently altered. Moreover, court reporters are custodians of the exhibits admitted or referenced at a hearing and without them we would need a substitute for same. Court reporters are highly skilled professionals with good jobs who provide a valuable service. I believe they have tremendous value and add immeasurably to the efficiency and efficacy of our courts. Please carefully consider any effort to limit or eliminate their involvement in our day to day proceedings.

Judith Stewart
Self
Bergheim, TX

I oppose HB 228. This bill would allow uncertified, untrained individuals to produce transcripts in court proceedings in an unregulated industry.

Texas is one of several states in our country that require court reporters to obtain state certification to practice in its court system. An individual must pass a skills test to become a certified shorthand reporter and be bound by a code of ethics, required to take continuing education to maintain certification and possess a high level of professionalism and integrity to become an officer of the court.

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Electronic recording equipment is operated by an unregulated, non-legal industry and is subject to costly failure as proven in courts around the country. The cost of such failure goes far beyond monetary and may affect an individual's liberty, livelihood and human rights.

The efficiency and integrity of the current state-of-the-art method of a certified court reporter and the role the court reporter plays in the courtroom far surpass electronic equipment and cannot be replaced by electronic recording methods.

HB 228 should be defeated in order to maintain the accuracy, integrity and efficiency of Texas Courts. Thank you for your attention to this matter.

Regards,

Judith A. Stewart, CSR
288th District Court

Angela Morman
Self, Official Court Reporter, Jefferson County, Texas
Beaumont, TX

My name is Angela Morman, and I am a Texas certified shorthand reporter and certified real-time reporter. I am an official court reporter for the 279 Judicial District Court in Beaumont, Texas. We do family court full time. I provide my Judge with immediate transcription of all court proceedings.

I oppose HB 228/1685 because this would allow an inferior method of preserving court procedures by allowing untrained, uncertified individuals to record court proceedings. Electronic Recording has been tried in the past and it has failed and the courts went back to certified shorthand reporters. With no court reporter, there were complaints in the quality of the record, missing or inaudible and unintelligible recordings. There have been many cases that had to be retried because the appellate court did not have a complete record of the proceedings.

In our court there are very frequently occurrences where parties and witnesses must be stopped by me from talking over one another. I am charged with producing a verbatim record and if they are talking at the same time, there is absolutely no way to understand what's being said. I do make a recording; and I can tell you that if I don't speak up at those times it will not be understood on the recording.

I respectfully urge you to vote against HB 228/1685.

There are Certified Shorthand Reporters in the United States Congress because the record must be preserved. Texas residents deserve to have an official record of their court proceedings, a record that is usable. The only guarantee for that is by having court reporters making a record.

Instantaneous translation, real-time translation, is the preeminent choice in preserving the proceedings in a court of law.

I thank you for your consideration and for taking the time to read my letter.

Sincerely,
Angela Morman,
Certified Shorthand Reporter
Registered Professional Reporter
Certified Realtime Reporter

Lynette Caldwell
Texas Court Reporters Association

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Granbury, TX

My name is Lynette Caldwell and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Linda Vera, Court Reporter

court reporters

Irving, TX

My name is Linda Vera, and I am a Texas Certified Shorthand Reporter, CSR #8157. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings and produce inaccurate court transcripts if asked. Who would be accountable for all the mishandled audio recordings or transcripts like a certified court reporter, a person, would be for taking all the proceedings, transcribing, exhibits and other duties that must be done each day. With technology today, there are so many ways audio can be manipulated for the benefit of one side over the other, which can be extremely dangerous for anyone who steps inside a courtroom and some court proceedings include life or death, a child taken away from parents, many years of jailtime and so many other important cases. The court proceedings should be taken down by an unbiased person, not a recorder, that will be impartial to all parties at all times. Certified court reporters are held accountable if courtroom proceedings are inaccurate. Who would be responsible for a recorder or a bad recording? Technology is never dependable. When it works, it's great, but when it doesn't work, it can be terribly detrimental. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your valuable time and attention to this matter.

Linda Vera

Ashley Avila

self

Weslaco, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Pamela Smith, Ms.

Self, Court Reporter

Springtown, TX

My name is Pamela Smith, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter

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provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Amber Collins, Court reporter

Court reporter/self

Kilgore, TX

My name is Amber Collins, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter p

Laura Armendariz

/ Court Reporter

El Paso, TX

My name is Laura Armendariz and I am a certified court reporter. I oppose this bill, HB 228/1685. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to a record being manipulated. We, as court reporters, are ethically bound by law to maintain these records and protect their authenticity. I implore you to not chance our judicial system to such unreliability. All parties involved in litigation deserve to have their rights protected. Having a highly trained and certified court reporter as the record keeper ensures this right. As a "Guardian of the Record", I take this responsibility with great pride and urge the members of the committee to oppose the passing of this bill.

DONNA BARR, CERTIFIED SHORTHAND REPORTER

SELF

DALLAS, TX

My name is DONNA BARR, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Katelyn Laskoskie

Official court reporter

Anahuac, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. This bill would cause many more issues than it solves and would be a great mistake if passed.

Mindy Hall

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self - Official Reporter of the 400th District Court, Fort Bend

Richmond, TX

Court Reporters are the gold standard when it comes to producing an accurate record. If accuracy in our court records matter, a court reporter is where you start. If having the words "unintelligible" or "inaudible" all throughout our records is acceptable, an electronic recording device may suffice. Today, court reporters can offer realtime translation or daily copy transcripts which are an invaluable tool for trial attorneys and judges. Electronic recording devices in courts have caused court delays, increased costs, and equipment failures that result in expensive retrials. The recording systems require constant maintenance and upgrades which can result in unanticipated expenses to the courts. In addition, the courts will pay high transcription costs for inferior transcripts. A reporter transcribing a recording will produce a night-and-day different transcript than a live reporter who can slow attorneys down, ask them not to speak over each other, and can request a repetition of an answer if the speaker mumbles or has a heavy accent. The sound of rustling papers in a courtroom is a common impediment to these recording systems as well, and words are missed. Court reporters provide a verbatim record. We catch every word. If EVERY word matters, courts must keep an official reporter in our Texas courtrooms. Thank you for your consideration to this matter. I love my profession, and I hope to continue to proudly serve in the capacity of an official reporter.

Cynthia Berry

Harris County Certified Shorthand Reporters

Houston, TX

RE: HB 228 AND HB 1685

My name is Cynthia Berry, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals, to record court proceedings. This move to utilize electronic recording has already been attempted by many courts in the past, and they have gone back to certified court reporters after multiple problems, including complaints about the quality of transcripts, missing or inaudible recordings. Trials have had to be re-tried due to lost digital recordings. Additionally, there are unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Kindest regards,
Cynthia Berry, CSR

Tara Wilson

Self/Court Reporter

League City, TX

My name is Tara Wilson, and I am an Official Court Reporter for the 56th Judicial District, Galveston, Texas. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Roland Quintanilla, Court Reporter

Self

McAllen, TX

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I oppose this bill. This bill would allow anyone off the street, with any recording device who has no training, is unregulated, doesn't know how to produce a record, who may have a conflict of interest and does not maintain the neutrality that a certified shorthand reporter brings to the court system in Texas, individuals who are highly trained, licensed and experienced in safeguarding the record.

Tina Gregg

myself/official court reporter

Odessa, TX

As an official reporter for 35 years in Ector County, I started dictating from steno notes to now transcribing from an SD card. Over the last year I have been privy to see depositions being transcribed from Zoom in civil cases to be used in our court. They are to say the least not what I would want as an attorney being paid to represent a client to the best of my ability. Lots of parentheticals with Zoom distortion, or unintelligible, or inaudibles. That to me is not a good record to say the least.

We are a general jurisdiction court, so as I told my judge, how are we not going to get appeals back with so much not transcribed. Our internet is so bad in the courthouse that we can't use Zoom but a few times a day.

He for one will never use ER and even though I'm looking at retiring in the next few years, I am a teacher at Odessa College teaching court reporting.

We have 14 students that have continued even after the class having to go to Zoom, which shows me again how bad their transcripts are when we dictate and the electronics mess up. It's a major problem and ought to be an eye opener for anyone that practices law, works in court, or is of the judiciary.

We must continue with live court reporters.

Please vote against HB 228.

Thank you for your time.

Tina Gregg

70th District Court

Ector County Courthouse

Odessa, Texas 79761

Debbie McCabe, Paralegal

Paralegal

Houston, TX

Depending on electronic recording devices alone for legal proceedings is irresponsible and troublesome. A certified stenographic court reporter, with eyes and ears on the proceeding, is essential. S/he is thoroughly trained and certified to carefully listen and make a true written recording of what is spoken.

How can a transcriber (whether they attended the proceeding or were handed a tape blindly) know how to address these problems:

A recording can't distinguish each speaker when two or more people are speaking over each other.

A recording can't distinguish who is speaking when multiple participants are verbally participating in the event.

A recording can't ask a speaker to speak up or slow down.

Recordings have become lost before even getting to a transcriber and cases, even murder cases, dismissed or successfully appealed in other states that tried electronic recording.

Transcribers have not taken legal, medical, English, and other classes as part of training.

Certified stenographic reporters have been meticulously trained to be:

- * observant
- * careful listeners
- * knowledgeable of medical and legal terminology
- * meticulous in transcribing legal proceedings for a true and accurate record (rather than a transcriber making their “best guess” as to what was said)
- * a conscientious custodian of exhibits

M Cieslar

Court reporter

The woodlands, TX

My name is My Cieslar and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Tandrea Baxter

self - court reporter

Tyler, TX

My name is Tandrea Baxter, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Diana Ramos, Official Court Reporter

HCO CRA AND SELF

Friendswood, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained and uneducated individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Dede Vignovich, CSR, RPR, NP

Vignovich Reporting, Inc.

Houston, TX

My name is Dede Vignovich, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides causing court costs to INCREASE UNNECESSARILY, and also being unfair to the parties as the transcriptions could be INACCUARATE and FALSE leading to FALSE CONCLUSIONS!!!

PLEASE vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Stephanie Davis, Certified court reporter

Self, certified court reporter

San Antonio, TX

I am writing to encourage members to vote in opposition to this bill allowing the use of electronic recording devices in court proceedings. They have been used before and officials quickly realized that there are too many variables that render these recordings unreliable. There is no way to identify speakers being the foremost reason. There is no way to know if an environmental noise is obscuring testimony until after the proceedings have concluded possibly causing the proceedings to have to be redone at great expense and inconvenience the parties. Court reporters serve an extremely important role in maintains the integrity of the official record and must pass extensive training and exams to become certified in the state of Texas. Other solutions are available to help with the shortage of CRSs. Among them being recognizing a nationally certified court reporter's credentials as the two tests are very similar and testing is offered monthly as opposed to the only 3 or 4 times a year Texas offered the exam. Increasing the number of times the exam is offered also increases the number of passing candidates. The use of electronic recordings in court proceedings may appear to be a viable solution to the shortage of court reporters, but the integrity of the record shouldn't be lost to an unreliable and seemingly inexpensive solution when the opposite is true. The public deserves better, defendants and plaintiffs deserve better, the courts deserve better, and those of us who have passed all the stringent testing to maintain the records deserve better. I sincerely and wholeheartedly ask you to vote HS 228 down. Stephanie Davis, CSR #11355.

Rhonda McCay

ACR Ink, LLC. Court Reporter

El Paso, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Michael Woodson

Self - Justice of the Peace

Paris, TX

My name is Michael Woodson, I am from Paris, Texas. I am writing in opposition to HB 228/1685. This is a devastating bill for the credibility of the courts. Currently when you are in District Court/County Court at Law, you have confidence that your case is being taken down verbatim whether or not it is being recorded. Imagine having to retake testimony of a child in a sexual assault case because the recording device failed. Imagine having to have a victim in any case give testimony again because a recording device failed. When a certified court reporter does not hear or understand she has the ability to stop a hearing and clarify what was said. A computer does not have that ability. If this bill passes you will allow decisions that affect an entire court system to be determined by four individuals (in my county) who have zero experience in the court system and do not understand the importance of a proper record in any trial. The bottom line for any commissioner is to save money! If they can save money in one area they can have more money to spend on the roads. They are not responsible for the courts, they are responsible for the roads. Court reporting school is not an easy task. I personally know three people that were unable to complete Court reporting school. The professionals that were able to complete the course and become state certified are the individuals that you would be putting out of work this year. Hundreds of court professionals out of work the year after the worse pandemic we have ever seen. The same group that was able to step up to the plate and start having Zoom hearings at the drop of a hat to keep our court system rolling. What happens when a storm comes during a trial and you are using a digital recording device? Do you stop? What happens when you have water leaks and a mold problem? Does that affect the recording device? What standards are in place to maintain the record when digitally recorded? What does an untrained bailiff know about recording a hearing? What happens when that bailiff or Judge leaves office or is not re-elected? what measures are in place to keep that record maintained for the years that are required? I know what currently happens. I am married to a court reporter. We have a computer with us everywhere that we go. My wife has two cloud backups and at least three or four other backup devices. My gun safe has a hard

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drive in it, her work safe has a hard drive in it. We take a hard drive with us on vacations. We always have a hard drive or two with us. My wife spends countless hours each month backing up her back up. This is not something that comes with digital recording. Thank you for your time and please vote NO!

Pam Marciniak

self - Certified Shorthand Reporter #2369

Pipe Creek, TX

Opposition to HB 228:

Dear Chairman Leach and Distinguished Committee Members:

My name is Pam L. Marciniak, and I am a Texas Certified Shorthand Reporter and have been so for 35 years. Most of my career has been as an official court reporter working for judges. I'm retired now, but I actively sub for court reporters in my area in the Hill Country outside of San Antonio.

In my years as a CSR, I have known of courts in Texas and other states that have gone to electronic recording and ultimately ended up going back to a live and certified court reporter. Electronic recording is not reliable, not able to be certified by a court reporter, and very expensive to install and to maintain.

The passage of HB 228 will undermine the authority the judges currently have to hire a certified shorthand reporter. County judges and county commissioners should not hold the power to dictate to judges who they should and shouldn't hire.

Court reporters play a vital role in the judicial process and follow strict ethical guidelines. Anyone can be hired to push the "record" button. The button pusher will not meet the same high standards that a certified shorthand reporter has and will not be required to pass a state-issued exam. And who will be ultimately responsible for producing transcripts and certifying an appellate record? Courts of appeals do not want recordings. They want a document that they can read and search. Certified court reporters will not be able to certify these recordings after the fact.

For the reasons stated above and for many others, I respectfully request that the Committee vote against HB 228 to protect the judicial process for all. Thank you so much for your attention.

Pam L. Marciniak

CSR #2369

P.O. Box 63837

Pipe Creek, TX 78063

956.246.3103

pam.lynn.marciniak@gmail.com

Shelley Mayo

TCRA

Fort Worth, TX

My name is Shelley Mayo, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

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Rose Davila, CSR

(self) Certified Shorthand Court Reporter

San Antonio, TX

My name is Rose Davila. I am a certified shorthand court reporter. I oppose this bill because it allows a method of capturing legal proceedings that is done by untrained and unqualified individuals. As a court reporter we have been schooled, trained and certified to make a verbatim record of legal proceedings. A recording is not an accurate record, and I've seen too many transcripts with gaps in testimony or inaccurate testimony. I believe all individuals involved in a court or legal proceeding deserve the very best transcription of what is occurring. Court reporters are schooled, trained and certified by the State of Texas to make a verbatim record. Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention on this matter.

Muriel Montrose

65h District Court

El Paso, TX

My name is Muriel Montrose, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows for electronic recording to record court proceedings. It has been used before and there were problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and extra personnel. Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Genesis Stephens

El Paso County

El Paso, TX

I am writing to you as a professional stenographer. I've worked in this field since 2001, and I would like to bring to your attention my thoughts on this proposed bill. Most of the time I believe the primary motive for passing bills like this, sadly, is money. However, the money we make is well-earned and this is a profession that is well-respected and important to the legal profession.

Accurate transcripts are most important to those who find themselves in court for various reasons. Electronic recordings have been available for decades now. But, as one who listens to recordings routinely, I can tell you that it is almost impossible to routinely get a clean and accurate transcript by listening to a recording. For accurate transcripts it is necessary for a human being to hear the testimony live and take a record at that time. This is not something that we can afford to take away from those who rely on accurate court records.

Doing away with our very skilled positions and having us replaced by electronic recording would be an injustice to everyone involved in legal proceedings. The finality of the proceedings could be jeopardized. More importantly, the actual lives and livelihoods of people dealing with legal issues depend upon an accurate record of the proceeding. It will impact and effect those we are preserving the very accurate record for: those accused of crimes and people suing or being sued. They will be the people suffering the most. The attorneys are looking for an accurate record to appeal their clients' cases, and they will be disappointed when they read a record taken from a recording and realize it isn't accurately reflecting what they recall was said in court. Most people don't realize the amount of hard work it takes to do our job on a daily basis. All stenographers have worked very hard to obtain their licenses and we continue learning yearly in order to keep our state-issued licenses. And we love our jobs. There have been many times inmates reach out to me for a record they need, and afterward I get their letters of gratitude for providing it to them -- whether it be for their own peace of mind or legal matters pending afterward. They are grateful to be able to reach out to someone who loves the profession and puts our hard work into providing an accurate record on their behalf.

This is a very skilled profession that cannot be easily replaced. We love what we do, and if the courts rely on an electronic recording, it is going to be an injustice to all of those that find themselves in the legal system. If one person cannot get the accurate record they need, whether it be due to inaudible recording, extra noise in the courtroom, a machine malfunction, or it is lost somehow, that alone is enough of an injustice. We as stenographers are held accountable to produce accurate records and we also maintain those records. We love what we do. Thank you.

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Sheretta Martin
Self - Court Reporter
Lancaster, TX

My name is Sheretta Martin and I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Mattie Kimble
Court Reporters
Houston, TX

My comment regarding this Bill is that it will be detrimental to this organization. Also, it will cause a delay in submission to the Court of Appeals and attorneys requesting a transcript. Please do not allow this Bill to pass.

Jill Bartek
Self/court reporter
Houston, TX

The record needs to be taken by a certified court reporter so that an accurate record can be taken. One where if later down the line it needs transcribed you have it. Recordings are not human and cannot comprehend what the court reporters human mind can! You will encounter problems with recordings! If it were you, would you rely on a computer or the human mind to ask for things to be repeated when it wasn't heard or over talking going on'. Please be careful when considering this!

REBECCA CALLOW
Self-stenographer
Austin, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record, the recorder could malfunction, it could be lost or destroyed, with no chain of custody to protect Texas litigants. This method is also subject to manipulation resulting in a deepfake tampering.

Greg Cox
Self-portfolio manager
Austin, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Toi Dowell
Self - Certified Court Reporter
Port Lavaca, TX
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As a Texas certified court reporter, I am in opposition to this bill. This bill will open the gateway for any untrained, unregulated, and uncertified person with an electronic recording device to replace a highly skilled court stenographer who has spent sometimes several years to qualify to sit for the State exam and, only then, to have the honor of being the guardian of the legal record in a jury trial consisting of very important testimony, especially those involving the death penalty, not to mention multi-million dollar civil trials. Foregoing the use of a certified court reporter could result in a case being thrown out because the person operating the equipment fails to complete a simple task, such as turning on the button to record the proceeding. There is also the possibility of the electronic recorder agency hiring unqualified transcribers whom provide sloppy work product to the client or the Court. It is also possible for the recording to be manipulated resulting in an unwanted outcome by one party involved in the case.

Thank you for your time.

Marcie Powell

Official Court Reporters

Tyler, TX

I am Marcie Powell, and I am a certified shorthand reporter. I have worked as an official court reporter for the past twelve years and a freelance reporter for eight years prior to that. I am strongly opposed to HB 228/1685 because it allows untrained individuals to be in charge of the official record. There are so many technical difficulties that can and will happen with electronic recording that must be fixed by a certified shorthand reporter anyway. There is no way a machine can do a better job than we can in our type of environment. You have to have a live person do this job. I beg you to please vote against HB 228/1685. Thank you for your attention to this very critical matter.

Linda Maddox, Mrs.

Self, Official Court Reporter of the 382nd District Court

Fate, TX

My name is Linda Maddox and I am a Texas Certified Shorthand Reporter. I oppose HB 228 in that this bill would allow courts of record to be handled by an inferior method of reporting, i.e., electronic recording. The ER method has proven to be faulty in many regards, most of all via its incomplete and inaccurate transcripts from those recordings. Court reporters are bound to maintain and produce accurate transcripts and are held accountable via their license to such standards. ER has no accountability to the judicial system. Thank you for your time and attention.

Lettie Witter

Lettie Witter, Certified Shorthand Reporter

Kingwood, TX

My name is Lettie Witter. I am a Texas certified shorthand reporter. I strongly oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings.

Each case in any court is extremely important to those involved, and It is imperative to have a certified shorthand reporter present to protect the integrity of the record and provide an accurate, verbatim transcript.

Electronic recordings are not reliable. Many courts in the past have utilized electronic recording and have gone back to certified court reporters after problems occurred. In some cases, due to the failure to provide an accurate transcript, cases have had to be retried. That is costly, and will slow down the judicial process. The only way to ensure an accurate, verbatim record is to have a certified shorthand reporter present.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Christina Bohren

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self

EL PASO, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. We, court reporters, do not take the responsibility of producing a record lightly. Much is encompassed in our profession that requires discernment and sometimes on-the-fly decision making, which an electronic recording cannot do. I implore you to not chance our judicial system to such unreliability. All parties involved in litigation deserve to have their rights protected. Having a highly trained and certified court reporter as the record keeper ensures this right.

Della North

Texas Court Reporting Association

North Richland Hills, TX

Hi! My name is Della North, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

I respectfully ask that you please vote against HB 228/1685 to safeguard the rights of Texas residents.

Thank you very much for your attention to this matter.

Kindest regards,
Della North

Kari Tate, Ms.

Self

Cedar Hill, TX

My name is Kari Tate. I am a Texas certified shorthand reporter. I strenuously oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters, after many problems including, but not limited to, complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Certified Shorthand Reporters protect the record.

Vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you.

Robin Brame

self

San Antonio, TX

My name is Robin Brame, and I am a Texas certified shorthand reporter. I strongly oppose HB 228 because this bill allows for an inferior way of reporting court proceedings by allowing uncertified, untrained individuals to record court proceedings. Many courts have used this method in the past only to go back to trained certified court reporters. Please do your research on this. New Mexico had many district court cases, including murder trials, overturned because of faulty recordings or because the recorder

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wasn't turned on or just poor quality or recordings. They went back to certified court reporters and had to retry all those cases that were overturned by the Supreme Court. The costs end up being higher with the recorded courts due to unexpected maintenance and personnel it takes to monitor the equipment. Most commissioner's courts are not comprised of lawyers or those in the legal field; therefore, they might not understand the importance of a good record from a court proceeding when deciding to put electronic recorders in the courtroom.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Sincerely,

Robin J. Brame, CSR

Barbara Durand-Hollis, CSR

Certified shorthand court reporters of Texas

San Antonio, TX

As a Certified Shorthand Reporter for the State of Texas for over 36 years, I OPPOSE HB 228. It has been verified many times that a machine will never ever be the reliable keeper of the spoken word in a court of law, ever. The the integrity and accuracy of the record by a human court reporter. Thank you.

Diana Weibel

Self - Certified Court Reporter #4192

Mission, TX

MY NAME IS DIANA WEIBEL, CSR #4192. I AM A CERTIFIED COURT REPORTER IN AND FOR THE STATE OF TEXAS. PLEASE NOTE THAT I AM HIGHLY AGAINST THIS BILL WHICH WOULD DO AWAY WITH MY PROFESSION!!! CERTIFIED COURT REPORTERS IN TEXAS HAVE ALWAYS STRIVED FOR PERFECTION IN THEIR PROFESSION AND WORK EXTREMELY HARD TO MAINTAIN THE INTEGRITY OF ALL DEPOSITIONS, COURT HEARINGS, ETC. TAKEN IN BOTH CRIMINAL AND CIVIL CASES IN TEXAS. WE HAVE WORKED HARD TO EARN AND RETAIN OUR CERTIFICATION AND WOULD RESPECTFULLY REQUEST THAT YOU VOTE NO TO BILL #228!!! CERTIFIED COURT REPORTERS IN TEXAS TAKE PRIDE IN OUR PROFESSION. IT WOULD BE DETRIMENTAL TO THE ACCURATE VERBATIM RECORD TAKEN IN ALL COURT CASES IN TEXAS. IT IS NOT ONLY A DISSERVICE TO OUR PROFESSION, BUT A DISSERVICE TO THE LEGAL PROFESSION FOR AN ACCURATE RECORD FOR THE LITIGATION OF THEIR CASES!!! JUST SAY NO -- TO THIS BILL!!! I APPRECIATE YOUR ATTENTION IN THIS MATTER.

Gail Jalufka, CSR

Self - Court Reporter

Texas City, TX

Good Afternoon,

I am writing you in opposition to HB 228. If this Bill passes, it will put the integrity of the Judiciary's Official Record at risk. As a District Court court reporter for 20 plus years, I have seen the problematic issues involved with electronic recording and personally trying to transcribe from a recording. The tax payers and the Courts do not want to have the expense of relitigating cases due to faulty equipment, errors in speakers, no proper read back for jurors, manipulation of the recording, etc. Currently due to COVID, our dockets are already at a backlog. If this passes, it can further delay the timely preparation of the Official Record for the Appellate level to then only be overturned due to the potential errors recited above. Electronic recording cannot provide real time transcription during trial.

Thank for your time and attention.

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Please vote against HB 228.

Diane Williams, Court Reporter

Self

El Paso, TX

I OPPOSE THIS BILL!!!! When it comes to law and justice, budgets SHOULD NOT be a reason to alter law or best practices.

Elizabeth Augustain, Mrs.

self/court reporter

El Paso, TX

I oppose HB 228. As an official court reporter I take great pride in maintaining the records of proceedings held in court as well as transcribing. I worked very hard to maintain my Texas certification and to uphold the laws and duties as a board certified shorthand reporter to produce the record to the best of my ability. That cannot hold true about an electronic recording device. I don't know if you all have heard of the states that went strictly into electronic recording(i.e. Georgia, Kentucky) and have had to rehear cases and big trials due to poor recording or no recording at all! And now those same states are hurting to try and find reporters to put back into the courtrooms. Why would Texas want to put themselves in that predicament?

I understand that there is a need to cut budgets here and there, but when it comes to law and justice, budgets shouldn't be a reason to alter law or best practices. There is a famous Texas saying, Everything is bigger and better in Texas. Well that Texas saying should hold true for our judicial system.

Teena Harmon-Davis, CSR

Self - Certified Court Reporter

Elgin, TX

My name is Teena L. Harmon-Davis. I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court proceedings by uncertified, untrained individuals. There are countless problems associated with electronic recording, which have been proven in courts that have allowed it in the past, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. I believe that having a live, certified, ethically bound person present who has many hours of training and experience in reporting legal proceedings is imperative in maintaining the integrity of the record. I respectfully urge you to vote against HB 228 in order to safeguard and preserve the rights of Texas residents. Thank you for your time and attention to this important matter and for your service to our great state of Texas.

Debra Guthrie

self

Bluff Dale, TX

Members:

My name is Debra D. Guthrie, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Debra D. Guthrie, CSR (TX)

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Monique Hinchcliff

Self, Texas Certified Shorthand Reporter

San Antonio, TX

My name is Monique Hinchcliff. I am a Texas certified shorthand reporter and have been certified since 1995. I strongly oppose HB 228 because this bill allows for an inferior way of reporting court proceedings by allowing uncertified, untrained individuals to record court proceedings. Many courts have used this method in the past only to go back to trained certified court reporters. Much more research should be done on this. Many district court cases, including murder trials, have been overturned because of faulty recordings or because the recorder wasn't turned on or just poor quality or recordings. Costs for this type of recording end up being higher in the long run due to hiring personnel to manage the equipment and then archival of these digital files. Our Bexar County and surrounding courts deserve better than this.

Please vote against HB 228 to safeguard the rights of Texas residents. Your attention to this matter is appreciated.

Sincerely,

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Monique Hinchcliff
Texas Certified Shorthand Reporter
License #6199

Sylvia Kerr
self - court reporter
Corpus Christi, TX

My name is Sylvia Kerr. I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after encountering missing or inaudible recordings, poor quality transcripts, retrials of cases due to lost/unusable recordings, and unexpected costs of maintenance and additional personnel perform all the functions that a certified court reporter provides. With Zoom, and the addition of the new provisional and apprentice licensed reporters, these courts will be much easier to get coverage for.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your time.

Cynthia Lenz, Ms.
Self, Court Reporter
Laredo, TX

My name is Cynthia Lenz, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Cheryl Hester
Self - Texas Certified Shorthand Reporter, CSR #4519
LA VERNIA, TX

My name is Cheryl D. Hester, and I am a Texas Certified Shorthand Reporter. I am in opposition to HB 228 because I believe that the enactment of this bill will jeopardize the integrity of the reporting of court proceedings in this state. Enactment of this bill will allow vital court proceedings to be recorded by uncertified and untrained individuals via electronic recording, which is vastly inferior to records taken by certified shorthand reporters. Proceedings recorded via electronic recording are oftentimes rife with inaudible portions due to ambient noise such as shuffling papers, coughing, squeaky doors and/or chairs, et cetera, not to mention participants talking over one another. A certified shorthand reporter is able to pause in such situations and ask participants to repeat their statements to ensure that they are recorded properly. If a statement is important enough to be made in open court, then it is important enough to be on the record in a manner in which it can be understood clearly. I respectfully urge you to vote against HB 228 in order to safeguard the integrity and sanctity of court records in this state and the rights of all Texas residents who participate in our legal system. I thank you for your time and attention to this vital matter.

Karla Kimbrell
Self/Court Reporter
McKinney, TX

My name is Karla Kimbrell, and I am a Texas certified shorthand reporter. After working in this field for over 30 years, I find it

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of the utmost importance to state my opposition to HB 228/1685. This bill would allow an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. After many attempts in the past with electronic recording and with the same failed outcomes, the immediate need to return to certified court reporters was a must to protect the rights of our citizens. Complaints of inaccurate transcripts, which should never be an issue when someone's life/liberty are at stake, missing or inaudible recordings, retrials of cases due to lost digital recordings are just some of the issues faced with ER. It is crucial to allow certified shorthand reporters continue to capture the spoken word.

Please vote against HB 228/1685 to protect the rights of Texas residents. Thank you for your attention to this matter.

Olga Gutierrez, Certified Shorthand Reporter

self

SAN ANTONIO, TX

I oppose this bill. My name is Olga Gutierrez. I am a Texas Certified Shorthand Reporter. This bill allows any uncertified, unregulated, untrained person with any recording device to record proceedings and replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because of an operator forgetting to press record. This method is also subject to manipulation resulting in a deepfake recording. I am oppose this bill.

Debra Martin

Self, court reporter

Amarillo, TX

I am opposed to this bill.

Anita Ceja, Official Court Reporter

self

El Paso, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. Having a live certified court reporter is so important. We are able to ask for clarification during live testimony/hearings making us able to produce a clean record whether it's at the end of the hearing/trial, or within a matter of days. A recorder cannot make a clean record which could cause many mistakes and affect a person's life. All parties involved in litigation deserve to have their rights protected. Once again, I oppose this bill

Irene Salazar, Mrs.

Self, Official Court Reporter

Harlingen, TX

My name is Irene Salazar, and I am a Texas Certified Shorthand Reporter. I work in county court in Cameron, County, Texas. I oppose HB 228 on the grounds that this bill will allow electronic recording into our courtrooms, and this will have a devastating effect on all future trials, on all defendants on trial, and on all proceedings held in court. Electronic devices can never take the place of a real live court reporter. You will get so many "inaudibles" on the transcript and this will affect appeals, etc. It is imperative that this bill not be passed. Texas Certified Court Reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, and an ER device cannot do that, regardless of how good or cheaper it may be. Court Reporters are bound ethically to maintain these records and protect their authenticity. I know of several states that implemented ER in courts, only to call back the court reporters because of so many problems with ER. Please keep our certified court reporters, they are certified by the State of Texas for a very good reason, because they are able to do the job that a digital cannot do. Thank you, Irene Salazar

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Laurie Messina

Self - Manager of Court Reporting Firm

Beaumont, TX

My name is Laurie Messina and I have been Operations Manager for a Court Reporting firm for over 35 years. I oppose HB 228 because this bill allows an inferior method of reporting court proceedings by allowing uncertified, untrained individuals to record court proceedings. I have seen this method performed and it is inferior to the methods of a certified shorthand reporter. A certified verbatim reporter is needed to make the official record accurately. There are too many variables involved with electronic recording, missing or inaudible recordings leading to retrials. Digital recordings can be easily lost and are of poor quality. Additionally, there is the cost of maintaining the equipment and you still have to have someone to operate it. Many courts in the past have utilized electronic recording and went back to certified court reporters after experiencing these problems.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Teri Workman

self

Arlington, TX

My name is Teri Workman, and I am a Texas certified shorthand reporter. I oppose HB 228. This bill allows an inferior method of reporting court proceedings by allowing uncertified, untrained individuals to perform the recording. Due to complaints in the quality of transcripts, malfunctions with recordings -- even retrials of cases -- and additional costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides, many courts that have tried this type of recording go back to a certified reporter. Decisions about the crucial inner workings of the courtroom should be left in the hands of the presiding judge, not transferred to commissioners courts who may not fully understand the roles and/or foresee the problems that are likely to arise.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Maria Caraveo, Official Court Reporter

Self

El Paso, TX

I am opposed to Bill HB 228. I have been an official court reporter in El Paso County for 17 years. I consider this profession to be VERY necessary. This career requires an Associate's degree, but it takes most of us 4 to 6 years to achieve our writing goals, plus our certification. It is not only a writing skill; we have to be proficient in English, punctuation, grammar, spelling, medical terminology, legal terminology, and software. And I personally feel offended that we are always unappreciated and under the microscope. I don't see any other profession threatened to be replaced as court reporters. I don't believe any digital recording can replace us. If the reason behind this Bill is a budget, no amount of money can compensate for a verbatim record taken by a live person who can ask a person to speak up, repeat, slow down and at the same time distinguish speakers. We are liable for our records and we certify our records are accurate. Please support me and let me continue doing a job that I love and that I worked very hard to get. I respectfully beg that you do not pass Bill HB 228.

Cynthia Garza

Self - Official Court Reporter

Weslaco, TX

My name is Cynthia L. Garza, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including

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complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Brittaney Jessup
Self, Court Reporter
Boerne, TX

I am a Texas certified shorthand reporter and I oppose HB 228. Electronic Recording has proved in various states to have not worked resulting in backed up dockets, and retrials.
Thank you for your time.

Andrew Sutton, Mr.
self, self-employed
Houston, TX

My name is Andrew Sutton, and I am a Texas Certified Shorthand Reporter.
I am writing to you to let you know that I oppose HB 228/1685 because this bill allows an irresponsible and inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings.

HB 228 would allow commissioners courts to overstep a judge's authority to manage their court.
Commissioners courts typically lack a legal background or knowledge in judicial matters.

Both HB 228 and HB 1685 implement electronic recording devices in place of certified court reporters which would be a detriment to the litigants and the judicial process.

Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do regardless of how good it may be. Court Reporters are also ethically bound to maintain these records and protect their authenticity.

Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights and privacy of Texas residents. Thank you for your attention to this matter.

Craig McAdams
Self
Elkhart, TX

My name is Craig McAdams, and I live in Elkhart, Texas. I know the importance of a certified shorthand reporter, and I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Toni Freeman, Official certified shorthand reporter

Self

Arlington, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Mark Huff, Mr.

self, engineer

Dallas, TX

I OPPOSE the bill strongly. Point #1 - The citizens of Texas expect and deserve a consistent standard in the courts and judicial system that is written in stone AND the administration of which does not rely on the decisions or politics of the elected commissioners of a county's commissioners court. The legislators of Texas will be diluting and weakening the citizens' rights and expectations by delegating ANY function of the court to the elected commissioners. There are 254 counties in this great State of ours and the administration of justice must be consistent from county to county. Texas must continue to require the presence of certified and trained court reporters to put into the record the testimony and all other discourse in the courtroom. Point #2 - Electronic recording both audio and video are not durable and incorruptible as a media for permanent record. Electronic media can be easily lost or destroyed, and can be corrupted both inadvertently, maliciously and purposefully. The State of Texas must ensure that its citizens have trust in the judicial court system and the adoption of electronic recording in place of court reporters undermines that trust absolutely. Point #3 - Court reporters are listening in real time to ensure that anything and everything spoken is correct and intelligible. They have the ability in real time to request a repeated statement or fact of record to guarantee its correctness. Electronic recordings would be reviewed well after real time, if at all, and anything spoken which can not be understood on the electronic recording would be lost forever, water under the bridge. Point #4 - Appealing a guilty verdict by a defendant on the basis of faulty, unintelligible, incomplete, or tampered electronic recording is a defendant's dream opportunity whether the assertion of the appeal has any merit or not. That undermines the integrity of our court system.

Misty McAdams

Self, Texas Certified Shorthand Reporter

Palestine, TX

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My name is Misty McAdams. I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

In addition I oppose this bill as a tax payer because of the huge costs to the Texas counties to retry cases remanded to the trial court for in accurate or unusable transcripts prepared by unlicensed individuals.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Georgina Ware

Self/ court reporter

Cedar Hill, TX

My name is Georgina Ware, and I am a Texas certified court reporter. I oppose HB 228/1685 because this bill allows an unqualified method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have used electronic recording and returned to certified court reporters after several issues regarding complaints of quality of transcripts, lost or inaudible recordings, retrials of cases due to missing digital recordings and unexpected costs of maintenance and additional personnel needed to perform all the duties that a certified court reporter provides

Please vote against HB 228/1685 to protect the rights of Texas residents. Thank you for your attention and time regarding this matter.

Cristy Smith, Court Reporter

Self - Court Reporter

Bridge City, TX

My name is Cristy Smith, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Tina Thompson

SELF - Court Reporter

GARLAND, TX

My name is Tina Thompson, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

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Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Evangelina Morales, Court Reporter

Self - Certified Shorthand Reporter

El Paso, TX

My name is Evangelina Morales and I am a Texas certified shorthand reporter. I strongly oppose HB 228. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to the manipulation resulting in a deepfake recording. The integrity of the record should be held at high value due to the types of cases and people's freedoms. Many courts in the past have utilized electronic recording and went back to certified court reporters after numerous problems and complaints with quality of the transcripts, inaudible and missing recordings, retrials of cases due to loss of digital recordings or no recordings at all. And those types of mistakes can cost thousands of dollars to rectify. When it comes to law and justice, budgets should not be the reason to alter law or best practices. As highly trained court reporters we take this responsibility very seriously.

Warren Elkins

Self

Abilene, TX

After all the hullabaloo about the supposedly corrupt voting and tampering do you really want to introduce those possibilities into the judicial process? The court reporters certify the accuracy and truthfulness of the transcripts. Without them who do you trust? Lawyers? Politicians? Judges? Ever hear of "Judge Roy Bean" Believe it or not those people still exist. Keep the people that that have no bias that can certify what is TRUTH!

Kensie Benoit

Bexar County Official Court Reporter

San Antonio, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

George Hamilton

self

resson, TX

To rely on only a recording device to keep records of trials is a very foolish things as there are too many things that could go wrong. And if I'm correct other courts have tried this with terrible results and been forced to returned to a system proven to work. Why fix it if it isn't broke? In my opinion Court reporters have been very efficient and a big help in the record keeping of legal matters be it criminal or civil. To try and remove them for just a recording would be detrimental to our legal system .

Aprl Balcombe

self/CSR/court reporter

Austin, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an

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"operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. There are plenty of prior precedents set where courts have transitioned to digital recorders just to get a case overturned due to a horrible transcript or some other mishap.

Lei Sherra Chambers

self

Duncanville, TX

My name is Lei Sherra Chambers, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows for reporting of court procedures that would be allowed uncertified and untrained individuals to do so. Some courts in the past have used electronic recordings and went back to certified court reporters after several problems and complaints for the quality of transcripts, missing or inaudible recordings. There is nothing better than a live certified and trained court reporter who can get what is said accurately, can ask questions at the time, research retains our notes and certify a transcript. I ask that you oppose this bill because the integrity of the record is at stake.

Thank you for your time

Suzanne Hanus

2547575045

Waco, TX

I am extremely oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. People's lives and freedom depend on the accuracy and the quality of the reporter's record in criminal courts. Courts would be inundated with untrained individuals to be the record keeper. What if a recorder doesn't work? What if the individual who isn't a trained, certified, licensed court reporter loses the "recording" or can't produce a record because of their lack of training? What will happen to the chain of custody of exhibits? Cases will be thrown out because of an "operator" error or if the "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. The result of this bill will be catastrophic to the legal system, and the integrity of our courts and the record must be maintained. No amount of "saving money" is worth the results of this bill. I respectfully ask that this bill be voted against. Thank you in advance for letting me express my opinion.

Amanda Fuller

self/court reporter

San Benito, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record or because a recording is so garbled as to not be understood. There have been cases in other states where a recording was lost or misplaced or so difficult to understand that a transcript could not be produced for an appeal. This method is also subject to manipulation resulting in a deepfake recording.

Angela McBride

Self, Certified Shorthand Reporter

Houston, TX

My name is Angela N. McBride, Certified Shorthand Reporter. I am in opposition to HB 228 which is a bill that would allow a less-than-accurate method of reporting court proceedings. Using electronic recording instead of a live court stenographer has been proven to be an inferior method of capturing the spoken word in court proceedings. There have been courts in the past that have switched to electronic recording only to switch back to a live reporter due to many inaccuracies in the official transcript and instances of having to retry entire cases. Every person in Harris and all counties in Texas have a right to have an accurate official record of their proceedings. Thank you.

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Allison Rother
Self, court reporter
Hallettsville, TX

My name is Allison Rother. I am a Texas certified shorthand reporter. I oppose HB 228/1685. I work in a very busy district court. We hear very important cases, from state jail felonies to capital murders, that must be reviewed by the Court of Appeals when/if cases go up on appeal. The records I take must be accurate and reliable. I am physically in the courtroom identifying who is speaking and interrupting the proceedings when unable to hear someone or if other sounds muffle over someone. I am the protector of the record. I also write a real-time feed to my judge's computer. Testimony and argument of counsel can be easily accessible to the attorneys, judge, and the jury quickly and accurately.

Bill 228 allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. The problems with using a recording device instead of a certified court reporter includes issues such as inaudible recordings, lost digital recordings, unidentifiable speakers, loss of instant access to testimony for readback to a jury. The words that I take down verbatim each day are too important to just be recorded by a tape recorder.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Lorrie Schnoor
Immediate Past President - Texas Court Reporters Association; Texas Certified Shorthand Reporter #4642
Round Rock, TX

My name is Lorrie Schnoor, and I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to simply hit the record button on court proceedings. Court reporters are held to a high ethical standard, and as such, must follow a Code of Ethics that requires them to maintain the integrity and authenticity of the records taken by them. Utilizing a method that is not held to the same standard in our courts will result in detrimental consequences to the litigants in the state of Texas. While some may be tempted to take an "easier" route by thinking that electronic recording is well-suited for court, it simply is not the most effective way of making a record. With the human element removed, the rate for error goes up considerably due to inaudible crosstalk, retrials of cases due to lost digital recordings, and lack of quality transcripts made by someone other than the person who heard and took down every word. These are all things that a Certified Shorthand Reporter is responsible for when granted certification by the Supreme Court – after going through a rigorous training and testing process -- and it is part of their duties within the judicial system to carry them out. Our role cannot simply be handed over to someone who does not fill this high standard of protecting the record, whose ultimate responsibility is to ensure and certify the accuracy of the record.

Please vote against HB 228 to safeguard the rights of Texas litigants. Thank you for your support.

Olivia Mata
Self, court reporter
GARLAND, TX

This is a bad idea. Need to have a real, certified court reporter to make an accurate record

Rebekah Voisin
self Freelance court reporter
Spring, TX

My name is Rebekah C. Voisin, CSR, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court

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proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Vanessa Barrett

Official Court Reporter for County Court at Law No. 2, Wichita County, Texas

Rhome, TX

My name is Vanessa Barrett, and I am a Texas certified shorthand reporter. I wanted to express my concern over HB 228/1685. I oppose HB 228/1685 because this bill will allow for an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. This has been attempted before by many courts in the past who have utilized electronic recording and went back to certified court reporters after experiencing several problems which included complaints over the quality of transcripts, missing or inaudible recordings, and the need to do retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. In the end, this will be a costly endeavor. The human factor cannot be replaced. Reporters ensure an accurate record.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you so much for your time and attention to this matter.

Jacklyn Gonzales, Csr

Self/ freelance court reporter

Austin, TX

Hello, I am a Texas certified shorthand reporter, and I oppose HB 228/1685 because this bill goes against everything I work so hard for, along with my colleagues. Electronic recording just simply cannot be relied on. How many times has an electronic of yours crashed at the worst possible time? Court reporters CANNOT crash. We have to find a way and get the job done no matter what. Whether that means skipping lunch, losing sleep, working all weekend and holidays, missing every life event, we will do it to get the job done. We sacrifice so much for this profession, and I would hate to see it start to be taken away from us. We go through many years of schooling and spend so much time interning, being mentored during our first years just to ENSURE we get the job done right every single time. I can't tell you how many times I help attorneys with exhibits and making sure everything is running smoothly. I always ask for clarification on things that they didn't even catch. They're always so grateful when I bring things to their attention that would have been a misunderstanding later. We don't just write the spoken word, we ensure that's exactly what was said. We do research. We get accurate spellings. We punctuate the way the testimony was conveyed and so much more. We take so much pride in our work, so please do not pass this bill. Electronic recording just doesn't have the background and training and care and passion that we have. We work hard for ours and put the record above anything else. If your life was on the line, would you rely on Siri or a certified professional? Thank you so much for your time. I really do appreciate it.

Charles Montemayor, Associate Judge Bexar Co.

Bexar County Children's Court

San Antonio, TX

The due process rights of Texas citizens before the courts should not be subject to machine, these matters of great importance to the litigants before the court should not be compromised in any manner and especially not as has been protected by the State of Texas for hundreds of years. Yes technology has advanced the courtroom practices, but the preservation of the record an process should always have the human touch. I strongly object to the proposed house bills.

Melanie Forbes

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Self - Certified Shorthand Reporter

Brownsboro, TX

I want to let you know of my opposition to HB 228.

I have been a court reporter for over 31 years with the past 25 years being an official in a general jurisdiction district court.

While I have respect for the commissioners in my county, I do not believe they have the legal experience and training necessary to understand the powers and duties of an official court reporter. Most attorneys do not gain adequate knowledge of protecting the record until they have practiced law for many years.

My duties as a court reporter extend beyond those described in Government Code Chapter 52. I have a relationship with my co-workers, and we work as a team. This would not be guaranteed if the hiring/firing responsibility were taken away from the head of the department. Entrusting the appointment of a member of a judge's staff should not be the decision of anyone who does not work in a courtroom on a daily basis.

My fear is if the commissioners chose to exercise the exemption to utilize electronic recording, the citizens of the county would not have access to the current quality or ethical practices of a certified shorthand reporter. Although the OCA does not anticipate a fiscal impact, I strongly disagree. In the past when recordings were unintelligible and unable to be transcribed, cases have remained on the docket and have had to be retried at a much greater expense to the litigants than employing a professional court reporter who can be held accountable for accuracy.

Again, if HB 228 is passed, it would do a disservice to the citizens of the State of Texas and Henderson County. I thank you for this opportunity to voice my concerns and I pray you will not support HB 228.

Leslie Ryan-Hash

Self - Texas Certified Shorthand Reporter

Archer City, TX

My name is Leslie Ryan-Hash. I am a Texas CSR and have been a reporter for 30 years. I oppose HB 228/1685. This bill will allow an inferior method of reporting proceeding by allowing uncertified, untrained persons to record court proceedings. Problems with ER include poor quality transcripts, missing or inaudible recordings, forced retrials due to lost digital recordings, and unexpected costs of maintenance and additional personnel. As a CSR who has transcribed from ER, I can attest that it is extremely difficult to get an accurate record. It is subpar when compared to a live reporter. As a CSR I have the ability to ask for clarification when there is room noise and stop litigants when they talk over each other. As a CSR, we can't just get the gist of what someone is saying, we are required by law to provide a verbatim transcript which a recording can't do. As a CSR of 22 years in the same court, I can attest that our county is greatly lacking when it comes to technology. I have absolutely no doubt that should the official be replaced by an ER device, the technology would be subpar at best. Our courtroom technology is nonexistent.

CSRs work hard to provide accurate records of hearings and trials. Do not make our job harder by taking away our ability to step in and control a proceeding. Do not make the attorney's job harder by making them scour through hours of video/audio to prepare their case for trial or appeal. People may think that all a reporter does is make a record, but there is a very human aspect to our jobs that no machine can mimic or replicate. As Guardians of the Record, we are not only responsible for the written record, but also handling the evidence admitted during a proceeding which includes weapons, drugs, medical records, IRS records, etc. Would you want these items in the possession of someone who is not held to the highest standard, trained, and held accountable?

YOUR constituents are entitled to fair and impartial justice and CSRs provide that. Do not take away that right with the misconception that a machine can do the same thing as a human at a much lower cost. What happens when transcripts are not correct? Who is the onus on? What happens when someone forgets to push record? These are just a few problems that can arise.

CSRs have rules and regulations that govern our profession. We must pass a very tough state test on written knowledge and skills at 95%. What other profession has to meet 95% accuracy to become certified? We must also meet continuing education requirements, pass a background check, and be fingerprinted.

Parties will have a difficult time finding a CSR who will swear to a transcript prepared from a recording. Please do not hamstring us from doing our sworn duty by passing this bill. There is no real cost difference between a CSR and ER. ER is not a solution,

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but it is an overrated hindrance to justice.
Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you.

Jessica Chang
Civil District Court
Houston, TX

HB 228-Murr

Good afternoon. I am a resident of Harris County. I am a Certified Shorthand Reporter.

I strongly oppose HB 288. Electronic recording device is ineffective and simply not reliable to do what court reporters (humans) can do in a courtroom. A recording device cannot distinguish the different homophones, which needs to be accurate to make sense of the spoken words. Court reporters are trained to write those in different ways so that they are accurate and make the sentences make sense of the testimony in the court proceedings.

A recording device cannot keep track of the offered and admitted, withdrawn, redacted exhibits whereas court reporters can. Recording devices have distorted audio from various noises in the proceeding such as a cough when a witness is answering a question. There was an incident where a prosecutor asked a witness, "did you commit murder?" and the witness answered "yes" or "no" but they couldn't get an accurate answer to be recorded because there was some paper crumbling or a cough at that time. Court reporters are crucial to the court proceedings to make a true and accurate record of the procedure. The litigants and the parties spend so much effort and time to prepare to have their day in court and without a court reporter, there would not be an accurate record to record the proceedings.

There is absolutely no recording device that can replace court reporters' job. Court reporters go through vigorous training and certifications to get to where we are and we are held to the high standards to provide true and accurate transcripts for when the trial goes up for an appeal. The appellate court must have an accurate record to be able to read and make their decisions and court reporters provide that. We provide reporter's record with master index, different volumes contain cover pages, appearances, index, exhibit index, proceedings, and a certification page and last, all of the exhibits offered/admitted.

To be replaced by a recording system in a courtroom would be a detriment to our justice system. I strongly oppose HB 288 for these reasons mentioned above.

Thank you.

Respectfully,

Jessica Chang, CSR
Official Court Reporter
61st Civil District Court

Mekailah McChriston
Self - Certified Official Court Reporter

Eules, TX

Hello.

My name is Mekailah McChriston, and I am an official Certified Shorthand Reporter in Harris County, Texas. I am writing this letter in opposition of House Bill 228/1685. This bill allows the use of an electronic digital recorder in place of a certified stenographer when capturing court proceedings. Throughout history, so many courts have attempted to use electronic reporting systems, and it's never been as efficient and accurate as a live court reporter protecting and certifying the record. In the past, they've had to deal with low quality transcripts because the audio file was either lost, missing, inaudible, or you simply just couldn't distinguish between the speakers. If there are five men having a conversation in a room, oftentimes it's hard to tell who is who by just listening back to a recording, and especially if parties start to talk over one another. All of these reasons explain why it's so impressive to have a live officer of the court protecting and certifying the record, and I pray you vote against HB 228/1685 to safeguard the rights of our Texas residents.

Thank you,

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Mekailah McChriston, CSR, RPR

Stacey Paget, Certified shorthand reporter

Self

Grapevine, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Gloria Recio, Certified Shorthand Reporter

Self - Official Court Reporter, Bexar County

San Antonio, TX

My name is Gloria Recio. I am an official court reporter in Bexar County. I am urgently requesting that you oppose HB 228/1685. I have been a certified court reporter for 38 years. Since I first began this very rewarding profession I was always concerned when I would hear people tell me we were going to be replaced with electronic recording, year after year after year. And there were instances when it did happen. But after a while, and after many issues with the transcript or the quality of work produced, issues with equipment, they brought back a Certified Court Reporter, a professional who can assure that an accurate record is being taken, can see it themselves through real-time, can stop the proceedings if something was missed or not clear because of people speaking at the same time. Can keep track of documents offered or admitted. If the judge or parties request a portion of the transcript read back or repeated for clarity can produce and respond quickly to that request. These are just a few of the functions a Certified Court Reporter can provide.

, I am proud to be able to serve the community in this profession, meeting so many people throughout Texas, I have also freelanced, and to continue providing my services for many more years.

Again, I urge you to vote against HB 228/1685. Thank you for your attention to this matter.

Hayley Stiteler

TCRA

Bastrop, TX

My name is Hayley Stiteler, and I am a Texas certified shorthand reporter. I oppose HB 228. This bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Back when I was in school, we talked about the many courts who attempted to use electronic recording. All of them went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to ensure the rights of Texans are not violated. Thank you for your attention to this matter.

Mary Berry

Self, Court Reporter

San Antonio, TX

Hello, Judiciary & Civil Jurisprudence Committee Members,

My name is Mary Berry, and I am the official reporter for the 131st District Court in Bexar County, Texas.

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I oppose HB 228 because this bill will harm the integrity of the record and will cause the quality of the record to be compromised.

Digital recording has inherent problems and can cause cases to be retried, the recording to be tampered with, and the record produced from the recording can have several inaudibles in it. This is not good for the litigants nor the judicial process.

Realtime reporting is what we provide our judges, and it is a very helpful and useful tool for them as they preside over cases.

Court reporters are an integral part of the judicial system, are impartial, and provide a quality record for litigants to review.

Please vote against HB 228 to safeguard the rights of all of our Texas residents.

Thank you for all that you do and for taking time out of your busy schedule to review my comment.

Louella Badipour

Self- Certified Shorthand Reporter

Spring, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. If someone begins to have a coughing or sneezing fit or during testimony, it will block out the recording the words that are said will be inaudible. Whereas if a trained professional who is accustomed to the different happenings that surround him or her during a court proceeding, this won't throw them off. They will be able to continue to diligently do their job without hesitation and maintain a clear and concise record. This method is also subject to manipulation resulting in a deepfake recording. There are some many techniques that could be used to manipulate a recording in today's modern technology that could result in appeals and come in to question the integrity of the Court.

Leticia Escamilla, Deputy court reporter

self, freelance court reporter

San Antonio, TX

My name is Leticia M. Escamilla. I am a certified shorthand reporter. I oppose HB 228 because the preservation of a court record from court proceedings should be done by a licensed, shorthand reporter, as we can ensure an accurate verbatim record, plus able to take multiple speakers at the same time. The lives of people involved in litigation could be negatively impacted when unqualified, unskilled people or electronic method of recording are unable to produce an accurate and verbatim record of court proceedings. This can cause exorbitant unnecessary costs of having to redo, for example, a trial, plus have severe detriments and consequences to the parties. Licensed shorthand reporters are required to take continuing education to stay current with the demands of today's technology and maintain the skills of preserving verbatim court records. The preservation of court proceedings are vital to all parties involved in litigation and our judicial system and can be best done with Licensed shorthand reporters.

Anne Sitka

Self Texas Certified Shorthand Reporter

Houston, TX

I OPPOSE this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Anne Sitka

self Texas Certified Court Reporter

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Houston, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Pam Sumler

Official Shorthand Court Reporters

Cedar Hill, TX

I am against this bill. A Certified Shorthand Reporter can not be replaced when getting an accurate record.

Wendy Roberts, Owner/President of Wendy Ward Roberts & Associates, Inc.

Self Texas court reporter

Garland, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Debra McGrew

no company

Spicewood, TX

I am 65 years old and have been a certified court reporter all my adult life. I believe my profession to be the most accurate and dependable method to report court proceedings. A court reporter's record is prepared by an individual that has had years of training in their field and is of the highest quality. A court reporter maintains control of the proceedings by listening carefully and writing every spoken word, interrupting when something is not understood or inaudible, and there are multiple layers of redundancy in recording the record so there is basically zero chance of it being lost or unavailable. Other methods have been tried but have failed to compete with the quality of the work done by a professional reporter.

Sonia Trevino, Texas Certified Shorthand Reporter

Self, Texas Certified Shorthand Reporter

Corpus Christi, TX

My name is Sonia G. Trevino, and I am a Texas certified shorthand reporter. I write in opposition to HB 228. This bill would permit Texas litigants to be provided with proceedings reported in a manner that is inferior and unreliable compared to the written record provided by a court reporter. History has shown us time and time again that the failure of ER has led to costly retrials of cases. On these retrials, a court reporter was brought in to make sure the record was a) being taken down; and b) reported accurately. A retrial of any case is costly not only to the taxpayers, but also to the parties involved. When liberty depends on something so crucial accurately capturing the proceedings, that should be reason enough to continue to ensure that there is a court reporter present and held responsible for the integrity of that record.

Electronic or digital reporting is a throw of the dice; it may be recording, it may not. You never know if it is, in fact, working, until it comes time to appeal and there is nothing there. The reporter is present, watching her or his writing, making sure the proceedings are being written down. We are there to ask for clarification on questions and/or answers. We listen and report tough experts, witnesses with accents, soft-spoken witnesses, witnesses who mumble. We give 100 percent to get out the best work product, because the record means something to us. There is great pride in our work. We are the guardians of the record, and we take that responsibility very seriously.

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I respectfully ask you to vote against HB 228 to ensure that Texas litigants' rights to the best means available to preserve the record is protected. Thank you for your time and for your service to the State of Texas.

Kayla Scott

Texas Court Reporters Association

GARLAND, TX

My name is Kayla Scott, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and have gone back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. I have personally been asked by my attorney clients to transcribe court hearings from an electronic recording. In some cases, the audio was so inadequate that I was unable to transcribe it. In other instances, I have been able to transcribe the electronic recording, but the transcript was filled with the parenthetical "indiscernible."

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Cindy Saunders, 340th Judicial District Court Reporter

Self

San Angelo, TX

My name is Cindy Rister-Saunders, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Cindy Rister-Saunders, CSR #2148

Jamie Hess

Self - Texas Certified Shorthand Reporter

Rowlett, TX

My name is Jamie Hess and I have been a Texas certified court reporter since 1996. I oppose HB 228. This bill would allow an inferior method of reporting court proceedings by allowing uncertified, untrained individuals to record court proceedings. Many courts have tried this in the past only to go back to using certified court reporters after problems and complaints of quality of transcripts, inaudible or missing recordings, retrials of cases due to lost or inadequate recordings, etc. Please vote against HB 228 to safeguard the integrity of the official record and protect the rights of every Texas resident. Thank you.

Angeliz Rivera

self, official court stenographer

San Antonio, TX

I am Angeliz Rivera, Texas Certified Shorthand Reporter #8938. I oppose HB 228 because this bill allows uncertified, untrained individuals to simply record court proceedings instead of take them down in realtime in written form. Many courts in the past have utilized electronic recording and had to go back to the superior method of using certified court reporters after experiencing

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problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

I urge you to vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Meredith Shoemaker

Self, Texas Certified Shorthand Reporter

Sugar Land, TX

My name is Meredith A. Shoemaker, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. I have transcribed in my 20-plus-year career many audiotaped proceedings, and it is frightening how much of what is said is undiscernable if you weren't there in person to hear it. I would hate to think my lawsuit or your lawsuit depended on a recording and not a State-licensed court reporter. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Blanca Espericueta

self

San Antonio, TX

I am opposed to this bill even being discussed. This would be such a detriment to the legal system if passed even at the municipal court level. Other states have implemented ER and have revert back to court reporters because they realized ER will never replace the role of court reporters to produce accurate official records. I am opposed.

Christi Ritz

self/district court reporter

Corinth, TX

My name is Christi Ritz and I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill allows court proceedings to be recorded instead of having a licensed certified shorthand reporter live in court. Only a live, trained person can stop someone if they talk too fast, ask people not to speak over each other, ask for clarification if a witness or attorney mumbles. Courts have tried the electronic recording method and it has not worked well for them. We spend a lot of money on jury trials where people's liberty is at stake, so why would we take the risk of not having a professional guard the record?

Please vote against HB 228 to guard the rights of Texas residents. Thank you for your attention and understanding.

Stephanie Lopez

self

Giddings, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Phyllis Gonzales, Official Court Reporter

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Self/Official Court Reporter Harris County District Court

BAYTOWN, TX

My name is Phyllis Gonzales, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Nancy Mendoza

Self - Certified Shorthand Reporter

Porter, TX

My name is Nancy Mendoza, and I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 22 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Marisol Ramos

Self/Court Reporter

Richmond, TX

My name is Marisol Ramos, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method or reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personal required to perform all the functions that a certified court reporter provides.I have transcribed digital audio recordings that the associate judge's use and it is very difficult. You can not make out the people speaking and most of the transcript is audio distortion or unintelligible. I take pride in my job as a court reporter and have been reporting for 17 years. The BEST way to provide an accurate record of court proceedings is to have a court reporter live in court. Thank you!

Sally Gill, Ms.

Self, Official Court Reporter

Conroe, TX

My name is Sally Gill, and I am a Texas Certified Shorthand Reporter currently employed in County Court at Law Number 5 of Montgomery County, Texas. I strongly oppose House Bill 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Certified court reporters have a valuable skill that protects the rights of Texans all over the state, including you. There have been instances of courts going to electronic recording and then hiring back a Certified Shorthand Reporter because of inaccuracies in transcripts, poor quality transcripts, or lost audio recordings. Also, this bill would eliminate hundreds of jobs throughout the State of Texas. Please vote against House Bill 228 to protect the rights of Texas residents now and in the future to come.

Arden Bolak

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Self, Official Court Reporter, Denton County

McKinney, TX

I am strongly opposed to the use of ER devices in courtrooms in the State of Texas. If anyone has done any research into the use of ER versus a certified stenographer, you lose the integrity and accuracy of an official record, as well as the liability of losing the record entirely. There are plenty of well-educated, certified stenographers who deserve their title and have worked hard to uphold the integrity of the court system and the liberties that are entitled to the defendant with the implementation of access to accurate records. Please, do not approve this bill.

Aimee Walker

self court reporter

Georgetown, TX

I am writing in opposition of this bill. Giving the commissioner's court a power of anything judicial is dangerous. There is a reason the two branches are separate. The commissioner's court looks for economy, while the judiciary ensures that rights of individuals are protected. Court reporter's are certified in the State of Texas and appointed by a judge. Someone pushing "record" on a machine in a hearing is not the same thing. This could greatly affect anyone appealing to a higher court and needing a transcript. The record would have to be transcribed by someone who wasn't present and is not trained in court proceedings, terms, etc. Many states that have gone to ER in the past have discontinued due to trials coming back on appeal for problems with the recording or the transcript having too many errors.

Tracy Holmes, Judge

Self - Judge 363rd Judicial District Court

Dallas, TX

My name is Tracy Holmes and I am a district court judge for the 363rd Judicial District Texas Court. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Mary Ann Woodson

self/court reporter

Paris, TX

Dear State Representative Reggie Smith and Committee Members:

I am writing to express my concerns and adamant opposition to House Bill 228. This bill usurps the ability of the districts and county courts at law to conduct court and manage their dockets. Judges understand the importance of making a good record of the proceedings as well as off-the-record duties court reporters are responsible for; whereas, it has been my experience that the commissioners courts do not know what making a record entails or how courts of record are conducted. I have been an official court reporter in three different counties as well as worked as a deputy official in several more, and I have never had a commissioner ask me about the Reporter's Record or show any interest in what my job duties are as a guardian of the record. Furthermore, electronic recording is not an adequate substitute for a court reporter. Certified Shorthand Reporters are certified by the Supreme Court of Texas, sworn in by district judges to keep a correct and impartial record of evidence and testimony, and then governed by the Judicial Branch Certification Commission. An electronic recording machine cannot certify to a recording or produce a written transcript. There is no accountability. There are non-verbal events that happen in court that an electronic recorder cannot capture.

Electronic recording has already had at least one failure in Texas for a county court at law which resulted in a reversal. Just

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pushing a record button, if someone remembers to do so, cannot compare to a court reporter who is actively engaged taking every single word spoken in court, who then certifies to accuracy on every single transcript, and who has multiple storage methods to archive notes for 15+ years.

Please consider the importance of the court record and how House Bill 228 will impact the integrity of the justice system when deciding your vote.

Respectfully,
Mary Ann Woodson

Graciela Caka, Ms.

Self, official court reporter

Willis, TX

To the honorable committee members of HB228: My name is Graciela Caka. I am a certified court reporter for the State of Texas. I wish to express to the Committee my OPPOSITION to HB228. This HB228 would allow uncertified, untrained personnel to record court proceedings. There have been some courts that have tried this electronic method of recording court proceedings, but these courts have eventually gone back to live court reporters due to the following problems that were experienced with court recording: missing or inaudible recordings, retrials of cases due to lost digital recordings, complaints regarding the quality of transcripts of these recorded court proceedings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please OPPOSE this HB228 to safeguard the rights of Texas residents. Thank you for your time and attention in this matter.

Respectfully yours,
Ms. Graciela I Caka, CSR, RPR

Scott Wiisch, Judge 372nd District Court

Self

Ft Worth, TX

In 40 yr trying criminal cases I have yet to see a recording device that could ask a witness to speak up, repeat a garbled answer , repeat an unintelligible word or dutifully keep track of if and when an exhibit is offered,...or 2 weeks into a 3 week trial if an exhibit was previously admitted or not. No recording can keep track of everything being juggled in the trial, count and verify exhibits marked , admitted , securely stored . If no reporter or equivalent, you are placing that accounting, documenting, processing responsibility on some human(s), and most likely the judge, who has enough on his/her plate already in trial. On a different note, I have serious separation of powers issues when injecting commissioners court into the trial function process by placing state court staffing requirements as a local function.

As a 26 yr felony trial judge I am expressing serious concerns and would never ask to be exempted and risk the integrity and accuracy of a felony trial record, but officially as a judge my comments are "on" the bill. Thank you.

Brenna DeMoss

Bexar County Court Reporters

New Braunfels, TX

My name is Brenna DeMoss, CSR, RPR, and I am a Texas certified shorthand reporter. I oppose HB228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recordings and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please vote AGAINST HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

vicki clendenin, Ms.

self court reporter/stenographer

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Pearland, TX

Good morning. My name is Vicki Clendenin, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your consideration to the court reporters in the state of Texas' concern over this matter.

Audrey Pritchard, CSR

court reporter

Winters, TX

oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Joanna Beverage, Certified Shorthand Reporter

Self-Certified Shorthand Reporter

Nocona, TX

My name is Joanna Beverage, and I am a Texas Certified Shorthand Reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing inaudible recordings, retrials of cases due to lost digital recordings and unexpected costs of maintenance and additional personnel required to perform all of the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention in this matter.

Joanna Beverage

Angelita Jimenez, Court Reporter

Self

San Antonio, TX

My name is Angelita Jimenez, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Respectfully,

Angelita Jimenez, CSR

Bexar County Court Reporters Association

Vice President 2018-2019

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Serena Wagner, Official Court Reporter

self - official court reporter

Pearland, TX

My name is Serena Wagner, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Stephen Baker, Associate Family Judge

Self

Friendswood, TX

I serve as Associate Family Judge for the Galveston County Family Courts (the 306th District Court and Galveston County Courts at Law #1, 2 & 3). Please note I oppose HB 228. Allowing uncertified individuals to record and even transcribe proceedings would not be in the best interest of those individuals appearing before the courts. During my 20 years serving as an associate judge. I originally recorded my hearings via electronic means. I stopped using electronic recordings due to the difficulty in obtaining a proper and complete record.

Our Galveston County Commissioners Court recently authorized the use of a court reporter for my hearings which has been greatly appreciated by the parties and attorneys appearing before me. Having a certified court reporter has been a great benefit to me and insured I am able to obtain a proper record. The official court reporter assigned to my court also assists in insuring exhibits are properly marked, preserved and ruled upon. This allows me to direct my attention to the proceedings and listen to the evidence presented without worrying if a proper record is being preserved.

Thank you for reviewing my comments and considering this matter.

Sincerely,

Stephen W. Baker

Galveston County Associate Family Judge

Karen Jones

Self/Court Reporter

Glen Rose, TX

My name is Karen Jones. I am a Texas certified shorthand reporter. I oppose HB 228 because this bill would allow for an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and have gone back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Paula Cloud

self, Court Reporter

San Antonio, TX

Good afternoon, Committee Members:

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My name is Paula Cloud. I am a Texas Court Reporter working as an official in the Bexar County courts system. I oppose HB 228. This bill would allow uncertified, untrained individuals to produce transcripts in court proceedings in an unregulated industry.

Texas is one of several states in our country that require court reporters to obtain state certification to practice in its court system. An individual must pass a skills test to become a certified shorthand reporter and be bound by a code of ethics, required to take continuing education to maintain certification and possess a high level of professionalism and integrity to become an officer of the court.

Electronic recording equipment is operated by an unregulated, non-legal industry and is subject to costly failure as proven in courts around the country. The cost of such failure goes far beyond monetary and may affect a person's liberty, livelihood and human rights.

The efficiency and integrity of the current state-of-the-art method of certified court reporter and the role the court reporter plays in the courtroom far surpass electronic equipment and cannot be replaced by electronic recording methods.

HB 228 should be defeated in order to maintain the accuracy, integrity and efficiency of Texas Courts. I appreciate your consideration in this regard.

Paula Cloud, CSR
County Court at Law No. 7
Bexar County, Texas

Robert Brotherton, Senior District Judge
Self - Senior District Judge
Wichita Falls, TX

I served as a District Judge for almost 30 years, retiring on December 31, 2018. During that entire time, my certified court reporter was my most valuable asset. I never had a problem with the accuracy of my records. The provisions of HB 228 threaten the future of that asset. It is still a huge concern because I am now serving as an assigned judge and still work with very talented reporters here in North Texas.

It has been my experience that the Commissioners' Court constantly looks for ways to reduce funding to the Courts. To allow that court to make the decisions contemplated by this bill would be disastrous.

I strongly urge the Legislature to vote this bill down.

Joana Contreras, Apprentice Court Reporter
Self - Apprentice Court Reporter
El Paso, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake record.

virginia carter, Attorney
Criminal attorney/self
Fort Worth, TX

Plz oppose HB 228 and 1685
We need a live court reporter for criminal case!

Truenea Teasley, CSR, RPR, CCR

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Self-Court Reporter

El Paso, TX

My name is Truenea Teasley, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court proceedings by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please vote again allowing this to happen. Thank you very much!

Linton Tomlin, 198th District Court Reporter, Retired

Self

Kerrville, TX

My name is Linton Tomlin, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Andy, please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Melinda Lorenzoni, CSR

Self - Texas Certified Shorthand Reporter

Dallas, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

KATHY Jones-Hospod

self.

Cedar Park, TX

Allows commissioners courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners courts primarily consist of business leaders with no legal background or knowledge in judicial matters.

Both recording devices (audio and video) AND official certified court reporters should be used in every case. There is no reason not to utilize all the tools we have to ensure integrity for the official court records. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do regardless of how good it may be. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of real-time transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

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There is no evidence that taking these steps of eliminating the official reporter will not cost MORE money, lengthen and complicate litigation in Texas or violate constitutional rights of Americans. Not everyone has internet or computers in Texas. So accessing electronic records and not having the ability to obtain written records would deny many Texans of their constitutional rights.

Mary Procell

self Texas Court Reporter

El Paso, TX

My name is Procell, and I have been a Texas certified shorthand reporter for 35 years. I am writing to express by opposition of HB 228. This bill will allow uncertified and untrained individuals to record court proceedings an. This has been tried by many states in the past by utilizing electronic reporting. Following complaints of missing or inaudible recordings and poor, sometimes unusable transcripts, these courts have reverted to using court reporters. No matter how sophisticated these recording systems are, they cannot think like a human. They cannot differentiate between rustling papers or coughs and actual testimony. And these recordings are monitored by uncertified individuals. What are their repercussions if they lose or provide an inferior recording? As certified recorders, we are responsible for an accurate transcript, and this can affect the outcome of both civil and criminal cases. And aside from the quality of the record, to properly implement an electronic recording system would require the additional of more than one person to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to protect the integrity of the record and guard the rights of Texas residents. Thank you for your attention to this matter.

Lisa Kinsel, Mrs.

Self, Official Court Reporter

Edinburg, TX

I am a Texas certified shorthand reporter, and I oppose this bill. The proposed bill allows commissioners' court to supplant a judge's authority to choose their staff in order to carry out the administration of justice. Commissioners' courts normally consist of business leaders in the community who do not have any legal background or knowledge as to what is needed to carry out judicial proceedings. Certified court reporters are certified by the Supreme Court of Texas, are a neutral party, are bound by rules of ethics, and are subject to disciplinary action by the Texas Judicial Branch Certification Commission should they not carry out their duties, which include, but are not limited to, providing an accurate, verbatim transcription of court proceedings. Many states and jurisdictions that previously implemented electronic recording in court returned to court reporters after a long list of problems such as missing audio due to user error, corrupted audio files, backlog of cases at the appellate level, time and equipment involved in reviewing audio testimony versus merely reviewing a court reporter's record, violation of parties' rights in family and criminal matters due to inaudible portions of recordings, re-trials of cases due to lost recordings, and additional costs and additional personnel required to perform the functions that a certified court reporter provides. It is important, especially now with new technology, such as deepfake media, to have an unbiased, certified court reporter to protect and maintain the integrity of the record.

Grace Duncan

Self/Court Reporter

WIMBERLEY, TX

My name is Grace C. Duncan, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows digital recording equipment to replace human court reporters with an inferior method of reporting court procedures to the detriment of due process, expediency in appeals, and to the record itself. Many courts who have tried digital recording have had to bring back the human court reporters after realizing that bringing in digital recording equipment as a substitute for a highly skilled court reporter is a giant step backwards in courtroom technology after experiencing several problems, including complaints of quality of transcripts, missing or inaudible recordings, and retrials of cases due to lost digital recordings. There is simply too much at stake in the capture and preservation of the record in the legal world to entrust it being lost due to faulty

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equipment or a garbled or unintelligible recording.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Chad Allman, Mr.

The Allman Law Firm, Attorney

Fort Worth, TX

As an attorney, the written record of a court reporter is most important and instrumental in the practice of law for preserving the record of proceedings. I have no problem with electronic devices being used as a backup to the court reporter, but I am strongly opposed to it being used to replace the court reporter. So if I have not made myself clear, I am opposed to HB 228. Thank you for your time and consideration.

Mendy Williams

Court Reporter

Rosenberg, TX

My name is Mendy T. Williams, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. I believe that inferior methods and uncertified individuals should not and cannot take the place of an individual who is certified in their field to swear in the witnesses, control the room, and take an accurate, verbatim transcript.

I respectfully request that you please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Karen Woolsey

freelance court reporter

katy, TX

Hi. My name is Karen Woolsey, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your consideration.

Daniel Young, Attorney

Self/Law Office of Daniel Young

Fort Worth, TX

Allowing electronic recordings in criminal cases is unacceptable. Appellate records will be trashed and almost impossible to rely on consistently. I practice criminal law, and recordings are never of good enough quality. As a prosecutor I had confession I could not use, and as a defense attorney I am supplied with police recording that are useless. In appellate work, I fear the appeals courts will hold an unintelligible part of the record against the appellant, as the burden is on the appellant (defendant) to provide a record. Moreover, court reporter frequently request parties to slow down, don't speak over one another, what did you say, what

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was the witnesses' name, etc. to make sure the record is accurate from the beginning. There is simply no way to recreate a clean record after the fact.

Holly Schulz, certified shorthand reporter
court reporter
McDade, TX

My name is Holly Schulz, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after numerous problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Sincerely,

Holly Schulz, CSR
Official Court Reporter
335th Judicial District
P.O. Box 373
McDade, Texas 78650
(512) 557-3323

Michael Navarro
self/Official Court Reporter
Argyle, TX

Good morning. My name is Michael Navarro. I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows electronic recording of court proceedings to replace certified, trained court reporters. Other courts in the past have tried to use this electronic recording of court proceedings. There have been mistrials and inaudible recordings due to this method of recording. Only a certified shorthand reporter is capable of ensuring that there is an accurate record of all court proceedings.

Please vote against HB 228 to protect Texas residents. Thank you for your time in this matter

Cayce Coskey
Self-Court Reporter
Iowa Park, TX

My name is Cayce Coskey, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and gone back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

A digital recording device cannot ask people to stop talking over one another so that a verbatim record can be made, ask a speaker to clarify what was said if unable to hear or differentiate,

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mark and keep track of exhibits offered & admitted, notify you if working improperly or having technical difficulties, identify speakers when there is a room full of attorneys and parties (especially in voir dire), ask a speaker to repeat when a door slams, phone rings, or someone coughs or sneezes over the speaker's words. Have you ever sent a voice text that is verbatim and punctuated for you? Yes, we do that, too

Since the pandemic began and we have been conducting court hearings by Zoom, there are countless times I have had to ask speakers to repeat themselves because of poor audio quality causing the audio to glitch in and out where only every other word can be heard. In all these instances, were it not for a human court reporter there taking the record, some or all of the record would be lost. And even if it's only some, are you willing to risk that in the most important of your legal affairs?

I urge you to ask yourselves, if your life, liberty, family, or livelihood is on the line in a legal proceeding, would you want to take a chance that it might be an okay or average recording where most of it is available or possibly no recording at all, causing everything to be done over again, which is costly to all involved? Or would you rather have a certified, skilled, experienced guardian of the record there to ensure that you have a verbatim real-time record and who knows that his/her job/license depends on getting it right not only the first time, but every time?

Like attorneys and judges, court reporters play an integral part in the justice system that cannot be replaced by a machine.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Rebecca Elmendorf
Self-Court Reporter
Bulverde, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

sharon hamilton
Court Reporter
vinton, TX

I am in opposition to this bill. I do not believe in replacing live human beings with a recording device that could result in mistrials due to a simple button not being pushed to record. Also, a live reporter can speak up when something is inaudible or not clear. Utilizing recording devices could also result in deepfake recordings, which obviously would jeopardize the confidentiality and credibility of testimony and other important aspects of our jury system and proceedings. Court reporters do a lot more than take the record down... Careful what you ask for!

Martha Koomar
self
SPRING, TX

My name is Martha Koomar, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Lanetta Williams

Texas Court Reporter's Association

Venus, TX

My name is Lanetta Williams and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Stephanie Alvarado

Self, Criminal defense attorney

Richardson, TX

Opposition to HB228. This bill would strip judges of the ability to assign court reporters to memorialize proceedings. Judges need this discretion as written transcripts are an essential and fundamental part of a defendant's right to confrontation of a witness. To be able to impeach a witness with previous testimony may not be possible were there to only be a recorded device employed. Judges, not other elected officials, are in the best position to utilize the method that protects the constitutional rights of defendants.

Denise Carrillo

Self - Official Court Reporter 471st District Court

MCKINNEY, TX

My name is Denise Carrillo, and I am an Official Court Reporter in the 471st Civil District Court. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Thank you for your consideration.

-Roxanne Pena, Official Court Reporter

Roxanne F. Pena, Official Court Reporter

San Antonio, TX

My name is Roxanne F. Pena, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Claudia Parker

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Self, independent freelance court reporter

Bulverde, TX

I urge you not vote for enactment of HR 288. This method of reporting has proven unreliable and ineffective in our court system. It is dangerous to the litigants that come before the Courts in the State of Texas. A live court reporter can interrupt when necessary to clarify the record making sure that it is recorded accurately and precious testimony is preserved. Once mis-recorded or transcribed incorrectly it is lost forever, especially in a state as diverse as the State of Texas where there are many heavily-accented litigants and/or witnesses whose testimony is extremely technical. Court reporters are highly-trained for these very instances and have years of experience with litigation-related terms and procedures. The transcribers of electronic recording will be untrained, inexperienced and uneducated typists with whom we will be entrusting the preservation of the record. Please protect our record and the large number of your constituents who engage in the court-reporting profession.

Mamie Brookins

Self/Certified Shorthand Reporter

Rowlett, TX

I write in opposition of this bill. I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. This has happened in the past and the results have been diminished quality in the transcript and additional costs.

Greg King, Judge

County Court at Law #2, Wichita County

Wichita Falls, TX

Dear Chairman Leach and Members of the House Committee on the Judiciary & Civil Jurisprudence,

I write to oppose House Bill 228 by Representative Murr.

I oppose HB 228 because it would allow the commissioners courts to interfere with the manner in which trial judges operate their courts. With all due respect to county commissioners, most are not attorneys and many do not understand the operation of trial courts and the vital role that court reporters play in the administration of justice in Texas.

If this bill passes, then commissioners courts could force trial judges to use electronic recording devices rather than certified court reporters. This would have a negative impact to litigants, attorneys, and judges across the State of Texas.

Certified court reporters do a great job of making a verbatim record of each proceeding. They verify the accuracy of the words used in court which is something that no electronic recording device is capable of doing. Certified court reporters also assist attorneys and trial judges with the handling of exhibits during court proceedings. Court reporters are responsible for including these exhibits within their records for later review by appellate courts. Appellate courts rely on accurate records from court reporters when they review judgments from trial courts.

In fact, I am in the middle of a bench trial right now which was previously tried by an associate judge. A judgment of termination in a CPS case was reversed by the Second Court of Appeals because an associate judge used an electronic device to record a final hearing in a CPS case instead of a live court reporter. As a result, three children have had to remain in foster care for approximately one year longer than they should have, preventing them from having permanence and stability in their lives.

Consequently, I oppose any legislation which would replace a live certified court reporter with an electronic device in district courts and county courts at law.

I respectfully request that you vote against HB 228. It is the right thing to do to protect the judicial system and the citizens of Texas. Court reporters provide a valuable service to litigants, attorneys, and judges. Voting "no" on HB 228 is a great way for you to support court reporters and recognize them for the service that they provide to Texans.

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Do not hesitate to contact me if you have any questions regarding this matter.

Thank you for your time and attention to this email. Thank you also for your service to the citizens of Texas.

Sincerely,

Greg King
Judge, County Court at Law #2
(940) 766-8111

CHARLETTA BREED
Self - Court Reporter
ARLINGTON, TX

Dear Judiciary and Civil Jurisprudence Committee:

My name is Charletta Breed, and I am a Texas certified shorthand reporter. I oppose HB 228 for the simple reason that it allows an inferior and detrimental method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in previous years have attempted to utilize electronic recording and quickly found the need to return to certified court reporters after experiencing numerous complications such as, inferior transcript quality, missing and/or inaudible recordings, lost digital recordings leading to costly retrials, maintenance costs and additional staff needed to perform all of the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents.

Thank you kindly for your time and attention to this important matter.

Respectfully submitted,

/s/ Charletta Breed
Charletta Breed, CSR, RPR

Laurie Brown
Self - Court Reporter for County Court at Law, Henderson County, TX
Chandler, TX

My name is Laurie Brown, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Janice McMoran
Janice McMoran, CSR, RDR, CRR, TCRR
Granbury, TX

My name is Janice McMoran, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Electronic "court

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recorders" are not subject to the professional ethics and requirement of continuing education like certified court reporters are required to maintain. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Elizabeth Ellison

Self

Dallas, TX

My name is Elizabeth Ellison, I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

David Zarate

self

San Antonio, TX

To Whom it may Concern,

My name is David Zarate. I am a Texas certified shorthand reporter. I am writing this letter to oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Sincerely,

David R. Zarate

Certified Shorthand Reporter

License No. 5472

Roxanne Davenport

Self, Certified Shorthand Reporter (Stenographer)

Austin, TX

To the House Committee on Judiciary & Civil Jurisprudence:

My name is Roxanne Davenport, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Parties to lawsuits deserve licensed, trained professionals, and a highly accurate record of court proceedings. Electronic recordings of proceedings result in low quality transcripts, with missing portions of proceedings and the use of an "inaudible" parenthetical throughout. A live stenographer, certified and licensed by the State of Texas, can interrupt and ask for clarifications of the spoken word. Serving as an official court reporter in a felony district court for 15+ years, I can provide an instant, real-time transcript for the judge and attorneys. I understand the importance of an accurate record for all parties involved, most importantly, the defendant and victims. They deserve and have a right to the highest level of service from ALL Texas courts. With the passage of the Apprenticeship and Provisional license programs, newly certified reporters, influx of court reporters moving to Texas, a

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live certified court reporter can and will contribute to provide that level of service.

Please vote against HB 228/1685 to safeguard the rights Texas residents deserve and expect.

Thank you for your attention to this matter.

Roxanne Davenport, CSR

Angelica Robles

Certified Court Reporter

Harlingen, TX

My name is Angelica G. Robles, and I am a certified shorthand reporter in and for the state of Texas. I strongly oppose HB 228 and am disappointed that my career, my colleagues, and the official records of the State of Texas are threatened by electronic recording and those who support it. I am a certified professional who was trained and gained certification through the Supreme Court of Texas for the purposes of accurately taking down the record, producing a certified transcript, and securing the material as required by legislation. Electronic recording has failed time and again either due to quality of transcripts and/or technical malfunctions during recording that are not caught and handled immediately. I am here to stand up for my profession and say that we, as certified shorthand reporters, take the role of being guardians of the record VERY seriously and that cannot be matched! We raise our right hands and swear an oath to faithfully execute the duties as official reporters, just as many of you do in your roles. Voting in support of replacing certified shorthand reporters is a mistake, is an attack on hardworking Texas reporters who diligently perform our duties, and is an injustice to the sworn records of the State of Texas. I oppose HB 228 and so should you.

Rebecca Hammons, Certified Shorthand Reporter

Self, Texas Certified Shorthand Reporter

Tomball, TX

Please vote against this bill! The transcript of the proceedings of a Certified Shorthand Reporter is essential for litigants as well as the judge and counsel. Transcripts of recordings are not accurate and not always audible.

Mary Ann Rodriguez, Deputy Official Court Reporter

Self

Houston, TX

My name is Mary Ann Rodriguez and I have been a court reporter since 1987 in Harris County. I oppose HB 228. I oppose this bill because recording devices can malfunction. The proceeding will be lost. A typist would have to type it who was not there in the proceedings to distinguish the speakers and to take control of the proceedings. I think it is a step going backwards. Thank you for your consideration.

Brooke Among, CSR

self, court reporter

Houston, TX

I oppose this bill. Not only will this bill allow for any uncertified, untrained individual to record court proceedings, it would enable a myriad of issues to take place. Without any regulation, you cannot ensure the integrity of the record; you cannot tell whether or not the record has been tampered with; you cannot ensure that everything will be heard or repeated when necessary for further clarification. With the possibility of tampering, testimony may never be admissible. These are just some examples of why this bill should be opposed.

Nardi Reaves, Official Court Reporter 78th Judicial District

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Self court reporter

Wichita Falls, TX

My name is Nardi Reaves and I am the Official Reporter for the 78th Judicial District.

In response to this pending bill, I am opposed to the implementation of this bill. The preservation of court proceedings is a very serious and fundamental issue that demands a trained professional whose top priority IS an accurate and complete record. We are conscious of the record from the moment the proceeding is started and throughout any appellate procedures, and we zealously guard it.

A live reporter is able to ask the participants to speak up, to repeat, and a host of other issues that a machine cannot and will not do.

In a day when automation can be a blessing AND a curse, the record is no place to say, "We'll take our chances."

I would ask that this bill be voted down.

Thank you for your time.

Nardi Reaves

Ofelia Stevens

self, certified court reporter

Missouri City, TX

My name is Ofelia C. Stevens, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

G. Troy Johnson, Judge

Judge of County Court at Law No. 2 of Orange County

Orange, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Jeannie Jobe, Official Court Reporter

Texas Court Reporters

Bedford, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by

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law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Raquel West, District Judge

self/252nd District Court

Beaumont, TX

I am a District Judge presiding solely over felony criminal matters. The court reporter is an absolutely integral part of everything we do in felony criminal court. Jury trials without a court reporter would not be possible or practical in any way. There are many times the jury needs testimony read back during deliberations, and the law provides for this. In addition, every plea, arraignment and sentencing is taken down by the court reporter. Many times I have to ask my court reporter to look back and provide me with prior testimony of witnesses, the defendant and also my own words when there is an issue regarding what we may have said in court.

During trial, I see the record in "real time" and have found this indispensable during the proceedings. There are many times I use this during the course of the trial.

I am strongly opposed to HB 228.

Thank you for your time and consideration.

Brandi Sewell

self, official and part-time freelance court reporter

Beaumont, TX

My name is Brandi Sewell, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Donna Demel

Self/Court Reporter

Universal City, TX

My name is Donna Demel, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

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Delcine Benavides, Court Reporter

self - Court Reporter

San Antonio, TX

Hello. My name is Delcine Benavides, and I am a Texas Certified Shorthand Reporter (CSR). I oppose HB 228. Electronic recording (ER) is unable to stop proceedings due to a word not heard or a phrase spoken over by another party. I guard my record and am able to ensure an accurate record is taking place at that moment. Please do not compromise the integrity of our system.

Courts in the past have utilized ER and have only returned to a CSR. A CSR knows what is being taken down and can stop proceedings to ensure an accurate record where ER, you have no idea what you are getting until you later press that button. Please, I ask for your assistance in voting against HB 228 to ensure the quality of our system.

Connie Gilfeather

Self/court reporter

Granbury, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Mayela Rivera

Self, Court Reporter

El Paso, TX

My name is Mayela Lopez Rivera, and I am a Texas Certified Shorthand Reporter. I am opposed to HB228/165 because this bill would allow court proceedings to be electronically recorded by an uncertified and untrained individual. There is nothing like having a certified reporter who has gone through extensive training to take down the official record of any proceeding. By using electronic means to produce a transcript you risk having inaudible recordings, lost digital recordings, malfunction of equipment and human error which in turn leads to retrials of cases.

Please vote against HB228/165 to ensure accuracy in all court proceedings and safeguard the rights of Texas residents. Thank you in advance for your attention to this matter.

Mary Wilson

Self - Official Court Reporter

Adkins, TX

Hello,

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My name is Mary Martinez Wilson. I am a Texas certified shorthand reporter and have been since 1998.

There are many reasons I oppose the HB 228/1685. First and foremost, the record is relied upon all the time. Without the official transcript (in court or deposition), the cases would take longer to resolve.

Also, I believe it's been proven in many instances that utilizing electronic equipment has failed in the past and has resulted in complaints of quality of transcripts, retrials of cases due to lost digital recordings and additional personnel expenses.

I urge you to please vote against HB 228/1685 and in doing so you will be safeguarding the rights of Texas resident.

I sincerely appreciate your consideration.

Mary M. Wilson

Karen Rothman

Self - Certified Shorthand Reporter

Needville, TX

My name is Karen Romeo Rothman, and I am a Texas certified shorthand reporter. I've been a reporter for 41 years. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and have gone back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. A CSR is also a neutral party who is unbiased, which ensures a verbatim, correct record. Arguments over the record are avoided. A recording device cannot know whether testimony can be heard or understood, where a live reporter can ask for clarification. A cough or a door closing can cause words to be missed. The integrity of court records must be ensured, and the only way to do that is to have a certified shorthand reporter present. I have quite a bit of experience with the attempt to replace reporters with ER over my years. There's a reason it's never been successfully done, because the human factor is integral.

Please vote against HB 228/1685 to safeguard the rights of Texas residents and maintain the excellent quality of trial transcripts in our great state. Thank you for your attention to this matter.

Shonna Castillo

Self - Official Court Reporter

Leander, TX

My name is Shonna Castillo, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. This would cause a huge backlog in cases because finding highly qualified, educated, and unbiased transcribers would be very difficult and would cause a huge delay in the appellate process. Not to mention it would put the highly regarded profession of certified shorthand reporters at risk and the taxpaying citizens would suffer in many ways.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Kimberly Potter

Self, Court Reporter

Rochelle, TX

I am a Texas Apprentice Court Reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily

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consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Kimberly Broussard
Self - Court Reporter
Beaumont, TX

My name is Kimberly Broussard, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Stephanie Clark, Major, RET
Self -- Court Reporter
BULVERDE, TX

OPPOSE

I am a Texas certified shorthand reporter, certified by the Texas Supreme Court. This bill will allow an inferior method of reporting court procedures by allowing UNCERTIFIED and UNTRAINED individuals to record these proceedings. It has been proved time and again that electronic recording is substandard and produces transcripts that are missing or have inaudible recordings, trials that have to be redone due to lost digital recordings, as well as increased costs of maintenance and additional personnel.

Joel Rodriguez, Official Court Reporter
Texas Court Reporter's Association
Odessa, TX

To The House Committee on Judiciary & Civil Jurisprudence:

My name is Joel P. Rodriguez, and I am in opposition to proposed House Bill 228 and House Bill 1685. I have been proud to be a Texas Certified Shorthand Reporter for 37 years, and I am currently an Official Reporter for the 161st Judicial District Court in Ector County, Texas.

HB 228 and HB 1685 would allow the inferior method of producing an uncertified court record by means of electronic recording, as well as giving Commissioner's Courts in the State of Texas the power to choose whether to have a Texas Certified Shorthand Reporter or some version of electronic recording, and removing the power to choose from our Judiciary.

The experience and expertise of a licensed Texas CSR is what the citizens of Texas deserve, when faced with any
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criminal or civil matter that brings them into a courtroom. Texas CSR's are highly trained, licensed by the Supreme Court of Texas, and are required to follow strict guidelines, rules and regulations as set out by the Government Code, ensuring an accurate and verbatim reproduction of the proceedings.

Electronic Recording has proven to be an unreliable means of producing a complete and accurate record of proceedings, by allowing untrained and uncertified individuals to be accountable for the official record, any exhibits admitted, and leaves counties monetarily responsible for retrials, missing or inaudible recordings, poor quality transcripts, not to mention required maintenance, and additional personnel required to perform the functions that a Texas CSR provides.

The hiring and/or firing of court staff should be left to the knowledgeable judiciary or the Judge of the court, not to Commissioner's

Courts that usually consist of business leaders from their communities who have no legal background or knowledge in judicial matters. The Judge has the knowledge and education to be making those decisions for their own courtroom, not moved into the hands of Commissioner's Courts for the individual counties to decide.

Again, please vote AGAINST HB 228 and HB1685!

Respectfully yours,

Joel P. Rodriguez

Mary Scopas

Self

Universal City, TX

My name is Mary Scopas, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. In addition, the court reporter assists the Court by providing realtime and transcripts for the judge to review. This assists the Court with their decisions. Thank you for your attention to this matter. ~Mary Scopas

Christina Gonzalez

Self

Grand Prairie, TX

My name is Christina Gonzalez, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Yvette Perrodin

Self - court reporter

Houston, TX

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Strongly oppose. A noncertified stenographic recorder cannot do the intricate and very important role of capturing the spoken word. Only a certified shorthand reporter, trained and tested vigorously is suitable to capture the spoken word. I vote NO

Lucy Lopez

Self. Retired court reporter

Fort Worth, TX

I am a retired Texas certified shorthand reporter and I oppose this bill. As long as I can remember back in the 1970s, I believe this subject has been more a battle for power and who controls the money than anything else. Certainly Commissioners' Courts would not like it if the judges came over and told them how to run their courts. "The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides."

Kandy Halley

self/court reporter

San Antonio, TX

My name is Kandy Halley, and I am a certified shorthand reporter. I would oppose HB 228 as it would allow an inferior method of reporting court proceedings by allowing individuals who are untrained and uncertified to record these proceedings. Many courts in the past have utilized electronic recording and come back to court reporters. There were issues with the quality of the transcripts, missing or inaudible recordings, unexpected maintenance costs and the costs of retrials due to lost digital recordings.

Please vote against HB 228 to protect the rights of the citizens of Texas. Thank you for your consideration in this matter.

Rebecca Erhardt

Self

Conroe, TX

PLEASE VOTE NO! Electronic recording is not equal to proceedings taken by live court reporters. Electronic recording is inherently flawed and will create a flawed record, causing more money and time.

Wendy Golding

Self - Freelance court reporter

McKinney, TX

I opposed this HB 228

Brent Carr

Self

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Fort Worth, TX

The technology is not sufficiently able to keep up with and untangle rapid courtroom testimony. A five hour hearing takes 5 hours to record and five hours to listen to. The same information can be read in 30 minutes. The information recorded is not available for immediate review. Some will still have to review all of the information and vouch for its accuracy. This is a change for the future, now is not the right time.

Gary Butler, Judge Wichita County Court at Law No 1

Self

Wichita Falls, TX

Please do not pass this bill. It will lead to so much backlog and mistakes you cannot imagine how bad it would be for the judicial system. I deal with recordings from an associate judge and they are awful, hard to understand and a mess to listen to. I have been a judge for ten years and to supplant my knowledge of law and procedure with that of a commissioner is frankly insulting. Most if not all commissioners know nothing about our judicial system and this is a disaster waiting to happen. Other states have tried it and gone back to live reporting. Our work is far too important to the public and we need qualified certified reporters taking it all down.

Maricela Flores

Self, freelance court reporter

Corpus Christi, TX

My name is Maricela Flores, and I am a Texas certified shorthand reporter of 37 years. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Gloria Carlin

self - freelance court reporter

Mansfield, TX

I oppose HB 228. The best records are provided by live reporting.

Melody Wright, CSR

Self [Certified Shorthand Reporter]

Aubrey, TX

Opposing HB 228: Dear Committee Members. Please note that court Reporters are required to write at 225 words a minute. They must have been educated in Latin, anatomy and physiology, a minimum of 4 semesters of grammar, sentence structure, transcript structure, knowledge of geography, titles, court hierarchy, deposition and court decorum and ethics. If the machinery does not record clearly [common problem] or the typist doesn't know any of the above, [common problem] the monetary burden to redo a trial, hearing or deposition can soon wreck havoc on anyone's budget. Please vote against this bill.

Terri Nelson

self/Certified Shorthand Reporter

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COPPELL, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Andrea Simmons, CSR

TCRA

Livingston, TX

My name is Andrea Katherine Simmons, and I am a Texas certified shorthand reporter. I oppose HB228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and have gone back to certified court reporters after having problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. A certified court reporter is the gold standard for preserving records accurately and for maintaining records for years and for ensuring that appeals courts, judges and all parties to a case know what was said and done in any case where a record is required so that cases can move forward through the court system.

Please vote against HB228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Kathy Bounds

Self - Certified Shorthand Reporter

McKinney, TX

My name is Kathy Bounds, and I am a Certified Shorthand Reporter in the State of Texas. I oppose HB 228 because this bill allows for an inferior method of reporting court proceedings. Texas Certified Shorthand Reporters are skilled professionals licensed by the State who must adhere to Rules and Statutes governing court reporters in the State of Texas and maintain continuing education requirements to keep their certification which would not apply to electronic recording systems, nor their operators. Court reporters are required by law to make a verbatim record of court proceedings and certify to the accuracy of the words spoken. Court Reporters are listening for every word spoken and can interrupt the proceedings for repeats when participants are speaking over each other or not speaking loud enough, et cetera, which cannot be accomplished by an electronic recording device. States in the past have used electronic reporting but then have gone back to live court reporters due to poor quality of transcripts, lost recordings, and equipment malfunctions causing cases to be retried, resulting in wasted time and added cost. Court reporters provide their own equipment and maintenance of that equipment, but with electronic recording the cost of equipment and maintenance would be an additional cost to the courts. Also, court reporters can provide realtime translation of court proceedings for instant access which can be an invaluable tool to judges and litigants and cannot be provided by electronic recording. Just as litigants deserve their day in court, litigants also deserve the highest quality method of preserving the court proceedings to protect their rights which can only be accomplished by a live court reporter.

Please vote against HB 228 to safeguard the rights of Texas litigants. Thank you for your time and attention to this important matter.

Susan Lilly

self - Texas Certified Shorthand Reporter

Knott, TX

My name is Susan Lilly, and I am a Texas Certified Shorthand Reporter.

I oppose HB 228 because electronic recording is an unreliable and inferior method of reporting court procedures by allowing untrained and uncertified individuals to do the job of a Certified Shorthand Reporter. This will put the court system of the State of Texas in peril, as the missing or inaudible recordings, quality of transcripts and lost time and resources will waste the time of the courts, the jurors and the jurists.

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Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Maggie Raiford
Texas Court Reporters
GIDDINGS, TX

My name is Maggie Raiford and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. If you don't believe us, try using Siri for one of your meetings and see how that works out.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Jane McGill
Self, Court Reporter
ODESSA, TX

My name is Jane McGill, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

I have personally been hired to transcribe audio recordings, and their quality is far inferior to having a real person sitting in a chair who is able to stop and get clarification when a chair is scraped or someone coughs or talks over each other.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Brenda Wright
Self - Court Reporter and Court Reporting Firm Owner
Austin, TX

I OPPOSE H.B. 228
thank you,
Brenda Wright

Lea Jalufka
Self. Scopist for court reports in Harris and Galveston Counties
Blessing, TX

Good evening. My name is Lea Jalufka and I've been transcribing trials since 1995.

If you don't have a licensed court reporter taking the proceedings, you typically lose the ability to go back and find who said what and when. This is absolutely necessary in the jury deliberations and in the appeal of a case.

Another state started this a while back and it backlogged their courts for about five years, in addition to whatever their current backlog was when it began. Also, there isn't any device currently able to understand the different accents and slang terms that are

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constant in almost every trial. Imagine a trial between rival gangs where, say, someone is on trial for the murder of your best friend, parent, or worse, your child. Would you trust unproven technology to get justice if the defendant was, in fact, guilty? There simply isn't anything that can compete with humans at this point. Maybe one day. But we're not there yet. I thank you for allowing me to be heard.

Sincerely, Lea Jalufka

Robyn Wiley

self

Bellville, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an operator forgot to hit record. This method is also subject to manipulation resulting in deepfake recording.

I trained for years to become a court reporter. I can tell you I do not rely on any recording. I write down verbatim what is said. I am present in the courtroom and I have control if I do not hear something. If I relied on a recording I would be in trouble as so much is unintelligible. I strongly oppose this bill.

>Edna Casanova

Self

Boerne, TX

My name is Edna Casanova, and I have been a Certified Shorthand Reporter of 24 years. For the past 18 years I have served as an official court reporter. I OPPOSE HB 228 which will allow for an electronic recording device operated by an untrained, uncertified employee to record court proceedings. The use of these ER devices have been utilized in courtrooms in the past and time and time again have proven to be unreliable and resulted in new trials all at the cost of taxpayers. The product of these recordings result in below standard transcripts that contained words as "inaudible" and "unintelligible" or consisted of incomplete records (or none at all) due to operator error. Justices, judges, lawyers, plaintiffs, defendants, complainants, victims of crimes, children of neglect and abuse rely on and deserve accurate and reliable records from a live, unbiased, certified, trained reporter. There simply is no comparison. Stenography is by far the most reliable, efficient and cost effective means to grasp the spoken word.

Chelsea Futrell

Self, Attorney

Dallas, TX

My name is Chelsea Futrell. I am an attorney licensed by the State of Texas (SBOT # 24116400). I oppose HB 228, as this bill allows untrained and uncertified individuals to create the official record of a court proceeding through an unreliable medium.

There are no proposed regulations for this electronic recording method — to implement the same would be a logistical nightmare. Proposed Section 52.0415(a) and (b)'s prescription that the electronic recording device be a "good quality" device without defining or providing any further instruction regarding same further highlights the failings and logistical problems of this proposed bill and is, frankly, laughable.

More importantly, the accurate and unbiased nature of a trained, certified court reporter's verbatim transcript ensures the reliability of a court's record. An electronic recording device would severely heighten the possibility of mistakes, manipulation, and bias (as presumably untrained and uncertified individuals would operate these devices). To allow an unreliable electronic device to create the record flies in the face of the profound effect an accurate record has on the outcome of legal proceedings.

Further, public policy favors opposition to this bill, as the passing of HB 228 would severely affect the reporting profession. This bill would put many court reporters out of work — those who have long upheld the sanctity of the record and, in turn, Texas courts.

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As an attorney who values an accurate, unbiased, and verbatim record created by trained and certified reporters, I vehemently oppose HB 228.

Edna Casanova

Self

Boerne, TX

My name is Edna Casanova, and I have been a Certified Shorthand Reporter of 24 years. For the past 18 years I have served as an official court reporter. I OPPOSE HB 228 which will allow for an electronic recording device operated by an untrained, uncertified employee to record court proceedings. The use of these ER devices have been utilized in courtrooms in the past and time and time again have proven to be unreliable and resulted in new trials all at the cost of taxpayers. The product of these recordings result in below standard transcripts that contained words as "inaudible" and "unintelligible" or consisted of incomplete records (or none at all) due to operator error. Justices, judges, lawyers, plaintiffs, defendants, complainants, victims of crimes, children of neglect and abuse rely on and deserve accurate and reliable records from a live, unbiased, certified, trained reporter. There simply is no comparison. Stenography is by far the most reliable, efficient and cost effective means to grasp the spoken word.

Patricia Wagner

Patricia M. Wagner, Certified Shorthand Reporter

WEIMAR, TX

Judiciary and Civil Jurisprudence Committee:

My name is Patricia M. Wagner, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. We are very valuable to our judicial system and approving this would be a travesty for anyone involved in the legal system, on all levels. We trained and worked hard to get here and we respect and preserve the record with the utmost integrity.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter and thank you for your service! Please help us keep our judicial system safe and accurate. And may God bless each and everyone of you. Have a great day!

Patricia M. Wagner, Texas Certified Shorthand Reporter# 8151

JULIE DAVAULT

JULIE DAVAULT, CSR

MANSFIELD, TX

COURT REPORTERS IN THE COURTROOM. My name is Julie Davault, and I am a Texas certified shorthand reporter. I oppose HB 228 because it would allow an inferior method of making a record. Many courts have tried this in the past, and after spending more money than the cost of using a Texas CSR, have had to reverse direction and bring back a CSR. Please vote against HB 228.

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Thank you for your help and support.

Julie Davault

Christa Townes, court reporter
self - 418th District Court - Official Court Reporter
Conroe, TX

OPPOSE H.B. 228

Brooke Ingram
Self - Executive Director of Texas Court Reporters Association
Larue, TX

My name is Brooke Ingram, and I am in opposition to HB 228.

I am proud to have worked for Texas Court Reporters Association for 7 years, now serving as Executive Director. I work closely with the 2200+ Texas Certified Shorthand Reporters every day and know how critical their job is to the judicial system.

HB 228 would allow the inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings by means of electronic recording, as well as giving Commissioner's Courts in the State of Texas the power to choose whether to have a Texas Certified Shorthand Reporter or some version of electronic recording and removing the power to choose from our Judiciary.

Many courts in the past have utilized electronic recording and ultimately switched back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Texas CSRs have worked tirelessly to end the shortage of Texas CSRs by the passage of both the Apprentice and Provisional licenses, as well as increasing the number of court reporting schools, thus having more students currently in training to become Texas CSRs, passing the Texas CSR exam, and becoming licensed statewide.

The experience and expertise of a licensed Texas CSR is what the citizens of Texas deserve, when faced with any criminal or civil matter that brings them into a courtroom. Texas CSRs are highly-trained, licensed by the Supreme Court of Texas, and are required to follow strict guidelines, rules, and regulations, as set out by the Government Code, ensuring an accurate and verbatim reproduction of the proceedings.

Electronic recording has proven to be an unreliable means of producing a complete and accurate record of proceedings, by allowing untrained and uncertified individuals to be accountable for the official record, any exhibits admitted, and leaves counties monetarily responsible for retrials, missing or inaudible recordings, poor quality transcripts, not to mention required maintenance, and additional personnel required to perform the functions a Texas CSR provides.

Commissioners Courts usually consist of business leaders from their communities, who have no legal background or knowledge in judicial matters. The hiring and/or firing of court staff should be left to the knowledgeable judiciary of our state, and to the Judge of the court, who was elected and/or appointed for that court and has the knowledge and education to be making those decisions for their own courtroom, not moved into the hands of Commissioner's Courts for the individual counties to decide.

Please, vote AGAINST HB 228!
Respectfully yours,

Brooke Ingram

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Penny Pabitzky
Self / Court Reporter
Nederland, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Kerry Neves, Judge
Self, Judge of the 10th District Court, Galveston County, Texas
Galveston, TX

I have been judge of the 10th District Court for 8 years, and before that actively tried cases for 35 years. My only experience with recording devices versus a court reporter was in a court in Harris County in a case in which I represented La Quinta Inns. The judge used such a system, and warned the attorneys no one would be taking down the record, so it was up to us to not speak over each other, speak clearly into a microphone, etc. When the case ended, I was given a handful of cassette tapes and told it was up to me to get them transcribed if my client desired to appeal. I contacted about 20 court reporting firms, and no one would agree to do the work. They said the quality of the tapes was so bad it was not something they desired to be involved with. I listened to the tapes, and had to agree. When apprised of this, the Court basically forced a settlement of the case, which my client did not want to do, but felt it had to do so. I would strongly oppose any effort to force courts to use a recording system in place of a court reporter. If individual judges are allowed to decide to use such a system, that is their choice. I will not use such a system in my court. Most of my current docket is criminal cases, and I strongly fear using recordings would be detrimental to the administration of justice in those cases, and would raise serious due process issues, probably resulting in more reversals of cases. Please consider all aspects of this issue, not just cost, when deciding on this proposed bill.

Jacquelyn Arbuckle Hill
Texas Certified Shorthand Reporter/Self
SAN ANTONIO, TX

Hello. My name is Jacquelyn Arbuckle Hill. I am a Texas Certified Shorthand Reporter, license number 2481. I have been a Texas CSR since April 1984. I went to school and studied diligently enabling me to acquire my Texas CSR after testing both written and oral. I am opposed to HB 228 because this bill allows and inferior and inaccurate method of reporting court procedures by allowing untrained, uneducated, uncertified individuals to report court proceedings. This method of using electronic and unqualified operators has been utilized many, many times in the past 37 years of my reporting career. Those persons using such uncertified method returned to using certified shorthand reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and exorbitant costs of maintenance and additional personnel required to perform all the functions that one Texas CSR provides.

I urge you to vote against HB 228 to safeguard the rights of Texas Residents. Thank you for your attention in this matter.

Jacquelyn Arbuckle Hill
Texas CSR, number 2481
6319 Regency Lane
San Antonio, Texas 78249
(210)633-4919

Kathryn Davis Aaron
Self/Official Court Reporter
The Woodlands, TX

My name is Kathryn Davis Aaron, and I am a Texas certified shorthand reporter for 38 years. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. I provide real-time reporting for my judge in Montgomery County. She refers to it daily during proceedings and often asks to look back at hearing proceedings or parts of proceedings to refresh her memory or to make a ruling regarding cases. The records are available to her immediately upon her request. This is an extremely valuable tool that would not be available to her in the same way via recordings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings and/or exhibits, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. I have seen for myself some of these records transcribed by non-reporters. Many times they are not useable for court. There are many "inaudible" references noted and other portions of the record left out, inaccurately transcribed. Texas certified shorthand reporters take tremendous care and pride in the official record and our licenses are on the line daily.

Please vote against HB 228 to safeguard the rights of Texas residents' families, property and liberty in this great state. Thank you for your attention to this matter.

Melody Joiner

Self

El Paso, TX

Opposed

Taylor Neal

Self

Keller, TX

My name is Taylor Neal, and I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Paula Frederick, Official Court Reporter, 85th District Court

Self

Bryan, TX

Please accept this as my opposition to HB 228. Texas court reporters take great pride in guarding the spoken words in the courtroom and being able to produce an accurate record for appellate purposes and for any person who wishes to obtain a copy of court proceedings. This bill would remove the decision of having a live, certified court reporter away from the elected judge and place it in the hands of individuals who do not know the importance of an accurate record of judicial proceedings. This bill would allow an untrained "recorder" to be placed in a position of handling exhibits and producing records with little to no training on the appropriate measures required.

Cindy Nelson

court reporting profession

Odessa, TX

My name is Cindy Nelson and I am a Certified Shorthand Reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in

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the past have utilized ER, electronic recording, and went back to certified court reporters after several problems arose, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for you attention to this matter.

Ida Salinas, CSR

self

Angleton, TX

IDA H. SALINAS
CERTIFIED SHORTHAND REPORTER
239TH DISTRICT COURT

BRAZORIA COUNTY COURTHOUSE
3rd FLOOR, ROOM 313A
ANGLETON, TEXAS 77515
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ANGLETON (979) 864-1258
HOUSTON (281) 756-1258
FAX (979) 864-1056

March 16, 2021

Judicial & Civil Jurisprudence Committee:

I am OPPOSED TO HB 228 and 1685. My Judge feels that a court reporter should remain under the umbrella of the Judge and be considered Court staff, not Commissioner Court staff. Commissioners really have no idea what happens in a courtroom and shouldn't be given that power to govern the Court staff, which includes court reporters.

As far as electronic recording, bad idea. Courts of Appeals will have so many incomplete and inaudible records which would amount to more money to redo cases due to these mistakes. Transcripts would be attempted to be completed by inexperienced personnel.

I am OPPOSED to HB 228 and 1685 for many reasons.

Thank you.

/s/ Ida H. Salinas, CSR 4469

Karolyn Kay Gittinger

Self/Court Reporter

San Antonio, TX

My name is Kay Gittinger and I have been an RPR for 26 years and a Certified Shorthand Reporter for 18 of those years. I have spent the last 18 years serving as an Official Court Reporter. I oppose HB 228 . The use of electronic recording devices have been tested and consistently proven to be unreliable. Recordings can malfunction, cannot discern speakers, record even those "Off the Record discussions." If there is bad audio or loud noises nearby, no one would know it until it was too late. Turning these tapes over to be transcribed only result in transcripts full of "inaudibles." And there would have to be some storage system put in place. Not to mention all the other things Court Reporters do, like mark and keep custody of exhibits and help the Judges and staff with a multitude of other actions. This is a very unreliable practice and the cost of the equipment and storage, etc, would not be cost effective.

Michelle Stewart

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Self, Texas Certified Shorthand Reporter

Weatherford, TX

My name is Michelle Stewart, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Jana Stevens

self employed court reporter

Dickinson, TX

I oppose this bill. It leaves to many possibilities that a untrained person might not record the complete proceeding .This puts the integrity of the public record at risk.

Terri Hill

self/certified Texas court reporter

Edinburg, TX, TX

My name is Terri Hill. I am a Texas certified shorthand reporter. I oppose HB 228 because it is discounting our skills and letting in inferior ways to do our job. We are a predominantly female workforce that seems to be under attack. Please vote against HB 228.

Sheila Walker, Certified Shorthand Reporter

Texas Court Reporters Association

DUNCANVILLE, TX

I am a Texas certified shorthand reporter and I oppose this bill. The proposed bill allows commissioners' courts to overstep a judge's authority to manage their court consistent with the administration of justice. This legislation has the potential to bring up constitutional questions such as the separation of powers between our branches of government. Commissioners' courts primarily consist of business leaders with no legal background or knowledge in judicial matters. Certified court reporters are required by law to make a verbatim record of each proceeding to ensure the accuracy of the words said, which an ER device cannot do. Court Reporters are also ethically bound to maintain these records and protect their authenticity. Many states that previously implemented ER in courts returned to court reporters after a long list of problems including complaints of quality of transcripts generated by electronic recording; backlog of cases at the appellate level; time and equipment involved in reviewing video testimony, i.e., five hours to review video compared to 30 minutes to review reporters' transcripts; lack of realtime transcription during proceedings; missing or inaudible recordings; retrials of cases because of lost digital recordings; lack of confidence in the system by attorneys who hired their own court reporters for fear of an inaccurate record; violation of clients' rights in criminal matters due to inaudible portions of recordings; and unexpected costs and additional personnel required to perform all the functions that a certified court reporter provides.

Betty Sanders

self - Texas Certified Shorthand Reporter

BOWIE, TX

Please preserve the integrity of our court system and vote AGAINST HB 228.

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TOMMI RUTLEDGE GRAY, MS.
SELF/CERTIFIED SHORTHAND REPORTER (TEXAS #1693)
MESQUITE, TX

My name is Tommi Rutledge Gray, and I am a Texas Certified Shorthand Reporter (Texas #1693), a Registered Professional Reporter, and a Certified Realtime Reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and reverted back to Certified Shorthand Reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a Certified Shorthand Reporter provides.

Please vote against HB 228/1685 to safeguard the rights of the Texas legal community. Thank you for your attention to this matter.

Teresea Adcock, Ms.

Self

Fort Worth, TX

I have been a court reporter for 40 years and we have fought this type of reporting for a long time. You will never find a better, more accurate record than one by a living human writing the notes. As you know, there are so many dialects and it is very hard to try and transcribe those, let alone speak it. Court reporters have worked hard many, many years to keep our standards high so why would you want less than excellent? And why would you want to take away the jobs of those that have worked so hard to get through school rather than just do recording? How would you appreciate being undercut by less adequate people?

MATTHEW DEKOATZ

Self, Attorney.

EL PASO, TX

I believe in court reporters--over machines any day.
Thank You. M. DeKoatz, Attorney.

Jamie Hudspeth

Texas Court Reporter Association

Baytown, TX

My name is Jamie Hudspeth and I am a Texas Certified Shorthand Reporter. I oppose HB228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please vote against HB228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Rhonda Martin

Self

Harlingen, TX

My name is Rhonda A. Martin, CSR 4297, RPR 808099, CRR, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record

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court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Jana Bravo, Official court reporter

Self and county criminal court number one of Tarrant county

Fort Worth, TX

Please do not pass into law the ability to use electronic recordings for court proceedings. I am an official Court Reporter and I work in County Criminal Court, #1 of Tarrant county for Judge David Cook. We have records that go up on appeal and it is a criminal court, and it is important that the record be taken by a person live that was there. They have tried electronic recordings in many jurisdictions and they don't work, and they end up replacing them with a court reporter because they have to redo the criminal trial because of the accuracy of the transcription.

Rachel Cochran

self - court reporter

La Porte, TX

My name is Rachel Cochran, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

I also have done some research about it. Several states have gone to electronic recording and had to bring court reporters back. There are too many things that can interfere with the recording. Papers rummaging, phones ringing, doors opening and closing, public in the courtroom, etc.

Lastly, someone will still have to be available to transcribe these audio recordings. This can be very extensive work as well as very costly.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Kimberly Hogan

Self/ Official Court Reporter for the 326th District Court of Taylor County, Texas

Merkel, TX

My name is Kimberly Hogan and I have been a Texas certified shorthand reporter for almost 30 years. I oppose HB 228/1685 because this bill allows an inferior method of recording court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. I have had to send several affidavits to my court of appeals stating that a transcript of hearings from an associate judge's court that someone requested that I attempt to transcribe could not be produced because the recording equipment they were using malfunctioned and did not record that day. I have attempted to transcribe from recordings and technology cannot do what a human brain can do. Voices on recordings blend together and are hard to properly identify who is speaking and what they are saying. People speak with accents and a live court reporter can ask for clarification during a proceeding if something is not clearly spoken. An accurate transcript of court proceedings is necessary when people's lives are affected by the outcome.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

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Holly Burns
self, court reporter
Kingwood, TX

I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows uncertified, untrained, unqualified individuals to record court proceedings. Courts in the past have utilized electronic recording and have returned to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents and to preserve proceedings. Thank you for your attention to this matter.

Katheryn Fernandez
Self
Fort Worth, TX

My name is Katheryn Fernandez, I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Marnie Gabrysch, Mrs.
self/Texas Certified Shorthand Reporter
Ganado, TX

My name is Marnie Gabrysch. I am a TX Certified Shorthand Reporter. I oppose HB 228/1685. I work in a very busy district court that covers six counties. We hear important matters from state jail felonies, capital murders, divorce/custody and also DFPS cases where termination of parental rights take place. DFPS cases require accelerated appeals, so the transcript is due in ten days. It goes pretty smoothly with a live certified shorthand reporter, but it would require lots of time to decipher/prepare a transcription of an electronic recording where accents/dialect of parties and identifying speakers is crucial to making an accurate record of the proceedings. Trying to merely save a few dollars by doing electronic recording instead of a live reporter could actually end up costing more money when things go wrong and have to be redone or thrown out.

When we can't hear someone/understand what is said, or if they talk over one another, a recording would not be able to decipher that kind of accuracy like a live human being who has been diligently trained in their field with years of experience in various litigation types could. Zoom proceedings especially benefit from having a live individual making a record as there's all kinds of issues that can and do go wrong there, especially now with some present in court and some on Zoom.

We as CSRs receive ongoing CE training. I treat my job as if every case is my own. I give my best toward making an accurate record at all times.
HB 228 allows an inferior method of recording court proceedings by allowing uncertified, untrained individuals to record court proceedings. Negative electronic recording issues could be: Inaudible or lost digital recordings, unidentifiable speakers, loss of access to testimony quickly for readback to a jury.

Having a court transcript to search for what/when exhibits were admitted in the proceedings and/or the judge's rulings on certain

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objections can be easily found by performing a search in my court reporter notes and finding it quickly whereas going back through days of recordings would be tedious, not to mention very time consuming. Sometimes my judge asks me to go back and look for something specific he ruled, and it's done very quickly with a search of my steno notes as opposed to going through lots of listening to audio to find it. Generally when parties can't agree on what was said, sometimes it requires multiple searches before you actually find what they were really referencing. An electronic recording would be next to impossible to find that without going through the entire day/half day.

The words that I take down verbatim each day are too important to just be recorded by a tape recorder. People's lives, liberties and property are at stake in the cases that we hear, and leaving the proceedings to be taken down by a mere recording by electronic means is just an injustice in my opinion.

Thank you for your time. Please kill this HB 228/1685.

Vielica Dobbins, Ms.

Texas Court Reporters Association

CEDAR HILL, TX

To Whom It May Concern: My name is Vielica Dobbins, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Also almost any record that is produced from audio almost always has parts that are inaudible and/or unintelligible. If you have a live court reporter available reporting the proceedings. an instant clarification can be made ensuring an accurate record. Thank you again for your consideration and attention to this matter and voting against HB 228 to safeguard the rights of Texas residents.

Jack McGaughey, Judge-97th Dist

Myself, Distrct Judge

Montague, TX

The bill appears to permit a method of court reporting that is inferior to the current method. Electronic recording cannot be certified as authentic, as court reporter is required to do. Reporters are required to maintain and protect the authenticity of records, which recordings cannot. It allows commissioners courts to interfere with Court management and raises constitutional issues. It will not be more efficient and will likely lead to more review time by courts and retrials due to equipment failures. It is fraught with problems at all levels.

Trisha Myler

self, court reporter

Farmers Branch, TX

I am a court reporter in Texas, and I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the highly trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. Court reporters are certified by the Supreme Court of the State of Texas and are held to very high ethics standards and require continuing education and license renewal, things not required of a "recorder operator." The quality of a transcript by a live court reporter is far superior to that of a transcription of a recording, an extremely important point considering the record must be verbatim. Please vote against HB 228.

Herminia Torres

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Self, Certified Shorthand Reporter

San Antonio, TX

My name is Herminia Torres, Texas certified shorthand reporter, and I oppose HB228. This bill does not protect the accuracy and integrity of a record. Electronic recording has been tried before and it makes for faulty records. Typing from a recording is so very difficult because there is no human present protecting the record from litigants talking over each other and/or computer error. Someone simply pressing a "record" button does not guarantee a readable and word-for-word record.

Robin Hopper

Self - Court Reporter

Tomball, TX

My name is Robin Hopper, and I am a Texas Certified Shorthand Reporter, and I OPPOSE HB 228. This bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after numerous problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

PLEASE VOTE AGAINST HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter!

Patricia Chavez Morales

Self - Court Reporter

Corpus Christi, TX

My name is Patricia Chavez Morales and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Rose Ibarra

Certified Shorthand Reporter

San Antonio, TX

My name is Rose Ibarra, and I have been a Certified Shorthand Reporter for 27 years. For the past 26 years I have served as an official court reporter. I oppose HB228 which will allow for an unreliable machine operated by an untrained, uncertified employee to record court proceedings. The use of these recording devices have been utilized in courtrooms in the past and time and time again have proven to be unreliable and resulted in new trials all at the cost of taxpayers. The product of these recordings result in transcripts with words like "inaudible" and "unintelligible" or incomplete records (or none at all) because of operator error. Justices, judges, lawyers, plaintiffs, defendants, complainants, victims of crimes, children of neglect and abuse rely on and deserve accurate records from a live, unbiased, certified, trained reporter. There simply is no comparison. Stenography is by far the most reliable, efficient and cost effective.

Jack Marr

self District Judge

Victoria, TX

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Section 3 of HB 228 is subject to conflicting interpretations. Proposed Sec. 52.0415 (b) authorizes the county commissioners of each county within a judicial district to "exempt" the district court from the requirement that the court appoint an official court reporter. This section then states that the District judge "by order may claim the exemption". These questions arise: If the commissioners court "exempts" the district court from its obligation to appoint an official reporter, is the exemption a nullity unless and until the district court elects to "claim the exemption" by written order. In the absence of a written order "claiming the exemption", does the District court continue to be obligated to appoint an official court reporter? Additionally, if a district court, by written order "claims the exemption" can the court rescind the order claiming the exemption at a later date and reinstate the court's obligation to appoint an official court reporter? In a multi county judicial district, what is the impact of a commissioners court exemption in some counties and an absence of a commissioners court exemption in other counties, all within the same judicial district? If a record is made by a court reporter in a county in which an exemption was made by commissioners and "claimed" by the district court, if the district court has not claimed the exemption in all counties within the district?

The bill also misplaces the right to initiate the process of eliminating a court reporter and replacing that reporter with a "good quality" recording device. That decision should be exclusively the right of the district judge. Only the district Judge is able to assess the feasibility of such a decision. If placed in the hands of the County commissioners, who have no appreciation for the functions of a court reporter nor the complexities of making a trial record in a dynamic setting, the only motivation will be an economic consideration. This statutory scheme then places inappropriate economic and political pressure on a district judge to "claim" the exemption.

Next the process of use of a "good quality" recording device in lieu of a record by an official court reporter is bad public policy. The nature of trial proceedings in an open courtroom, is vastly different from use of such devices in an administrative setting. The acoustics vary dramatically from courtroom to courtroom and the ambient noise within the courtroom. A court reporter can advise if testimony or statements are inaudible. A recording device cannot. A court reporter can provide "real time" transcriptions of testimony, a recording device cannot. A court reporter can monitor, organize and control access to exhibits, a recording device cannot. A court reporter can provide transcriptions of selected testimony on extremely short notice, recording devices cannot. Obtaining review of selected testimony from a "8 hour day" of testimony is time consuming and wastes limited judicial officer time.

Cynthia Barnett

self - freelance court reporter

Houston, TX

I OPPOSE this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a fake recording.

Linda Park, Realtor

Self

Nederland77, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Beth Sheen

BETH L. SHEEN, CSR

Fulshear, TX

I am a Texas CSR. I oppose HB 228. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. The "operators" of the recording devices are not background checked and are not certified and regulated by the State. This could result in cases being thrown out because an

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"operator" forgot to hit record.

Donna Whiteside, Court Reporter
Self - Certified Shorthand Reporter
Conroe, TX

My name is Donna Whiteside and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Anjolie Hernandez
Self, Certified Shorthand Reporter (Texas)
Corpus Christi, TX

My name is Anjolie Hernandez, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Andrea Ballantyne
Self -- Official Court Reporter
Livingston, TX

Good afternoon. My name is Andrea Ballantyne, and I'm a Texas certified shorthand reporter. I oppose HB 228. The digital recording method of capturing the written record is woefully lacking and often results in a transcript with many errors and/or omissions. Several courts throughout the country have utilized electronic recordings and gone back to certified court reporters after numerous problems. There are too many inaudibles, and the quality of the transcript is inferior. Additional expense is then required to retry the case, not to mention the expense of all the parties involved.

Court reporters also handle exhibits and make sure they are filed with the clerks. We also are required to archive our files in an orderly manner to ensure easy access to any proceedings that need to be transcribed. We not only store an audio file but also our steno notes and other PDF files, and so there is often a triple backup system in place.

On a personal note, I worked as a freelance court reporter for many years in Colorado where some county courts used digital recordings. Several times I was hired to attend trials and make a record because the attorneys knew that a live court reporter would produce a more accurate record needed for appellate purposes. Also, we were able to provide daily copy or excerpts as needed and requested.

Please vote against HB 228 to ensure Texas residents have access to accurate and timely records.

Thank you for your attention to this matter.

Sincerely,

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Andrea Ballantyne, CSR
Official Court Reporter
411th District Court
Polk, San Jacinto and Trinity Counties
411courtreporter@gmail.com

Susan Green, CSR

Susan Green, CSR

Adkins, TX

My name is Susan Green, and I am a Texas Certified Shorthand Reporter. I am writing my comment to oppose HB 228. This bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record crucial court proceedings and takes the control away from the judges to choose to use a certified reporter. Many courts in the past have utilized electronic recordings and went back to certified court reporters after encountering critical failures, including complaints of the quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of all Texas residents to have accurate and reliable court transcripts. Thank you for your attention to this matter.

Lanie Smith

Self - Official Court Reporter

The Woodlands, TX

My name is Lanie Smith, and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Michelle Propps

Self - Freelance Court Reporter

Houston, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Dennis lee

TRIP

ORANGE, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Terralyn Gentry

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Courtroom Stenographer

Rockwall, TX

As a working certified shorthand reporter in the CCAL of Van Zandt County, I am writing in opposition to this bill. When electronic devices are used in lieu of a stenographer, the integrity of the record is at risk. I have had to transcribe a few hearings, including juveniles and mental health hearings, because I was ordered to create a 'record' and have it certified to by me using my name and license, putting my reputation on the line. As such, I can attest to dealing with the matter of struggling in several places in the recordings where it was unclear who was speaking and/or having to put "indiscernible" in the transcript. When a reporter is live in person, they are able to stop, ask for clarification, admonish on talking over one another, ensuring that what is being said is taken down confidently, with neutrality and impartiality. We are highly trained and skilled professionals, and it is our ethical and moral responsibility to guard and protect the record. We should now allow the commissioners to make such a decision, changing the way court proceedings have been conducted for hundreds of years. Once these type of trends begin, I imagine there will be more to follow. Please refer to Opinion No. KP-0312 by Ken Paxton on a similar issue out of Kerr County. We have had plenty enough changes in the way our courts are being conducted over the past year. Please vote against HB 228! Thank you.

JANET SAAVEDRA

SELF, COURT REPORTER

WAXAHACHIE, TX

My name is Janet Saavedra, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

DONNA GARZA, Court Reporter

SELF

Livingston, TX

I oppose this bill.

David Smith

CSR, Inc.

The Woodlands, TX

Greetings. Did you know there are over 1.1 million words in the English language? This does not even include all the proper names, acronyms and industry jargon that exists that we all use on a daily basis. Capture of the spoken word onto paper has never, ever been more complex and certified court reporters have never been more trained and capable and technologically proficient.

My name is David Sparks Smith and I have been a Texas certified shorthand reporter since 1990. I strongly oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Capture of the spoken word has never been more complex. A recording will never, ever suffice in the capture of the spoken word in legal matters before the courts of the Great State of Texas.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

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Terralyn Gentry
Courtroom Stenographer
Rockwall, TX

As a working certified shorthand reporter in the CCAL of Van Zandt County, I am writing in opposition to this bill. When electronic devices are used in lieu of a stenographer, the integrity of the record is at risk. I have had to transcribe a few hearings, including juveniles and mental health hearings, because I was ordered to create a 'record' and have it certified to by me using my name and license, putting my reputation on the line. As such, I can attest to dealing with the matter of struggling in several places in the recordings where it was unclear who was speaking and/or having to put "indiscernible" in the transcript. When a reporter is live in person, they are able to stop, ask for clarification, admonish on talking over one another, ensuring that what is being said is taken down confidently, with neutrality and impartiality. We are highly trained and skilled professionals, and it is our ethical and moral responsibility to guard and protect the record. We should not allow the commissioners to make such a decision, changing the way court proceedings have been conducted for hundreds of years. Once these type of trends begin, I imagine there will be more to follow. Please refer to Opinion No. KP-0312 by Ken Paxton on a similar issue out of Kerr County. We have had plenty enough changes in the way our courts are being conducted over the past year. Please vote against HB 228! Thank you.

Lori Schmid, CSR
Self - Texas Certified Shorthand Reporter
New Braunfels, TX

My name is Lori Schmid and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows a seriously inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings, not to mention the blood, sweat and tears each certified shorthand reporter has been through to obtain their certification and the integrity of the profession. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. There's nothing like having the actual human element writing what is being said and transcribing it verbatim. You will not get a better record for the people any other way than through a CSR. I implore you to please vote against HB 228/1685 to safeguard the right of Texas residents. Thank you for your attention.

Mary Thornton
self attorney at law
Fort Worth, TX

This bill would be a disaster. Allowing Commissioner's Courts to overrule a Judge's hiring of a certified court reporter would mean that non lawyers, which most commissioners are, could overrule a Judge's authority to hire a Texas Supreme Court Certified Court Reporter to protect our appellate Reporter's Records. You have to ask yourself, would you want county judges and commissioners choosing the method of how you receive your record? Non-lawyer county judges are not qualified to make these decisions and certainly are not qualified to determine how I, as the appellate attorney for the Appellant, view the record. Please, this bill would be an anathema to protecting the Constitutional rights of persons wrongly convicted by a jury.

Heather Franklin
self
Alvin, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording.

Vanessa Theisen

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Self - Texas Certified Shorthand Reporter

CEDAR PARK, TX

My name is Vanessa Theisen. I have been certified shorthand reporter in the state of Texas for 35 years. I oppose HB 228 which proposes to allow electronic (digital) recording in courtroom settings and authorizes commissioners, who are not familiar with courtroom procedures and what is needed to prepare a transcript, to override a judge's preference for a certified shorthand reporter. CSRs go through rigorous training and must pass a very strenuous test in order to be certified by the State of Texas to report legal proceedings. Pressing a button on an electronic recording device is by far inferior to having a live reporter capturing every word, clarifying when something can't be heard, ensuring comments are attributed to the correct speaker. Many courts have tried replacing reporters with recorders and, after a catastrophic recording failure, they return to using certified reporters. Again, please vote to defeat this bill.

Robin Rios

Self, Court Reporter

Richwood, TX

My name is Robin Rios, and I am a Texas certified shorthand reporter. I oppose HB 228/1685. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Some foreseeable issues with electronic recording include being able to properly identify speakers when preparing the record, inability to clarify indiscernible comments during the hearing or trial, a recording can't record head nods or shakes. Another issue would be that electronic recording would do away with a jury's ability to have testimony read back during their deliberations if they have a disagreement about what was said.

I don't see how passing HB 228 would be beneficial in anyway. It seems far less efficient, both from a procedural standpoint as well as a fiscal one.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Cindy Cummings, Court Reporter

self - Court Reporter

Universal City, TX

Good afternoon,

My name is Cindy Cummings and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings.

Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Sincerely,

Cindy Cummings

Frances Janezic

Self/-Texas Certified Shorthand Reporter

Printed on: March 23, 2021 11:23 AM

New Braunfels, TX

My name is Frances Bean Janezic and I am a Texas CSR. I strongly oppose HB 228 as it is never a good idea to simply record by electronic means court proceedings. Capturing the spoken word is an artform that CSRs are uniquely trained, qualified AND CERTIFIED to do, which includes the preparation of the record for appeals, etc, which has been proven disasterous in the past in New Mexico, for example, with a backlog of cases and poor quality records. Electronic recording alone also opens the door to loss of data, poor quality of transcripts with missing/inaudible sections, manipulation, and even hacking. Also, pitting Commissioners against Judges and how they run their courts is a power struggle disaster waiting to happen. Please leave well enough alone and OPPOSE this Bill.

Thank you for your service to our State and vote against HB228 to continue to make Texas a great place to live and thrive utilizing Certified Shorthand Reporters to ensure integrity in the legal system.

Dorinda Norrell, Official reporter

TCRA

Victoria, TX

My name is Dorinda Norrell and as an official reporter for almost 30 years, I see no way that electronic recording would suffice in today's court hearings. I oppose HB 228/1685. I work in six counties, 4 of which are historic courthouses. There is no way electronic recording will be able to accurately make a record in these courtrooms. In using recorders instead of reporters many problems such as inaudible recordings, lost recordings and unidentified speakers will arise. When a person comes into court it is a VERY important day in their lives, be it a divorce, lawsuit, or criminal proceeding. They need to be represented by an adequate attorney as well as have their hearings reported by a live person who can stop proceedings if people are simultaneously speaking; read back testimony if there is a question; or obtain the Judge's attention if they cannot hear some of the proceedings. Electronic recorders may be a less expensive tool, but as we all have been taught -- you get what you pay for. Paying a less expensive cost for this service may result in a less adequate transcript.

Robert Thomas, Court Reporter

Self

El Paso, TX

Please keep live court reporters.

D'Lois Jones

self, certified court reporter

Kingsbury, TX

My name is D'Lois Jones, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill endangers the integrity of the judicial system by allowing uncertified, untrained individuals to simply push a "record" button, with no assurance that the recording is working. There are instances across the country where courts have tried electronic recording systems and have subsequently returned to certified court reporters to protect the record after problems arose. For example, missing or inaudible recordings, retrials of cases due to lost digital recordings, as well as the unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Imagine being the victim of a rape or family of a murder victim and having to endure a 2nd trial due to the inherent errors and problems these systems produce!

In addition, a transcript of the proceedings, not an audio recording, is what is needed for appeals and future court proceedings. There are many complaints about the quality of the transcripts produced from these systems due to "inaudible" portions, even when the recording system is working. In contrast, Certified Shorthand Reporters can stop proceedings when the parties are speaking over or interrupting one another or when an accent is difficult to understand to ensure that they hear and understand every word. When these impediments are discovered on an audio recording, it is too late to remedy, and the parties are left with a subpar transcript.

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Certified Shorthand Reporters are impartial, highly skilled, appointed officials with the accountability of licensing by the State of Texas, to include required continuing education. Entrusting the important work of the court to an audio recording and an uncertified, untrained transcriptionist is a step backward in efficiency, both fiscally and technologically. Please vote against HB 228 to safeguard the rights of Texas residents in our court system. Thank you for your attention to this matter.

Daphne Session

Self

Crockett, TX

This move could pose some real problems in the judicial process with certifying a record, citing portions for appeal, the integrity and quality of the record, ethical considerations, and so many more concerns.

Karen Shelton

Self-employed court reporter

Fort Worth, TX

My name is Karen Shelton, and I am a Texas certified shorthand reporter and have been licensed in Texas since 1996. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Kay Counsellor Record, Court Reporter

County Court at Law No. 3, Bexar County, TX

San Antonio, TX

My name is Kay Counsellor Record, Official Court Reporter for County Court at Law No. 3, Bexar County, Texas. I am in opposition to proposed House Bill 228. HB 228 would allow an inferior method of reporting court procedures by allowing uncertified, untrained individuals to be accountable for the official record and any exhibits admitted in court proceedings. ER has proven to be an unreliable means of producing a complete and accurate record of proceedings. In the 1980s the State of New Mexico utilized electronic recording in all courts with disastrous results and exorbitant costs to the counties and the litigants. New Mexico went back unilaterally to certified court reporters after many problems including complaints of the quality of transcripts, missing or inaudible recordings, retrials of cases and reversals of verdicts due to the inferior transcripts being produced and ultimately sent to the Court of Appeals. Digital recordings were tried in one county court in Bexar County with similar dismal results. Attorneys and litigants were frustrated with the subpar, inaccurate transcripts and the inability to have live readbacks during proceedings. Failures like this make counties monetarily responsible for retrials, missing or inaudible recordings, poor quality transcripts, not to mention the required maintenance and additional personnel required to perform the functions a Texas CSR provides. Texas CSRs have worked tirelessly to end the shortage of certified court reporters by the passage of both Apprentice and Provisional licenses, as well as increasing the number of court reporting schools, thus having more students currently in training to become Texas CSRs. Please vote against HB 228 to safeguard the rights of Texas residents. The experience and expertise of a licensed Texas CSR is what the citizens of Texas deserve when faced with any criminal or civil matter that brings them into a courtroom. Texas CSRs are highly trained, licensed by the Supreme Court of Texas, and are required to follow strict guidelines, ethics, rules and regulations as set out by the Government Code, ensuring an accurate and verbatim reproduction of the proceedings. The hiring and/or firing of court staff should be left to the knowledgeable judiciary of our state and to the Judge of the court who was elected and/or appointed for that court and has the knowledge and education to make those decisions for his or her own courtroom, not moved into the hands of Commissioner's Courts for the individual counties to decide. Please VOTE AGAINST HB 228! Thank you for your service and thank you for your attention to this matter.

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Dana Richardson, Certified Shorthand Reporter

Self - Certified Shorthand Reporter

Porter, TX

My name is Dana Richardson, Texas Certified Shorthand Reporter No. 5386. I am opposed to HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. I have personally seen this method used in courts and seen the problems that arise. It is truly a failure of justice to the litigants involved.

Many courts have experienced the same problems that I saw, and they quickly went back to certified court reporters. There have been plenty of documented complaints about late records, missing records, poor quality of transcripts, missing or inaudible recordings, and outrageous costs to hire everyone needed to do the job of a certified court reporter. Court reporters already utilize the most current technology to produce transcripts quickly, accurately, ethically, professionally. Court reporters are guardians of the record, an impartial officer of the court.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Greg Glass

Self (Judge, 208th District Criminal Court, Harris County, Texas

Houston, TX

I feel substituting electronic recording in place of court reporters is ill-advised, as recordings can be indecipherable for many reasons, and as well can be permanently erased and thus "lost". Attorneys and litigants often talk over one another, making it virtually impossible to understand what is being said and who is saying it. Records need to be permanent and accurate, and electronic recordings do not lend themselves to those ends nearly as well as a system that has been proven viable over multiple decades. Thank you.

Carolyn Franklin

Self

Vidor, TX

I am a family member of a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Stacy Harlow

Self

Farmers Branch, TX

My name is Stacy Harlow and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Martha Franklin

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self

Vidor, TX

I am a family member of a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Tami Lewis, CSR

Official Court Reporter, 173rd District Court

Athens, TX

My name is Tami Lewis, and I am a Texas certified shorthand. I strongly oppose HB 228 because this bill allows electronic recording of court proceedings, and this method of reporting is inferior compared to that of a highly skilled human court reporter. When you allow untrained and unskilled individuals to use electronic recording, it creates many problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, or the operator forgetting to hit record. Furthermore, it is not a quality record when it is transcribed at a later date because it is incredibly hard to distinguish voices. A real live court reporter can stop the proceedings to get clarification or in the case of an interruption, such as coughing, emergency sirens, or trains, for example. I would also add that it can be rather costly to have a reporter transcribe the material afterward due to the difficulty of deciphering a digital recording.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Stephanie Moses, Ms.

Self

WHITEWRIGHT, TX

My name is Stephanie Moses. I am a certified Texas shorthand reporter, Texas License No. 4606. I vehemently oppose HB 228, and would ask you to also oppose it. I will elaborate on those that are most important. First: Electronic Recording. It is a reporting method that time and time again has proved its inferiority. The people who push the tape recording button are non-certified, untrained, and are incapable of producing a record of proceedings. Did you know that many times these recordings are sent to India or other foreign countries to be rapidly produced? These transcripts come back and attorneys and judges have found them to be unreadable and nonsensical. It makes a mockery of our judicial system. There are many states that have tried ER in an effort to save money, and every one of them have shooed the inept recording system away and have chosen instead to have a certified, highly trained, educated court reporter in the courtroom who knows how to manage and help run courtroom proceedings seamlessly. Certified court reporters are able to have real time translation that can aid the judge, attorneys, litigants, and jury if there is a question about what was spoken. To prove this fact is true, please look at a transcript from an electronic recording person, and then compare that to the transcript of a Texas Certified Shorthand Reporter. That in and of itself will surely make this an easy decision for you on what method is best. If you cannot find a transcript, I would be happy to provide you with a sample. To be a Certified Shorthand Reporter in the state of Texas is an impressive badge of honor. Texas reporters are the gold standard in the industry. We are well-known and admired throughout the nation. The tape recording method just pumps out bodies with no certification required. Official Shorthand Reporters also are educated about the safety of what can be a volatile venue, and we work as a unified team to notify our team members of any sense of danger. This is a decision for the judge of the court to make as to who he chooses to work with him to ensure the safety of lives. The judge is the one that makes sure his reporter is timely getting out the numerous transcript requests. The judge is the one who wants to make sure they will not have to try a case over again because of the numerous mistakes of electronic recorders. It is a very, very expensive mistake to have a county pay for. Just ask the judges in New Mexico, among other states. The courtroom is no place to depend on electronic anything when each day brings a new story with new people who are in a tenuous situation just by being in trial. While I respect our commissioners, they do not work in the courtroom. Many have no legal training at all. I have never seen a commissioner in our courtrooms to just observe. They have an entire county to run, and this is not a path to take.

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Please oppose HB 228. Thank you for your time and consideration.

Mattie Kimble, Court Reporter

Self - Court Reporter

Houston, TX

I do not support HB 228. Please do not pass HB 228.

Patricia Gandy

431st District Court

Sanger, TX

To allow electronic recording in courts to take the place of a certified court reporter would seriously compromise the integrity of the record. I have been a certified court reporter since 1983 and seen how our profession has progressed and made many wonderful improvements on keeping the record. Using electronic recording devices would be a huge step backward in that endeavor. Thank you for giving me a chance to voice my opinion.

Tina Fasci

self-Certified Shorthand Reporter

Mission, TX

Good evening. My name is Tina Fasci and I am a proud certified shorthand reporter licensed in the great State of Texas. I am vehemently opposed to HB 228. Whatever benefits are believed to be gained by passing this bill cannot be outweighed by the damage which will undoubtedly be caused to the judicial system and to the communities it serves. There is no suitable substitute for the skill and integrity that a highly-trained and certified court reporter provides.

Please vote AGAINST HB228. Safeguard the record. It's too important to leave unprotected.

Thank you for your support.

Tina Fasci, CSR, RPR

Official Court Reporter

Hidalgo County, Texas

Jo Ann Holmgren

Self - Court Reporter

Rockwall, TX

I am opposed to HB 228 allowing electronic recording devices to record legal proceedings. To replace a Texas Certified Shorthand Reporter with an electronic recording device is a mistake. Texas CSRs are highly trained and skilled to accomplish their job, fingerprinted, take continuing education and are HIPAA compliant. It has been proven that digital recordings can be manipulated creating deep fakes. Most of the companies that are used for transcribing the digital recordings send these very confidential and sensitive recordings overseas to be transcribed where there are no HIPAA regulations to be followed, thus putting the safety of the public in danger of identity theft, among other things.

Please vote NO to HB 228 to protect the public and ensure the integrity of the record.

Thank you.

Jo Ann Holmgren

Cantrece Addison, Certified Shorthand Reporter

Self Certified Shorthand Reporter

Richmond, TX

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My name is Cantrece Addison, a Certified Shorthand Reporter for the State of Texas. I strongly oppose HB 228/1685, for the following reasons: It's a very inferior method, which allows untrained and unskilled individuals to record court proceedings. Texas Certified Reporters have a judiciary board that holds us accountable. Non-certified individuals do not. We have to maintain CEUS, which includes 10 hours of Ethics. Non-certified individuals don't. Our licenses are our livelihood and can be taken away, for various reasons. Non-certified individuals couldn't care less because they don't hold a license. Many courts around the country have used electronic recordings before, only to have to go back to using a Certified Shorthand Reporter. A recorder tends to have a mind of its own. It works when it wants to; and the travesty is, if it doesn't pick up a hearing or a trial, you'll have to do it all over again, which is time and expense wasted. Certified Shorthand Reporters are able to provide real-time, provide read back. Non-certified individuals can't. I can go on and on as to why I oppose this bill and how tragic it would be to pass it. Again, there are many safeguards put into place and a judiciary board that holds us accountable to ensure that we're producing a quality product.

Ricky Smith, Mr.

Self, Retired

Springtown, TX

I am opposed to this bill. I believe court reporters are still the best way to protect the integrity of the record.

Erika Wright

Self; Official Court Reporter

El Paso, TX

The use of electronic recording should never be considered an acceptable replacement for a human transcribing a simultaneous verbatim record in court proceedings. Budget cuts fuel this idea and it sounds like a great idea to save money in an area and supply to another that perhaps needs it more. The area to do this is not in court proceedings that affect real human beings such as yourselves. We have all read articles about an electronic recording malfunctioning resulting in retrials. The money for that has to come from somewhere. A readback in court would be nonexistent and we can all attest to the importance and convenience of real-time reporting for a Court.

In legal proceedings, part of judging credibility is viewing a person, their demeanor. Whilst reporting, it is important to see how one speaks and forms words, what they are saying through stuttering, pauses, changes in thought. One transcribing a digital recording after the fact has no framework for the record, no clue as to the particular speech affects the witness may have. For a Norm MacDonald type, misspeaking could cost someone their life, literally, in Texas. The range of punishment of 5 to 99 or life is such a large range and there is no room for error.

We are all entitled to Life, Liberty and the pursuit of Happiness. Liberty should not be compromised in any way under the law. All the rules of trial, et cetera, are kept so carefully because of this important Constitutional right. Humans are entitled to these unalienable rights and Texas would not begin to sidestep the Constitution for the almighty dollar. It is simply not the right thing to do.

Steps to begin putting liberty on the chopping block begin with not providing a certified, unbiased keeper of the record. The oath we take matters and the records we hold are guarded past our deaths even. My will is set out with that part in bold, so to speak. If the defendant were your son, daughter, mother even, one would want the record to be kept by a person accountable and committed to the detrimental role they play. The Courts of Appeals need verbatim records to judge objectively and ensure that rules are being followed so the not guilty aren't rotting in jail or worse, in the great State of Texas.

In my Texas, Constitutional rights are protected no matter the cost. Costs cannot be cut for courtroom security, Judge's security, OR the security of the record. There will always be someone handling the digital recording. Whose pocket are they in? The record we keep is changed by no one, elected or not, rich or poor.

As a court reporter in Texas, school was grueling and two people out of my 15-person class succeeded. Then the other student realized she could not handle the sheer stress of the job. Texas has one of the most difficult certification tests in the nation. Rest assured that if one is a certified shorthand reporter, they are dedicated to the mission of keeping the record verbatim, unbiased, and safe.

Please do not pass HB 228. Lord bless.

Donna Trotman

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Self, Texas Certified Shorthand Reporter

Farmers Branch, TX

My name is Donna Trotman, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior and unreliable method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings for Texas litigants. History has shown us time and time again that courts that have used electronic recording went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, costly retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all of the functions that a certified court reporter provides. And on these retrials, a court reporter was brought in to make sure that the record was being taken down correctly and accurately. When liberty depends on something so crucial accurately capturing the proceedings, that should certainly be reason enough to continue to ensure that there is a court reporter present and held responsible for the integrity of the record.

Electronic or digital recording is truly undependable and unreliable. It may be recording or it may not. Usually, it isn't known if the equipment is working until it is time for an appeal and there is nothing there. Reporters are present, watching their writing, and making sure the proceedings are being written down. We ask for clarifications for whatever is said on the record. We listen and report the toughest of expert testimony, witnesses with accents, people who are soft-spoken, witnesses who mumble, witnesses who may be crying, people who speak at lightening fast speeds and who are speaking over each other at any given moment. There is great pride and respect that we have for our work and for the responsibility that we have to protect the record. I respectfully ask you to please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your time and for your service to the State of Texas.

Krista Hall

Court Reporter

Splendora, TX

My name is Krista Hall and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

The statute already provides that the local judiciary employes the court reporter. I ask you to keep it that way. Commissioners Court does many different tasks but deciding how a record of a court proceeding should be made should be left to the judges and the litigans in a case.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Mary Goan

self/court reporter

Houston, TX

My name is Mary Goan. I am a Texas Certified Shorthand Reporter. I oppose HB 228. I oppose this bill because I know firsthand the skill and training that is required to produce an accurate record of a court proceeding. An electronic record has been proven time and time again to produce an inferior record. It is critical in court proceedings to safeguard the record with skilled court reporters.

Chavela Crain, Texas Certified Shorthand Reporter

Self - Texas Certified Shorthand Reporter (court reporter)

Austin, TX

My name is Chavela Crain, a Texas certified shorthand reporter serving as an official court reporter in the Travis County

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Courthouse in Austin. I am opposed to HB 228 and believe this bill would be detrimental to the court system, litigants, and court reporters in this state. The language in HB 228 could lead one to believe that a recording device is an easy replacement for a highly-trained professional shorthand reporter. Certified shorthand reporters are sworn officers of the court charged with the responsibility of protecting the integrity of the record, licensed by the Texas Supreme Court, bound to a Code of Ethics, and follow strict rules and guidelines when producing work that judges, attorneys, litigants, and courts of appeals can rely on.

Judges are in the best position to understand the importance of having official court reporters to serve in their courts, and it is not necessary for commissioners courts, who may or may not understand all of the intricacies involved in court proceedings, to encroach upon the judge's domain.

As someone with many years' experience, as well as serving as a state leader, I can wholeheartedly proclaim that using a recording device as the means of capturing the record has dangerous pitfalls. Certified court reporters use their eyes and ears, in addition to their skillful hands, to ensure that an accurate record is being made with 100% certainty of who said what in every moment. Much could be lost using only a recording device, which many have learned the hard way. Although not advisable, if a judge wanted to try electronic recording, there is already a procedure in place for such a request to be made to the Supreme Court, thereby obviating the need for this bill entirely.

Some may utter "court reporter shortage" as a reason for wanting to allow for electronic recording. In recent years, while working to increase enrollment in schools, the word "shortage" was used to entice people to get trained since many reporters were due to retire in the not-too-distant future. Unfortunately, marketing folks of companies that deal with electronic and digital recording have exploited the term "shortage" and are doing their best to try to convince people that their method is needed because there are not enough court reporters. The reality, however, is that there has been an increase in school enrollment and new reporters are entering the profession after each state exam. Additionally, two new license types became effective in 2020 as a result of legislation ... provisional court reporter and apprentice court reporter. There continues to be a sufficient number of certified court reporters available to meet the needs in Texas proceedings without resorting to inferior methods.

I ask you to please vote AGAINST HB 228 to ensure that Texans can continue to trust the legal process with properly-trained certified shorthand reporters to protect the record. Thank you for your consideration and for your service.

Javier Leal, Mr.

Harris County Official Court Reporters Association

Humble, TX

I am writing to oppose HB 228. This bill could cause courts to be forced to use electronic recording devices in place of certified court reporters which would put our judicial process at risk of having inaccurate records of the proceedings that took place. Live court reporters are bound ethically to maintain the accuracy of the record at the highest standard. Live court reporters are bound to keep the authenticity of the record at a clear and exact degree while electronic devices cannot be held to this same standard due to the many inaudible portions of recordings that have been historically experienced time and time again. I urge you to oppose House Bill 228 and tell others how important it is to oppose this house bill.

Kind regards:

Javier Leal, CSR

Court Reporter Manager

Harris County Family Court Float Pool

201 Caroline Street

Houston, TX 77002

((832)927-6615

Kimberly Buchanan

Self - Texas Certified Shorthand Reporter #7579

Flower Mound, TX

My name is Kimberly Buchanan, and I am a Texas Certified Shorthand Reporter (#7579). I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court

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proceedings. Many courts in the past have utilized electronic recording and subsequently went back to certified court reporters after several problems, including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents and preserve the gold standard of the written record. Thank you for your attention to this matter.

Jon Franklin

self

Pflugerville, TX

Please vote to support this bill.

Jeff McKnight, Judge

30th District Court

Wichita Falls, TX

Chairman Leach and Honorable Members of the Committee,

My name is Jeff McKnight and I am the Judge of the 30th District Court, in Wichita County. I have been made aware of the language of HB 228. I am writing to oppose this legislation. I believe that this bill has the ability to cause significant damage to the legal community, cause unexpected consequences, and could cause an increase in the costs incurred by the litigants.

With all due respect to county commissioners, most of whom are not attorneys, their understanding of the inner workings of the courts, and the judicial process, is limited. This bill would allow commissioners to make decisions on how courts are run, how parties may represent their clients, and how judges do their jobs. I truly believe that the unforeseen consequences of this bill will cause substantial damage to the judicial process.

Court reporters are the only reliable way to ensure that a verbatim record of everything that happens in the courtroom is created. Electronic recordings cannot do that. Court reporters assist trial courts in managing and maintaining the evidence in a fast paced and high stress environment. Electronic recordings cannot do that. Court reporters ensure that judges can focus on the job of listening to testimony, addressing objections, addressing the many legal rules that must be recalled in a split second, maintaining the integrity of the courtroom, and ensuring courtroom security. Electronic recordings cannot do this. I could provide MANY examples of ways that the Official Court Reporter of the 30th District Court assists me in my job and allows me to focus on the many, many things that require my attention in the courtroom.

Recently, I had to re-try a case that was originally tried by an associate judge. The associate judge used an electronic recording. On appeal to the Fort Worth Court of Appeals, the case was reversed, requiring another trial, due to the lack of a record by a certified court reporter. This has not only caused a child to remain in foster care, but the county has now had to pay for two (2) trials of this matter with attorneys that are court appointed, and being paid from government funds. This has caused the county to incur substantial more costs than what would have been incurred if a certified court reporter was present.

I am opposed to this bill. I would ask that you, and each member of the committee, vote against this bill. If you would like additional information, or have questions, I am happy to assist. You can reach me as follows:

Judge Jeff McKnight

30th District Court

940-766-8180

jeff.mcknight@co.wichita.tx.us

I thank you for your time in reading this comment.

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Sincerely,

Jeff McKnight
Judge, 30th District Court

Tina White
Court reporters
Pasadena, TX

My name is Tina White. I have a Texas certified Court Reporter. I oppose HB 228. I have been reporting for 22 years and have a great respect for the work we do in preparing the record of these legal proceedings. I believe it would be a nightmare for all involved in the legal proceedings when you rely on ER to record these matters.
Thank you for your attention and hopefully your support in opposing HB 228.

Wendy Kirby
Texas Certified Shorthand Reporter, 361st District Court of Brazos County, Texas
Giddings, TX

My name is Wendy L. Kirby. I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill gives uncertified, untrained people the ability to record court proceedings, therefore, opening the floodgates to a myriad of problems. Some of the problems as seen in the past with electronic recording are complaints regarding transcript quality resulting in problems at the appellate level and requiring retrial of cases, missing/inaudible recordings, equipment failures, substantial upkeep costs, and transcription costs.

There are over 2,200 Certified Shorthand Reporters in Texas, with many others who will be licensed in the very near future through apprenticeship and provisional licenses. We are bound by ethical requirements that we must meet to maintain and protect the authenticity and accuracy of court proceeding transcripts.

Additionally, by allowing commissioners to overstep a judge's authority, the proposed bill has a potential of calling into question constitutional issues regarding separating powers granted to certain branches of government. This bill also removes a judge's ability to manage his/her court as they see best for the administration of justice.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Irene Maldonado, CSR
Texas Court Reporter
San Antonio, TX

My name is Irene Maldonado, a Texas certified shorthand reporter. I am strongly opposed to HB 228. This bill allows mediocre methods of reporting court procedures to be taken by unskilled, untrained, uncertified individuals that do NOT have the qualifications as a Texas certified shorthand reporter.
I am asking that you would please vote AGAINST HB 228. I am strongly OPPOSED to HB 228.
Thank you for your attention on this matter. It is sincerely appreciated.

Irene Maldonado, CSR
Texas Certified Shorthand Reporter
County Court @ Law 12
210-335-2781

Lisa Thrash, CSR
Self, Court Reporter

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Amarillo, TX

Dear Committee Members:

My name is Lisa Thrash. I am a certified shorthand reporter in Texas. I would like to state my opposition to HB 228. This bill would allow the commissioners court to control courts in Texas and strip the judges of their ability to provide justice in their courts. This would be detrimental to the judicial process.

Electronic recording by untrained, uncertified individuals is an inferior method of capturing the court proceedings. There have been other courts that have used electronic recording in the past only to learn it is riddled with many problems, such as poor-quality transcripts with missing or inaudible recordings. There have been many retrials due to lost digital records, therefore creating additional costs for the county. All of these problems infringe upon the litigant's right to an accurate and complete record of their proceedings, as well as create a lack of confidence in the system. There are also additional costs for maintenance and additional personnel to accomplish all the tasks that are currently performed by the court reporter.

Please vote against HB 228 to ensure Texas residents retain their statutory rights. Thank you for your attention to this matter.

Sincerely,

Lisa Thrash

Pam Payne, CSR

self - official court reporter

Flower Mound, TX

Hello! My name is Pam Payne, and I have been a certified court reporter in the state of Texas for 27 years. I oppose HB 228 because this bill will allow Commissioner's Courts to overrule a judge's request for a live court reporter and instead employ an inferior method of reporting court procedures, i.e., electronic recording (ER). Many courts have utilized electronic recording in the past and have now gone back to a certified court reporter. With ER the quality of transcripts is typically poor. For example, there may be missing portions of the record or "inaudible" parentheticals. A live court reporter can interject when someone coughs, a chair squeaks, someone trails off, or in the case of Zoom hearings, completely cuts one of the speakers off when two people are speaking at once. If a digital recording of a proceeding is lost, it may result in a retrial, costing additional time and money. Certified court reporters are ethically bound to maintain these records and protect their authenticity. Readback to a jury is also more difficult using ER. Someone has to locate the exact portion of the recording necessary for readback, taking substantially longer than an official court reporter. A reporter can just search his or her realtime notes for the portion requested. There are other points to be made, but I know I need to keep this brief.

Please vote against HB 228 to safeguard the rights of Texas residents to an accurate, verbatim record of proceedings in the judicial environment. Thank you for your attention to this matter.

Sincerely,

Pam Payne, CSR No. 5713

605 Somerset Dr.

Flower Mound, TX 75028

danette.payne@gmail.com

Melissa Voigt

Self/Official Court Reporter for Judge Guy Herman, Probate Court No. 1, Travis County, Texas

Bastrop, TX

My name is Melissa Voigt, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in

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the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Marilee Anderson, Official Court Reporter
HCO CRA / Self, Certified Shorthand Reporter
Houston, TX

My name is Marilee Anderson, and I am a Texas Certified Shorthand Reporter. I oppose HB 228 because this bill allows the integrity of the judicial process to be comprised by a method of reporting court procedures by uncertified and untrained individuals to record court proceedings.

Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote AGAINST HB 228 to preserve the integrity of our judicial process.
Thank you for your attention to this matter.

Darlene Stein, Official Court Reporter
HCO CRA/Self and Certified Shorthand Reporter
Houston, TX

My name is Darlene Stein, and I am a Texas certified shorthand reporter. I oppose HB 228 because this bill allows an unintelligible and inaccurate methodology of reporting court proceedings. This mechanism has proven to be inaccurate and inadequate. It jeopardizes the integrity of a certified record taken by a certified shorthand reporter. It is of utmost importance to adhere to the accuracy of the record and ethical principles regarding trials held in a court of law. Please vote AGAINST HB 228 to secure the preeminence of certified shorthand reporters' profession.

DONNA WORLEY
self / court reporter
MAGNOLIA, TX

I am a registered court reporter and I want to voice my opinion that I strongly oppose HB 228 & 1685. This bill allows an inadequate method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. In the past, these inferior methods have tried to be used and inevitably they went back to using certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides. Also with the ever increasing diversity of the population all the different accents and dialects are extremely hard to decipher and understand on recordings. Past failure of these methods makes it known that this will lead to continued problems and result in inaccurate transcripts to be used in court.

Willie Cochran, Ms.
Self- scopist and educator.
La Porte, TX

Please vote against this. I am a certified scopist and have dealt with recorded trials. They are hard to scope when a court reporter is not involved.! There needs to be a court reporter in the courtroom to administer the proceedings. They can tell someone to speak up and slow down and not talk over each other. A recording can not do that. Please vote against this bill. Thank you!

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Michelle Williamson, Official Court Reporter
Self / Official Court Reporter 345th District Court of Travis County, Texas
Austin, TX

To The House Committee On Judiciary & Civil Jurisprudence:

My name is Michelle Williamson, and I am in opposition to proposed House Bill 228 and House Bill 1685. I have been proud to be a Texas Certified Shorthand Reporter since 1991, and am currently the Official Court Reporter for the 345th Judicial District Court in Travis County, Texas.

HB 228 and HB 1685 would allow the inferior method of producing an uncertified court record by means of electronic recording, as well as giving Commissioner's Courts in the State of Texas the power to choose whether to have a Texas Certified Shorthand Reporter or some version of electronic recording.

Texas CSRs have worked tirelessly to end the shortage of Texas CSRs by the passage of both the Apprentice and Provisional licenses, as well as increasing the number of court reporting schools, thus having more students currently in training to become Texas CSRs, passing the Texas CSR exam, and becoming licensed statewide.

The experience and expertise of a licensed Texas CSR is what the citizens of Texas deserve, when faced with any criminal or civil matter that may bring them into a courtroom. Texas CSRs are highly-trained, licensed by the Supreme Court of Texas, and are required to follow strict guidelines, rules, and regulations as set out by the Government Code in order to ensure an accurate and verbatim reproduction of the proceedings.

ER has proven to be an unreliable means of producing a complete and accurate record of proceedings by allowing untrained and uncertified individuals to be accountable for the official record, any exhibits admitted, and leaves counties monetarily responsible for retrials, missing or inaudible recordings, poor quality transcripts, not to mention required maintenance and additional personnel required to perform just the bare minimum of the many functions that a Texas CSR provides day in and day out.

The decision of hiring and/or firing of court staff should be left to the knowledgeable judiciary of our state, to the judges of the courts who were elected and/or appointed for those courts who have the knowledge and education to be making those important decisions for their own courtrooms.

Please, vote AGAINST HB 228 and HB 1685!

Respectfully yours,

Michelle Williamson

James Thornell
self Firefighter/Paramedic
Forney, TX

As a firefighter/paramedic I understand the importance of documentation. I also understand how difficult it can be to reproduce an event based on a recording of radio traffic or other communications. Allowing recording devices to report proceedings before the courts could possibly cause misunderstandings of what actually takes place during proceedings. It sounds like a great idea on the surface, but the reality of the situation is that to provide a proper recording there would have to be a sound technician overseeing all of the microphones in the room and someone to remind the parties to speak into the microphones and speak clearly.

Stephanie Barajas, CSR
Self, certified shorthand reporter
San Antonio, TX

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My name is Stephanie Barajas, and I am a Texas certified shorthand reporter. I strongly oppose HB 228. This bill will allow for inferior methods of reporting court procedures. Allowing untrained, uncertified individuals to record court proceedings has proved to be disastrous in the past. Courts were forced to deal with missing or inaudible records, poor quality transcripts, and retrials due to missing digital records. Many courts that have tried to utilize electronic recording have had to switch back to certified shorthand reporters. In addition to all of these problems, courts will also be forced to deal with the unexpected costs for maintenance of electronic equipment and additional personnel. A certified shorthand reporter will provide all of these services on their own with higher accuracy and quality.

I urge you, please, to vote against HB 228 to protect the rights of Texans. Thank you for your attention to this matter.

Stephanie Barajas, CSR
Official Court Reporter, CC2
(210) 416-8660
s.barajas@bexar.org

Viviana Figueroa
Self - Court Reporter
Grand Prairie, TX

I oppose this bill. This bill would allow any uncertified, unregulated, untrained individual with any recording device to replace the trained, educated, certified court reporter in the court system. This could result in cases being thrown out because an "operator" forgot to hit record. This method is also subject to manipulation resulting in a deepfake recording. I strongly oppose this bill.

Katelyn Voigt
self - student
Carrollton, TX

Hello,
My name is Katelyn and I oppose HB 228. I oppose this bill because it allows inferior methods of reporting court procedures by letting uncertified and untrained people to record court proceedings. In the past many courts have used electronic recording and then ended up going back certified court reporters after they had several problems. These problems included complaints of the quality of the transcripts, missing or inaudible recordings, retrials of cases because the digital recordings were lost, and the unexpected costs of maintenance as well as additional personnel who were required to perform all the functions that a certified court reporter provides anyway.

Please vote against HB 228 to safeguard the rights of Texas residents. I appreciate your attention to this matter.

Allen Taylor
Self
Blue Ridge, TX

Being one of your constituents, I would like to make you aware of my opposition to HB 288. An electronic recorder cannot keep an accurate record. Thank you for your time.

Allen Taylor
Self
Blue Ridge, TX

Being one of your constituents, I would like to make you aware of my opposition to HB 228. An electronic recorder cannot keep
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an accurate record. Thank you for your time.

Jeff Miller, Policy Specialist
Disability Rights Texas
Austin, TX

Court reporters are a crucial component to creating a useful record and provide advantages that, despite rapid improvements in technology, audio tapes or other digital methods of recording hearings cannot deliver. These advantages include real time read back of testimony from the transcript, the court reporter's ability to ask a party or witness to repeat or clarify themselves, as well as their ability to remind the parties or witnesses to talk one at a time in order to properly record everyone's comments, questions, or testimony. However, the ultimate issue is not whether technology can outperform traditional court reporters, but rather which method will result in the most effective hearing consistent with due process. Official shorthand court reporters provide superior opportunities for meaningful appellate review, while common problems with audio records result in the waste of both appellate and lower court time and resources.

While "due process does not 'require[] a verbatim transcript of [an] entire proceeding[],' [citation omitted] the United States Supreme Court has held that an appellate 'counsel's duty cannot be discharged unless he has a transcript of the testimony and evidence presented by the defendant and also the court's charge to the jury, as well as the testimony and evidence presented by the prosecution.'" State v. Hobbs, 660 S.E.2d 168, 170 (N.C. App.—2008) quoting Hardy v. U.S., 375 U.S. 277, 282 (1964). Unfortunately, non-stenographic recordings all too often result in incomplete transcripts.

Where an appellate court is unable to enhance a non-stenographic recording or find documentary grounds upon which to rule, appellate courts are forced to turn to lower courts for duplicative hearings to reconstruct or retry cases. In Texas, several courts have remanded cases for new trials based upon incomplete records resulting from reliance on audio or video recordings. See e.g., Mendoza v. State, 439 S.W.3d 564 (Tex. Ct. App.—Amarillo 2014) ; In re G.M.S., 991 S.W.2d 923 (Tex. App.—Fort Worth, 1999).

Duplicative retrials waste judicial resources as well as the resources of court staff, attorneys, and witnesses. Thus, hearings should be recorded by official stenographic court reporters as opposed to digital methods in order to create the fairest, most accurate, and most expedient record for those facing civil commitment. Audio taped records provide too many opportunities for mishap. Audio taping hearings may seem more efficient upfront, but cannot provide the same advantages of a human presence creating the record in real time. These advantages ultimately save time and resources for counsel and the court. Official stenographic court reporters should therefore be present for hearings.

Thank you for the opportunity to provide these comments on behalf of Disability Rights Texas. For more information, please contact Jeff Miller at jmiller@drtx.org or (512) 454-4816.

Elizabeth Murphy
Self/Official Court Reporter
Lufkin, TX

My name is Elizabeth Murphy. I am opposed to HB 228. I have been a Texas Certified Shorthand Reporter since 1991. I devoted much time developing the skill set to become a shorthand reporter. I will always take great pride in my profession, a profession synonymous with the courtroom. The use of electronic recording devices in lieu of certified shorthand reporters is simply financially driven and, if allowed, will result in an ultimate inferior legal process. The counties desiring to do this have official court reporters' salaries set barely above the new proposed minimum wage. Please do not allow this long-standing, respected profession to be replaced by electronic recording devices. Thank you.

Teresa Ward, Certified Shorthand Reporter
Self, Certified Texas Steno machine court reporter
Aubrey, TX

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My name is Teresa Ward, and I am a Texas certified shorthand reporter in the 235th District Court, Cooke County, north of Denton and Dallas Counties. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings.

I personally have had to transcribe audio tapes for attorneys in the past. There are many places where the rustling of papers near a microphone covers what's said and creates inaudibles. In heated cross-examinations, attorneys tend to talk over each other, or the witness is too weak to hear. Without a court reporter to say, I can't hear or one at a time, a lot of the conversation is in overlap mode and unable to decipher.

Also, many times the recording was blank and not that issue was not discovered until weeks after the hearing was over. Also, now I am an official reporter in a courtroom. I personally see transcripts typed up from tapes by untrained typists with a lot of "inaudible" comments inserted in critical areas of testimony. We need to keep certified stenographic reporters in these positions to maintain the high caliber of the records.

Respectfully request that you please vote against HB 228/1685 to safeguard the rights of Texas residents and the making of the record. Thank you for your time and consideration to this matter.

Paul Ingram

Self - Spouse of Executive Director of Texas Court Reporters Association

Larue, TX

My name is Paul Ingram and I am in opposition to proposed House Bill 228. My wife, Brooke, has been the Executive Director of Texas Court Reporters Association and by that experience, I have learned the vital role that court reporters play in the judicial system.

HB 228 would allow the inferior method of producing an uncertified court record by means of electronic recording, as well as giving Commissioner's Courts in the State of Texas the power to choose whether to have a Texas Certified Shorthand Reporter or some version of electronic recording, and removing the power to choose from our Judiciary.

Texas CSRs have worked tirelessly to end the shortage of Texas CSRs by the passage of both the Apprentice and Provisional licenses, as well as increasing the number of court reporting schools, thus having more students currently in training to become Texas CSRs, passing the Texas CSR exam, and becoming licensed statewide.

The experience and expertise of a licensed Texas CSR is what the citizens of Texas deserve, when faced with any criminal or civil matter that brings them into a courtroom. Texas CSRs are highly-trained, licensed by the Supreme Court of Texas, and are required to follow strict guidelines, rules, and regulations, as set out by the Government Code, ensuring an accurate and verbatim reproduction of the proceedings. I provide all of my own equipment, as well as provide real-time transcription during all of our court hearings live for my Judge.

ER has proven to be an unreliable means of producing a complete and accurate record of proceedings, by allowing untrained and uncertified individuals to be accountable for the official record, any exhibits admitted, and leaves counties monetarily responsible for retrials, missing or inaudible recordings, poor quality transcripts, not to mention required maintenance, and additional personnel required to perform the functions a Texas CSR provides.

Commissioner's Courts usually consist of business leaders from their communities, who have no legal background or knowledge in judicial matters. The hiring and/or firing of court staff should be left to the knowledgeable judiciary of our state, and to the Judge of the court, who was elected and/or appointed for that court and has the knowledge and education to be making those decisions for their own courtroom, not moved into the hands of Commissioner's Courts for the individual counties to decide.

Please, vote AGAINST HB 228!

Respectfully yours,
Paul Ingram

Kimberly Julian

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self - court reporter

Midland, TX

My name is Kimberly Julian and I am a Texas certified shorthand reporter. I oppose HB 228/1685 because this bill allows an inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

Please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Sarah Clark

self - Judge County Court at Law Houston County

Crockett, TX

It is essential to the work of the judiciary in Texas that we have Certified Court Reporters for each court to use. An important element to this process is that Judges have the authority to have an Official Court Reporter. This should not be given to the Commissioner's Court to decide whether this is necessary. An Official Record is why we are court's of records unlike municipal courts or justice of the peace courts whose decisions can be appealed for a trial de nova before a court of record. Without a supporting record by an Official Court Reporter all sorts of cases could be remanded for appeal and require the additional expense of new trials. If you consider letting judges decide if they want to use a recording device when they do not have an Official Court Reporter available, then please let that be the individual judges decision not a decision to be made by the Commissioner's Court. I have served in the judiciary since 1999 as County Court at Law in Houston County. An Official Court Reporter with the ability to prepare an Official Record of my proceedings has been and will remain an essential element of my work. I appreciate your time.

Clinton Futrell

self

Keller, TX

My name is Clinton Futrell and I strongly oppose HB 228/1685 because this bill allows a very inferior method of reporting court procedures by allowing uncertified, untrained individuals to record court proceedings. Many courts in the past have utilized electronic recording and went back to certified court reporters after several problems including complaints of quality of transcripts, missing or inaudible recordings, retrials of cases due to lost digital recordings, and unexpected costs of maintenance and additional personnel required to perform all the functions that a certified court reporter provides.

I urge you to please vote against HB 228/1685 to safeguard the rights of Texas residents. Thank you for your attention to this matter.

Rene Moarefi

TEXDRA

Houston, TX

This is a solution without a problem. Are judges and the Supreme Court complaining about the current system of a judge asking the Supreme Court for an exemption? This should stay within the judiciary. The Supreme Court has the infinite wisdom to recognize which courts should have a live, official, certified court reporter versus an uncertified, unofficial digital operator. Also, that operator has no training and no accountability for protecting the integrity of the record. They generally also do not transcribe the proceedings themselves. A typist typically types up the transcript from the audio and can only attest that they typed it up to the best of their ability. There is no one certifying to the accuracy of the record. Even a CSR cannot certify to the accuracy of the

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record if typing it up after the fact from a digital recording. They just become typists/transcriptionists and can only certify that they transcribed it to best of their ability.

Pam Marcinik

self - Certified Shorthand Reporter #2369

Pipe Creek, TX

In opposition of HB 228.

My name is Pam Marcinik and I am an official court reporter who is retired. I live in Bandera County and regularly sub for the official court reporters in Bandera County, Kerr County, and Medina County. The court reporters know that since I'm retired, I'm available when they need me. I've subbed for county court at law judges as well as district judges. I just wanted to stress that there is support to cover the official court reporters in these counties.

I respectfully request that the Committee vote AGAINST HB 228. Thank you for your time.

Pam L. Marcinik

CSR #2369

P.O. Box 63837

Pipe Creek, TX 78063

pam.lynn.marcinik@gmail.com

956.246.3103

David E. Cervantes, Attorney

David E. Cervantes, PC

Crockett, TX

Court reporters are needed. During court proceedings questions at times need to be read back to a witness. This process cannot be quickly and easily done using a recording device without the jury losing track of testimony, nuances of witnesses, and jurors while weighing credibility of witnesses.

Meredith Kennedy, Judge

78th District Court of Wichita County

Wichita Falls, TX

My name is Meredith Kennedy and I am the Judge of the 78th District Court, in Wichita County. I have been made aware of the language of HB 228. I am writing to oppose this legislation. I believe that this bill has the ability to cause significant damage to the legal community, have unexpected consequences, and could cause an increase in the costs incurred by the litigants.

With all due respect to county commissioners, most of whom are not attorneys, their understanding of the inner workings of the courts, and the judicial process, is limited. This bill would allow commissioners to make decisions on how courts are run, how parties may represent their clients, and how judges do their jobs. I truly believe that the unforeseen consequences of this bill will cause substantial damage to the judicial process. Historically; those functions have been exercised by the judicial branch through rules promulgated by the Texas Supreme Court. This allows uniformity across the state.

Court reporters are the only reliable way to ensure that a verbatim record of everything that happens in the courtroom is created. Electronic recordings cannot do that. Court reporters assist trial courts in managing and maintaining the evidence in a fast paced and high stress environment. Electronic recordings cannot do that. Court reporters ensure that judges can focus on the job of listening to testimony, addressing objections, addressing the many legal rules that must be recalled in a split second, maintaining the integrity of the courtroom, and ensuring courtroom security. Electronic recordings cannot do this. I could provide MANY examples of ways that the Official Court Reporter of the 78th District Court assists me in my job and allows me to focus on the many, many things that require my attention in the courtroom.

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Recently, More than one court in my county has been required to re-try a case that was originally tried by an associate judge. The associate judge used an electronic recording. On appeal to the Fort Worth Court of Appeals, the cases were either reversed due to the lack of a record by a certified court reporter or because the recording was inaudible. In one of the cases a child had to remain in foster care much longer, indigent defense costs and trial costs to the county were doubled due to the second trial—an unnecessary and frivolous expenditure of taxpayer funds.

I am opposed to this bill. I would ask that you, and each member of the committee, vote against this bill. If you would like additional information, or have questions, I am happy to assist. You can reach me as follows:

Judge Meredith Kennedy
78th District Court
940-766-8182
Meredith.Kennedy@co.wichita.tx.us

I thank you for allowing me the opportunity to comment on the bill.