

March 18, 2019

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

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

Dear Honorable Justices of the Supreme Court:

Thank you for your commitment to ensuring an accurate record in Wisconsin courtrooms. I have been a court reporter for 1 years and currently work in Barron County as a DAR reporter. I write to convey my personal experiences with digital audio recording (“DAR”) that I believe are relevant as you consider making DAR an official means of taking the verbatim record in Petition 19-01.

I am currently in school for stenograph reporting, but I got hired on as a DAR reporter until I graduate. I write everything on my stenograph machine in court but have the recording for backup since I am not certified.

I appreciate DAR as I move through school, but I do not recommend it as a way to take the record.

There have been multiple incidents where I’ve listened back to the recording and cannot hear because someone is flipping through pages, coughing, bumping the microphone, etc., and I’ve had to rely on my notes. If I didn’t have my steno notes, I would have had to write “(inaudible)” in all of those instances.

There have been times where the DAR glitches and a microphone or two doesn’t come through at all. I once had to prepare a transcript that one of the witnesses was by telephone. When I was listening back, absolutely no sound came through whenever she talked. I relied on my own notes and my own audio whenever the witness talked. A lot of times I find my audio more clear anyways.

Another issue with the DAR is if somebody from the gallery talks, the microphones do not pick it up. A lot of times in cases where foster parents are sitting in the gallery, the judge will ask them how things are going at home. They speak from the gallery, and if they aren’t using our portable microphone, the sound doesn’t come through.

Same thing goes for jury voir dire. When the judge or lawyers are asking jurors question after question, it’s very hard to hear what they say since there is no microphone in the jury box. I have no clue how a regular DAR reporter would be able to make a transcript of that.

We have a very good sound system in Barron County, but I know other courthouses do not. Also I know a lot of courthouses have their microphones flat on the table, whereas our courthouse has the microphones coming up from the table. When they are flat on the table, lawyers tend to set

their planners, folders, papers, etc. right on top of the microphones which covers up any sound to come through.

Also sitting next to the clerk is hard and distracting since they are typing, flipping through pages, using the printer, etc. It's much easier to hear from the court reporter's table.

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

Sincerely,

Laura Fornell
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