

# The Effects of Senate Bill 635 and the cost of a 12 week trial

Testimony submitted to Senate Judiciary Committee March 7, 2013

	<b>CERTIFIED COURT REPORTER</b>	<b>DIGITAL RECORDING</b>
<b>APPEARANCE ONLY</b> (Hourly charge of court reporter to be present) <b>8hrs x \$55/hr=\$440</b> <b>21.66 days per month x 3 months = 65 days</b>	<b>\$28,000</b>	<b>\$0</b>
<b>ORIGINAL</b> (Per page charge for first copy of transcript) <b>\$3.50/pg x 200 pgs per day=\$700</b> <b>\$700 x 65 days</b>	<b>\$45,500</b>	
<b>ORIGINAL</b> (Per page charge for first copy of transcript) <b>\$1.50/pg x 200 pgs per day=\$300</b> <b>\$300 x 65 days</b>		<b>\$19,500</b>
<b>ROUGH DRAFT (unedited copy of testimony)</b> <b>13,000pages x \$1.75/page</b>	<b>\$22,750</b>	
<b>ROUGH DRAFT (unedited copy of testimony)</b> <b>13,000pages x \$.75/page</b>		<b>\$9750</b>
<b>TOTAL</b>	<b>\$96,250</b>	<b>\$29,250</b>

**An additional cost to the state of \$67,000 PER TRIAL**

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# OPPOSING SB 635

- The Oregon Senate, The Oregon House and The United States Supreme Court did away with the stenograph method over a decade ago and updated to digital recording. The Senate and the House are the two most important governing bodies in our state in that they make the laws that guide and protect the public. Are there any problems? Obviously not.
- Not one transcript in all the courtrooms throughout Oregon has had to be redone because of an equipment failure on an aggravated murder case since the judicial department installed the Electronic Recording System in 2000. Not one.
- Should an attorney or defendant wish to have a stenographer for a much higher cost, they are welcome to hire one and can have the court reporters interpretation instead of an actual recording. There is nothing saying that they could not, as an added precaution, hire one on an aggravated murder case. This is entirely by choice and nothing precludes them from exercising this option. It certainly is not something that needs to be mandated by legislature.
- The State has saved millions since the judicial department installed the recording system in all court rooms over a decade ago. This will be a giant steps backward and the state will have to budget approximately \$250,000 annually when there is a serious budget crisis like never before.
- Stenographers are NOT more accurate than a recording. The recording gives you actual testimony, not the court reporters interpretation of the proceedings.
- 70% of Court Rooms in the US use digital recording. It will only be a matter of time when all courtrooms use digital recording. Courtrooms are switching to digital recording and eliminating the stenograph machine in record numbers. For example, California recently decided to eliminate hundreds of stenograph reporters and implemented the digital recording, which is effective as of 2013. Eventually 100% of courtrooms will be electronic recording. The Stenographers have fought it for years, but to no avail.
- This bill is a solution in search of a problem. The proponent of this bill has not brought forth any cases in Oregon where the equipment has failed. It has been in place for over a decade. The stenograph reporters fail to mention all of the cases where the stenographer failed to get the accurate testimony or didn't turn in a transcript and had to be put in jail.
- Trials are costly. Cost for a 6-8 week trial would be substantially higher than what has been estimated. A good estimate is \$6,000-\$8,000 per week. The Turnidge Trial went 9 weeks. That trial alone would have been \$72,000. We also cannot know how many trials there will be in a year. Trials are subject to many variables that would affect length and cost.
- Unfairly promotes only one method of reporting trials. There are many other forms of technology to accurately transcribe proceedings, video, audio recording, voice writing.
- This is nothing more than a turf war and desperate act to protect the stenographers and limit the competition.

# OPPOSING SB 90

- The National Association of Voice Writers (NVRA) has no members residing in Oregon. If there are no voice writers, why do we need legislation to accommodate them?
- The Oregon Court Reporter Association, which was formed over 50 years ago when all that was available was the stenograph machine, only allows membership to a stenograph reporter. They do not allow voice writers in their organization. Why would they sponsor a bill to let voice-writers be involved in the voluntary certification program when they will not even allow them to be members?
- The sponsors of this bill need the support of the voice writers to promote SB 635, which only allows certain methods to report aggravated murder trials. This effectively keeps all the work limited to a very small group and excludes video and digital recording.
- For over a decade a small group of court reporters have attempted to pass some version of SB 635, which will only allow stenograph reporters to court report a murder trial; however, to garner more support in the legislation they have decided to add the voice writers to the voluntary certification even though they will not allow voice writers into the stenograph only association. This bill is truly a turf war bill with the ultimate goal to keep out video and digital recording, which is the wave of the future and is now in 70% of all courtrooms.
- SB 90 is a companion bill to SB 635, which has the ultimate goal of closing the door on any new and current technology in the market place.