

**Testimony before the Senate Judiciary Committee
In support of SB 384
On behalf of the Oregon State Bar Judicial Administration Committee
February 10, 2015**

The Oregon State Bar's Judicial Administration Committee supports the Certified Court Reporter program and Senate Bill 384.

Court reporters have historically been an essential part of the judicial process in Oregon. Having a complete and accurate record of judicial proceedings is important not only to the parties to that proceeding; it is an important means of demonstrating to Oregonians the competence and fairness of the judicial process in Oregon by ensuring transparency in judicial proceedings and facilitating appellate review of judicial decisions.

Although most Oregon courts are now using audio technology to record most court proceedings, having a court reporter present is still valuable in many cases, especially in the most serious criminal cases. Audio recordings are not always reliable. Sound quality is often poor, making it difficult to obtain a complete transcript after the fact, equipment can break, and there is also a risk of human error in operating the equipment. Having a court reporter in the courtroom to supplement any audio recording system is an appropriate and effective method of ensuring that a reliable record of the proceeding is preserved.

Litigants always have the option to pay for the services of a court reporter in their proceedings, but the cost is prohibitive for the majority of litigants. Senate Bill 384 helps ensure that justice is done in the most serious criminal cases by requiring that courts appoint certified shorthand reporters for all aggravated murder proceedings. The number of aggravated murder cases per year in Oregon is modest. But in these cases, defendants face the most serious consequences imposed by the State. These cases are also very often appealed. In these circumstances, it is essential that the court system take all reasonable steps to ensure that a complete and accurate record of the proceedings is created and preserved both to facilitate full and fair appellate review and to promote public confidence in the judicial process. Simply put, the stakes in these cases are simply too high to rely solely on an audio recording system that is subject to error and defect.

For these reasons, the Oregon State Bar Judicial Administration Committee continues to believe that the use of court reporters helps to ensure accuracy and fairness in our judicial proceedings, and encourages the committee to pass Senate Bill 384.