

Hello. I am writing to suggest an easy fix to allow court reporters to work in the state of Oregon during this difficult time with the Coronavirus threat.

CHALLENGE: I am one of the owners of LNS Court Reporting & LNS Captioning, along with Carol Studenmund.

We are facing a challenge in our business with the Coronavirus outbreak, which is causing mass cancellation of deposition settings so that people are not congregated in close proximity to one another. Our court reporters attend pretrial depositions, usually at law firms, and record sworn testimony for use in discovery and as evidence in trials. One of our key duties is administering oaths to the witnesses. We have a solution to keep people working at home during these times by using our webconferencing platform, but we have run into limitations with the restriction of Oregon Notaries Public being prohibited from administering an oath except in person.

CURRENT PARTIAL SOLUTION: While our ***voluntary*** Oregon Certified Shorthand Reporter (CSR) program administered by the State Court Administrator confers the authority to administer an oath and does not prohibit administering of oaths remotely, not all court reporters are CSRs; many are Notaries Public instead, due to a variety of reasons, and they are prohibited from administering an oath other than in the physical presence of the witness. (Here is the link to Oregon's CSR program policies: <https://www.courts.oregon.gov/programs/csr/Pages/default.aspx>)

FULL SOLUTION 1: Many states have a Remote Notary, or Online Notary, provision. Florida, for example, requires Notaries to attend a 2-hour webinar and then complete a test to get this addition to their commission. Not only would this help court reporters by authorizing them to administer an oath over the telephone or videoconference, but it would also allow online Notary acts such as notarizing the signing of legal documents like Wills, Trusts, etc. This could be an additional revenue source for court reporters.

Here is a link to more information about Remote Notaries, including a list of states where this is used: <https://www.nationalnotary.org/notary-bulletin/blog/2018/06/remote-notarization-what-you-need-to-know>

FULL SOLUTION 2: Another solution would be a mandatory CSR for Oregon court reporters, which would eliminate the current need for a court reporter to be Notary Public if they are not a voluntary CSR. Our rules would need to be modified to allow for more reciprocity, like Washington, and other issues would need to be addressed, but it is very workable. In fact, Oregon is surrounded by states that have mandatory certification of court reporters: Washington, Idaho, California, and others. We would be happy to work on this issue, and we could recruit other court reporters willing to work on this project too.

I am sure you are very busy now and are bombarded with requests. And I'm sure you are aware of the situation of trials and legal proceedings being cancelled and postponed, grinding the Oregon courts to a full stop. I would submit that this would be an easy fix to keep the pretrial discovery process rolling, to keep depositions happening remotely, so that lawyers are ready to hit the ground running once we are past this health crisis.

Please feel free to contact me with your questions or concerns, either by this email or calling my office at 503-299-6200. Thank you for your public service, your time reading this request, and for all you do for Oregon.

Best regards,

Robin

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