

May 29, 2013

Dear Legislators:

I am writing to express my concerns regarding what I understand to be a current proposal (items 68 and 69 in the currently proposed budget) to replace the current system of court reporters with either contract personnel or automated electronic systems. As a trial lawyer, I cannot envision a system working better than the one that has existed in our courtrooms during the 20 years I have been practicing. I can, however, envision a multitude of problems that could result from either of the options on the table as I understand them. Those problems would include an inability to have someone promptly read back testimony in the middle of a trial; an inability to get a partial transcript at the end of a day of testimony (which would be used that very evening to write a brief to be handed to the judge the following morning); and a quagmire of issues related to marking exhibits for introduction at trial.

It occurs to me that any savings which might result from adopting either contract personnel or electronic replacements for court reporters would be offset, both financially and logistically, by the expenses resulting from having inexperienced folks creating problems that in turn require enormous amounts of time to cure – during which time the judge, the bailiff, the clerk (not to mention the attorneys and litigants) sit around staring at the walls. I suspect the downtime alone would eat up any anticipated cost reduction.

Accordingly, I would ask that each of you either vote “nay” on the budget currently being proposed, or, in the alternative, remove items 68 and 69 from the current budget.

Thank you for your time and your consideration.

Nat Smith