

Realtime – A Cost-Effective Solution



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In April 2013, NCRA was invited by Judge David A. Nuffer to participate in choosing the most tech-savvy and cost-effective solution for a new 10-floor federal courthouse installation in Salt Lake City, Utah.



Realtime – A Cost-Effective Solution

This was an exciting project for NCRA. Judge Nuffer's impressive biography included serving on the Federal Judicial Center Judges' IT Training Advocacy Group and U.S. Courts Information Technology Advisory Group.



Realtime – A Cost-Effective Solution

When joining the federal bench, Judge Nuffer’s mentor told him, “First and foremost, demand a realtime reporter.”



Realtime – A Cost-Effective Solution

Judge Nuffer wanted to make decisions that were not based on a sales pitch by a vendor.

He decided to partner with NCRA and its Technology Evaluation Committee to make the important decisions regarding the new courthouse realtime installation and the hardware and software required for the most efficient operation of the court. You will hear from Judge Nuffer in just a few moments.



Realtime – A Cost-Effective Solution

Benefits to courts utilizing realtime include:

- **Instant and continuous assurance that the record IS being accurately created.**
- **Judges make better decisions when reviewing testimony before ruling on objections, resulting in fewer appeals.**
- **Multiple personnel can access and process testimony from any location.**
- **Transcript rough drafts are immediately accessible to all participants to better prepare for the next day's testimony, resulting in more efficient use of trial time.**
- **Provides ADA compliance to the hearing-impaired participant.**



Realtime – A Cost-Effective Solution

Solutions we will review today include:

iCVN (Realtime to all devices through the cloud OR local solution. This is what Karen is providing us today on the iPads circulating. Requires app.)

Live Deposition (Realtime to all devices through the cloud OR local solution. Requires app.)

Bridge Mobile (Realtime to all devices through the cloud OR local solution. (No app required.)



Realtime – A Cost-Effective Solution

A brief overview of the Bridge Mobile product by Advantage Software can be accessed at any time by pointing your Internet-connected browser of choice to:

<https://connect.eclipsecat.com>

We will briefly walk through what realtime to all mobile devices can provide your participants.





or



**The Official Court
Reporters Repository**

TRANSCRIPT REPOSITORY

- **What does this mean to the courts?**
 - **The best news** – all costs are borne by the court reporters in this project currently underway.
 - **Accessibility** – transcripts are available 24/7/365 to all persons who have permission rights.

TRANSCRIPT REPOSITORY

- **Searchable** - Fully searchable PDF format (across all transcripts).
- **Security** – Compliant with HIPAA, etc.
- **Confidentiality** – Meets transcript confidentiality standards.
- **Transcripts are valid, authentic, and trusted** - court reporters digitally and electronically sign their transcript while uploading.

TRANSCRIPT REPOSITORY

- **No need for a case management system paid for by the court:**
- Fewer court employees needed to process transcripts, postage, typing proof of service.
- No need to continue cases to obtain a paper file from archives.
- More than one court can view the transcript at the same time.

COST SAVINGS

- **No storage costs** - Paperless environment for delivery and maintenance of transcripts
- **Research cost savings** – Research lawyers, law clerks, etc., have full Boolean search capability, with notes, issue codes, report creation functionality.
- **Organization** – Transcripts are managed and maintained to allow for immediate access.

COST SAVINGS (Cont'd)

- **No scanning of transcripts to create a digital record** – Searchable PDF provided by court reporter.
- **Court reporters bear the costs of the transcript repository** - Court reporters have gone through an extensive due-diligence process to select a vendor that meets all criteria for the paperless environment and are paying the vendor fees directly.

ACCESSIBILITY

- **Accessible to the Court, courtroom clerks, appellate clerks, and litigants:**
- Court reporter files the transcript via the YesLaw transcript generator directly to the “groups” that have permission rights to such transcript.
- The clerk is electronically “stamping” the transcript they have received from the reporter as filed. This action does NOT affect the validity of the digital and electronic signatures.

ACCESSIBILITY (Cont'd)

- Court admin has created passwords for those with permission rights to download.
- Transcripts are “in the cloud” and are accessible by those with permission rights from any computer, whether in the courtroom during trial or from your home office doing research.
- Transcripts may be downloaded from the YesLaw repository to any case-management software.

SEARCHABLE, etc.

- **Fully searchable PDF transcripts:**
- Boolean-type searches across all transcripts in a case or multiple cases.
- Reports can be created of search results.
- Notes can be inserted in transcript.
- Issue codes can be created for cases/transcripts.
- General annotations can be made.

SEARCHABLE, etc.

- PDF condensed transcripts (All Adobe search features available, including Boolean, proximity, numeric range, stemming, synonym, phonic homonym, and fuzzy searches.)
- Hyperlinked word index/concordance is available with PDF transcript.
- Hyperlinking of exhibits – allows for counsel to click on an exhibit reference to view the exhibit on the fly.

SECURITY

- YesLaw Online is a secure, 128-bit encryption when uploaded, while on our servers and on the download.
- Authorized access is tied to the login and password of those that are given permission to access the transcript.
- Security features of YesLaw Online comply with HIPAA regulations.

SECURITY

- *With password protection for all transcripts at all times, it could be argued that it is more secure than a printed transcript sitting on a desktop in the courthouse.*

CONFIDENTIALITY

- **YesLaw Online repository's confidentiality features/protocol are strong and reliable:**
- Sealed transcripts are protected by a user password managed by court admin.
- The title pages of sealed transcripts are searchable to authorized users, but transcript content other than the title page(s) is sealed.

CONFIDENTIALITY

- Confidential transcripts are marked “Confidential” in the header and have a specific mailbox that they are directed to that is designated by the court. Only employees allowed to deal with confidential transcripts have access to the file.

TRANSCRIPT VALIDITY

- **Transcripts are valid, authentic, and trusted** - court reporters digitally and electronically sign their transcript while uploading.
- Each reporter has obtained a digital signature certificate.
- Each reporter has created an electronic signature that is printed on the certification page.



LiveDeposition.com

Streaming Done Right



Lets you stream realtime text, audio, and video to offsite attendees

High Quality Video



Realtime Text

```
Page 1
1 [ DIRECT EXAMINATION ]
2 BY MR. CHICCA:
3 Q. Please state your name for the record?
4 A. My name is John Dooley.
5 Q. Please state your address?
6 A. 4143 White Pine Street, Chicago, Illinois,
7 60334.
8 Q. Please state your Social Security number?
9 A. 803-30-4772.
10 Q. Are you married?
11 A. Yes, sir.
12 Q. How long?
13 A. 25 years.
14 Q. What is your wife's name?
15 A. Mary Jones.
16 Q. Do you have any children?
17 A. Yes, sir.
18 Q. How many?
19 A. A girl.
20 Q. What is her name?
21 A. Mary.
22 Q. Where are you employed?
23 A. I work at Tricor Industries, it is a division of
24 International Association for Financial Planning.
25 Q. Division of what -- wait?

Page 2
1 (Discussion off the record.)
2 BY MR. CHICCA:
3 Q. Sorry, division of what?
4 A. International Association for Financial
5 Planning.
6 Q. And what is your position at Tricor, Mr. Dooley?
7 A. I am the web master.
```

VoIP or Teleconferencing Audio



Audio Status: ON

Users: 1

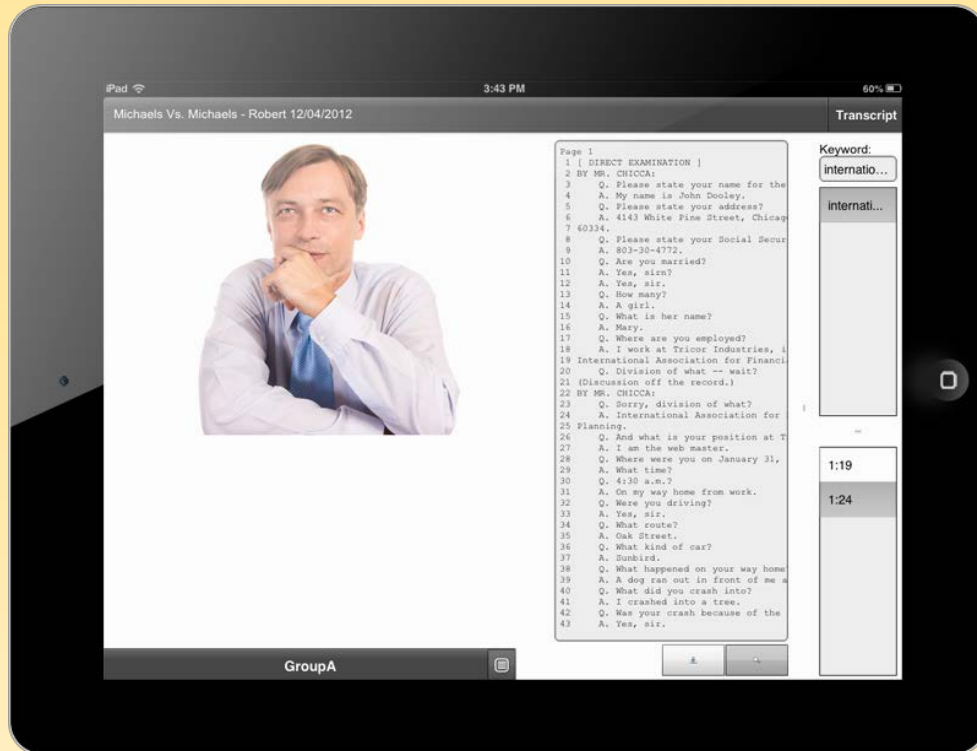
Mary

Chat

BENEFITS:

- ➔ 100 % Web-based solution
- ➔ No software to download
- ➔ Can access from anywhere, at any time
- ➔ Works with PCs, Macs, and mobile devices
- ➔ Private group chat
- ➔ Most secure solution on the market

MOBILE ACCESSIBILITY:



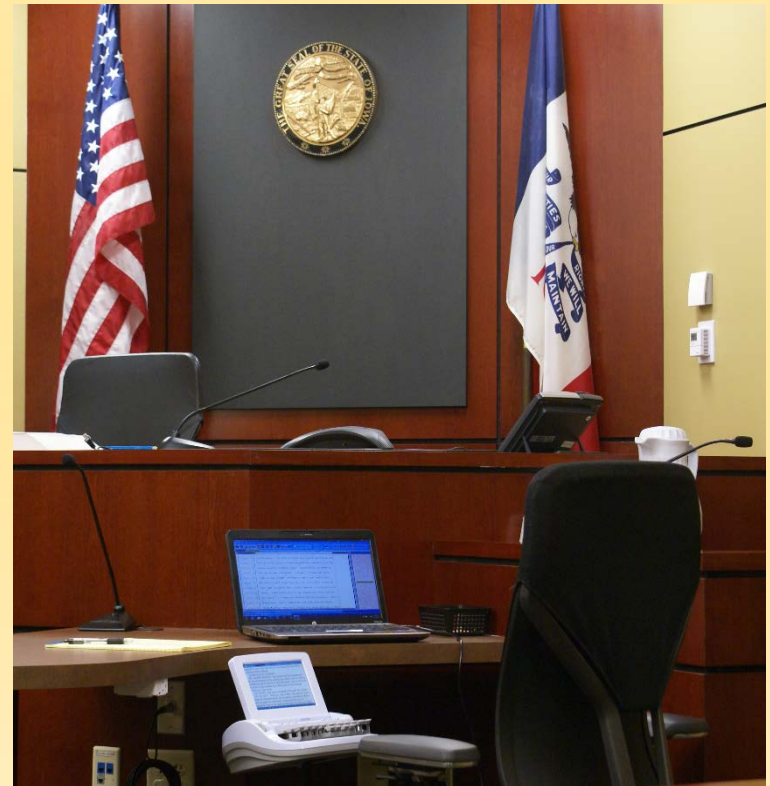
Mobile apps available for iPads, iPhones, Android tablets or Smartphones, and Kindle Fire devices

SECURITY:

- ➔ 128-bit secure socket layer (SSL) encryption – same encryption used by online banks - It would take significantly longer than the age of the universe to crack a 128-bit key
- ➔ Follows ALL HIPPA security requirements
- ➔ Follows Department of Defense Level 3 security requirements

COMMUNICATION ACCESS REALTIME TRANSLATION (CART)

CART – realtime captioning – is the instant translation of speech into English text. A steno CART interpreter provides realtime captioning that satisfies the requirements of the Americans with Disabilities Act.



Realtime Captioning/CART: What is it and Who Uses it?

- Realtime captioning ensures full court access for people who are hard of hearing or deaf. A specially trained CART stenographer interprets speech and environmental sounds and provides a transcript that appears on a computer screen or other display.
- CART services assist:
 - Judges
 - Witnesses
 - Jurors
 - Attorneys
 - Parties
 - Family members

Realtime Captioning/CART: Who Benefits and How?

- CART benefits people with any level of hearing loss when assistive-listening devices and sign language are not effective.
- According to the Hearing Loss Association of America, **48 million Americans (20%) have some degree of hearing loss.**
- CART services can be used in jury assembly rooms, courtrooms, jury deliberation rooms, judges' chambers, mediators' offices, and conference rooms. **Wireless connections** allow CART interpreters to set up in the most convenient locations.

Realtime Captioning/CART: Best Practices

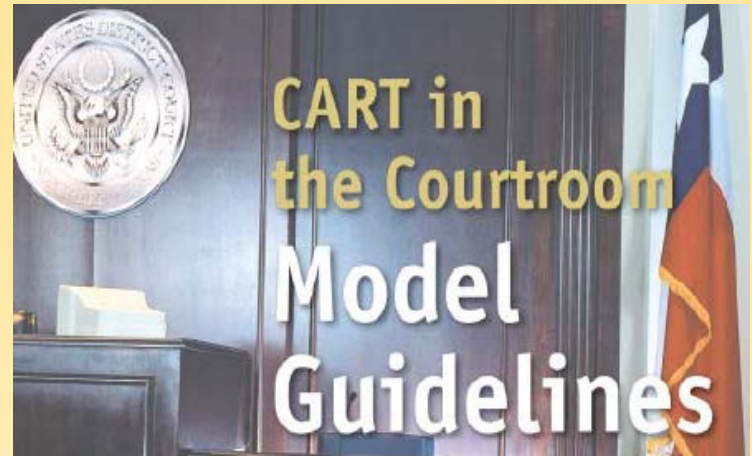
- **Realtime – legal document – verbatim**
 - Official transcript prepared after actual event
 - NCRA Code of Professional Ethics: Official reporter should refrain from working in the dual capacity of court reporter and CART provider

- **Captioning – communication access**
 - As near verbatim as possible
 - Displays the identification, content, and spirit of the speaker and environmental sounds



Policies and Procedures

- Develop and have in place realtime captioning/CART policies before they are needed
- Use general resources as policy models. For example, the National Court Reporters Foundation and the American Judges Foundation have Model Guidelines for the use of CART in the courtroom.



<http://www.ncra.org/Foundation/content.cfm?ItemNumber=10857>

CART – Communication Access

- Examine established protocols in other jurisdictions such as the Kern County, California, Policies and Procedures:

For Judicial Courtroom Assistants

For Judicial Officers

CART stands for Communication Access Realtime Translation and is also referred to as realtime captioning

Your Court
INFORMATION FOR JUDICIAL OFFICERS

An individual who is deaf or hard of hearing will be participating in the matter about to be heard in your courtroom.

A CART interpreter is a realtime translation reporter who acts solely as an interpreter for an individual who is hard of hearing or deaf. The CART interpreter is not the official reporter and does not read back or produce a transcript. CART interpreters will have an oath on file and do not need to be sworn to act as interpreters for each proceeding; however, it should be noted for the record that a CART interpreter who has an oath on file is being used in the proceedings.

Consumers of CART services may include a defendant, witness, juror, attorney, a party to a civil or family law matter, or a family member. Settings may include the jury assembly room, courtroom, jury deliberation room, mediator's office, or conference room. CART benefits individuals who have lost their hearing, either completely or partially, and are not proficient in sign language.

There will be a slight delay that occurs from the time the spoken word is written by the CART interpreter and when the text appears on the consumer's screen. It is helpful if the participants speak a little slower than normal to allow the CART interpreter to accurately translate the spoken word as well as allow the consumer the opportunity to read and comprehend what is taking place.

This service is provided within the requirements of the Americans With Disabilities Act and Evidence Code Section 754. To schedule a CART interpreter, contact the Court Services Coordinator at (Phone Number).

For Consumers

What is a CART Interpreter?

Your Court
INFORMATION FOR JUDICIAL COURTROOM ASSISTANTS

CART stands for Communication Access Realtime Translation and is also referred to as realtime captioning.

A CART interpreter is a realtime translation reporter who acts solely as an interpreter for an individual who is hard of hearing or deaf. The CART interpreter is not the official reporter and does not read back or produce a transcript. CART interpreters will have an oath on file and do not need to be sworn to act as interpreters for each proceeding; however, the judicial officer should note for the record that a CART interpreter who has an oath on file is being used in the proceedings.

Consumers of CART services may include a defendant, witness, juror, attorney, a party to a civil or family law matter, or a family member. Settings may include the jury assembly room, courtroom, jury deliberation room, mediator's office, or conference room. CART benefits individuals who have lost their hearing, either completely or partially, and are not proficient in sign language.

A wireless connection allows the CART interpreter to set up in the most convenient place, taking into consideration the best location to be able to hear the proceedings as well as safety issues. There will be a slight delay that occurs from the time the spoken word is written by the CART interpreter and when the text appears on the consumer's screen.

This service is provided within the requirements of the Americans With Disabilities Act and Evidence Code Section 754. To schedule a CART interpreter, contact the Court Services Coordinator at (Phone Number).



THANK YOU!

There are new technologies that can readily assist people who are hard of hearing or deaf.

Your willingness to evaluate and implement assistive techniques will help ensure that all have equal access to justice.

For more information, contact the National Court Reporters Association. <http://www.ncra.org/>



Questions?

