

Dear Chairman Fuller and Committee Members,

I am writing to ask for your support in voting yes on HB 4329, which would increase the transcript page rate for Michigan's court reporters/court recorders.

I have been a Certified Electronic Reporter (CER) for almost 20 years. I am very passionate about my field. Most any court reporter I have ever met I would say the same about. We recognize that we provide an essential service to the legal field and to our fellow citizens. We are completely cognizant that our work impacts people's lives and livelihoods. I myself am a freelance court reporter. I do not work in the court full-time; rather my mother and I run our own small local court reporting business. We currently provide transcripts for approximately 14 counties in Michigan. I also have a Master's in Community Counseling.

I would like to impart some information regarding why a page-rate increase is of the utmost importance in maintaining the integrity of the legal field:

- **Quality Services to the Public** - It is a well-known fact that when employees feel that they are not being fairly compensated for their hard work after their many years of dedicated service, they most likely will take one of two paths; either move on to a different financially sustainable career, or, the quality of the services they are providing will decrease.
We are finding the first of these to be true, as it is becoming increasingly difficult to find people with the skills necessary to provide the high-quality transcription product our field demands for the compensation which it provides. If this trend continues, eventually the court systems are going to get back logged with transcript requests, which will obstruct justice being imparted to the public, as necessary transcripts will be filed untimely and/or in a substandard fashion. We constantly are turning away requests by fellow CERs who need help transcribing because we have so many to do ourselves.
We have not yet seen the second path come true, but my guess is that if the page rate does not increase at some point, the public and the legal field will be at risk of receiving less than quality transcripts, which could very well be detrimental to the lives and livelihoods of our fellow Michiganders.
- **Increase in Jobs** - If our field received a page-rate increase, it is likely that more people would seek out employment as certified transcriptionists. An increase in jobs, in turn, brings monetary benefits to our state's economy, which, in turn, benefits us all.
- **Funding** - Not every single transcript produced for courts is paid for by counties or the state; *only indigent criminal cases are*. That means the whole realm of civil cases are paid for by the private parties who are suing someone else; these are not at the expense of the counties' and state's coffers.
- **Investment of Time** - There is a misnomer that all we do is push a button and a transcript comes out; nothing could be further from the truth. There is a significant amount of time and energy that is put into producing transcripts. One must be fluent not only in a word processing program, such as Word, but also in the 207 page *Manual for Court Reporters and Recordors* published by SCAO. When you have time, please read the attached, *Narrative Description of Transcript Production*, to more fully understand what goes in to producing a transcript.

There is much more that I would like to share regarding this issue, but these are the principal things I wanted to bring to your attention of why HB 4329 needs to be passed. I love what I do; I am passionate about providing my best work to my fellow citizens. I am very concerned that at some point others and I will be unable to continue this necessary service if the current rate is not increased. Please support HB 4329.

I sincerely thank you for your time and consideration.

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NARRATIVE DESCRIPTION OF TRANSCRIPT PRODUCTION

First, we receive a request. Keep in mind, we are frequently dealing with people who are representing themselves who have myriads of questions, are nervous, scared, upset, et cetera. We listen and guide them to any departments whom they may need to contact. We determine if their request is for an appeal. If so, we prepare and file a reporter's certificate with the appropriate appellate court and the parties involved. We then obtain the audio recordings and the log sheets of the hearing to determine how long the proceedings will be, so as to provide an estimate to the client and to the Court of Appeals. It is not uncommon for one request to have upward of 15 hearing dates. We sift through all of those logs and hearings to obtain an estimate of pages. We again contact the client to see if they now even want the transcripts based on the estimate. If so, we obtain a deposit from the client. The hearings requested are then transcribed.

When transcribing a hearing, we must adhere to the 207 page *Manual for Court Reporters and Recorders* published by SCAO. The *Manual* provides specific and precise formatting intricacies regarding how the transcript must be produced, including, but definitely not limited to: line numbering, page numbering, cross-referencing, what is to be capitalized, what goes on the title page, the table of contents page, how the margins and spacing are to be set up, how colloquy and question/answer sections are to be set up, witness swearing, how to type interpreters who are interpreting testimony, how to set off quotations of law, et cetera. It is no small task to make sure everything in a transcript is in strict compliance with the *Manual*.

The time it takes to transcribe a hearing varies depending on many conditions. When courtrooms only have one or two mics working, or an attorney is standing nowhere near a mic, or if papers are shuffling on a mic, or if people are speaking over each other, or anything that otherwise interferes with a crystal clear audio recording being made, all of these factors extend the time it takes to produce a transcript, and can also affect the quality of the transcript. This less than perfect audio is unfortunately becoming the norm for reasons I won't go into at this time.

Further, we are frequently researching any advanced expert and medical terminology; contacting attorneys to obtain correct spellings of names referred to in a hearing; looking up court rules and statutes to which an attorney is referring and verifying if they are actually quoting it directly, which means it is to be set off with quotation marks as required, or if they are just summarizing.

To give you a rough idea of the time it takes to actually type just the transcript itself, it takes me, a professional who has been doing this for approximately 20 years, six to eight hours to produce a hearing that is approximately two to three hours long; other people take more or less time. Please remember, I am a freelancer. I type all day, every day. Those CERs who are hired by courts are in the courtroom recording these hearings all day, every day. They then are supposed to find time to type their transcripts after their six to nine hours of courtroom time each day, which would in any normal world be considered overtime, for basically pennies on the dollar.

Once a hearing is typed, we then proofread that transcript against the audio to ensure a quality transcript is being provided. The transcript is then printed. The original is filed at court, which per statute must be bound in a clear-cover folder. We provide copies to the parties. If it is an appeal, we must file a notice of filing with the Court of Appeals. We must also then secure any outstanding payment which was not received.

There is not only an investment of time, but also money. Doing all of this requires overhead for computers, internet, paper, toner, printers, covers, postage, rent, utilities, et cetera; all of which is coming out of that current \$2.05 per page. I know I am a freelancer and overhead is to be expected, but there is a trend in many courts to no longer provide their staffed court reporters with paper, toner, covers, even computers.

This is just to give you a general idea, and is not all-inclusive of our duties.