Okay, great. So I think we can get started now. First of all, I just wanted to say thank you so much to everyone for joining live today for Verbit's webinar. We're here to discuss the best practices for remote digital depositions. We're here to get insights from digital court reporting expert, Lisa Dees, who we're very excited to have with us today. My name is Danielle Chazen. I'm the Content Manager here at Verbit, and we know that this is a very trying time for many in the legal industry who are looking to navigate through these times, and so we're really excited to be able to take your questions live today. We will be recording the session, so if, for any reason, you need to jump off at any point, we will be making this available to you on demand. Any questions that we don't get to answer live today, there is a chatbox where you can submit your questions. So we encourage you to do so, and at the last five minutes of the session, we'll be taking those live. If, for some reason, we don't get to answer those, we will be creating a material that will go out after this where we will

aggregate all of the different questions that we do receive to provide you with answers to them. So definitely feel free to submit your questions live. We want this to be as engaging as possible and as helpful for you as possible. So please do so. So with that, I'd love to turn it over to Lisa Dees, who is from JAVS, to quickly introduce herself, followed by Anthony Sirna, who is my colleague from Verbit. So Lisa, we'd love to hear a little bit about you. Well, thanks for having me on this today. I'm really excited to share this information to everyone. My name is Lisa Dees. I work for JAVS. We provide digital audio and video recording solutions for court reporting as well as courtroom integration. You name it, they do it. A little bit about my background: I started as a sonographer, went into the digital reporting arena way too long ago. I've worked for the courts, I've worked for the private sector, and now I get to lend that expertise to software development. Tony? Oh, Lisa, thank you very much. Hi, I'm Tony Sirna.

I'm a Customer Success Manager here at Verbit. Prior to Verbit, I spent about 10 years working on legal technology on the law firm side, but currently here at Verbit, I manage our accounts for the court reporting agencies. Thank you, Lisa. Thank you. Next slide. So I'm just going to kick it off, Lisa, and to everybody in the audience, thank you so much for joining us particularly at this time, which is proving very challenging for everybody in the industry and elsewhere. The real question right now is, what is the market need for remote deposition? I think the urgency of that is starting to increase as we've all been impacted greatly by the current COVID situation, particularly with the closing of courts, the suspension of procedures, and particularly what we're seeing across the board are a reduction in depositions, obviously, as we all have to social distance. So there's a lot of postponement going on, there's delays in legal proceedings, and I know myself personally from

my own customer base here at Verbit, we've been getting a lot of questions about, what do you think is going to happen in the market, what are the other options available whether it comes to remote deposition, there's of course, live stenographic remote proceedings that are happening as well, and when do you think it's going to change? So the impetus for this presentation really came out of those conversations. Next slide, please. What we basically see are options that already exist. So not much of this is unknown to many people on this call or even ourselves. The unknown is really what will the uptake be. Will attorneys start using this more? Will courts allow certain remote procedures? There's a lot of questions that go behind that procedurally and for reasons of jurisprudence, but let's just look at basic work of court reporting agencies around deposition. So what I'm hearing and what I'm seeing is the options are for the standard video conferencing doing that remote, nobody in the same room. We're going to call that remote digital deposition.

Remote court appearances,

we're not going to address as much here. Lisa, obviously, JAVS has a big presence in courthouses themselves. She may be able to get into that a little more. But I have seen some anecdotal information from clients about remote court appearances, particularly for priority 1 type cases, appeals, hearings, and also remote reporting. So this presentation, appreciate Lisa being here with JAVS to give you the basics of not only what you need to conduct a deposition remotely, for example, but what are the procedures you need to know and some of those unexpected pieces of information that you may not know, so very simply, Internet bandwidth. So with that, Lisa, we'll go to the next slide. I guess the question from you, Lisa, is, can they do this digitally? You say, absolutely because you guys do it all the time. We do do it all the time. Reporting remote appearances such as these, not totally a stranger to our industry. They've been being conducted for a while. In my experience, most initial appearances, for example, are done via video, through courthouses. You've got a judge in one location and they're video conferenced into the jail to minimize having to transport prisoners back and forth. So I guess the first thing we need to know is, how do I get ready to conduct a remote appearance. Again, this stuff will apply to depositions as well as court appearances. If you're going to be doing court appearances, you need to adhere to the rules of your court. They're not all going to be doing them the same, and it's easier just right now to focus on the depositions. Very good. Go ahead, Lisa, I'm sorry. So what we'll need to get started is you need a recording software. Of course, I recommend Notewise by JAVS. You will need some type of a video conferencing platform. For the purpose of this presentation, we're going to be talking about Zoom. Zoom seems to be the most popular in the legal community right now. I know there have been some publications and there's been some talk about security issues. I'm pretty confident that they've gotten them worked out, and as we go through the presentation, we'll talk to you about

best practices to avoid some of those issues. You'll need an Internet connection. You'll need a laptop or a desktop computer, only one. You'll need some external speakers along with the built-in speakers for your laptop or your desktop computer, and you'll need a mutable microphone. We'll discuss in a little bit why you need a mutable microphone, and, of course, a webcam. Avoid trying to grab an old webcam that's sitting in your desk drawer somewhere. The older ones don't quite have the clarity that the newer ones do. Choose an HD camera if you can find one. Tony, I think you're muted. That's my fault, my bad. So Lisa, you're going to cover now what you need to have to conduct a deposition remotely and get into the technology. So as part of that, can you tell us a little more about the absolute must haves for moving forward from a technology perspective? Absolutely. So the first thing I want to talk about is the Internet connection because it's probably one of the most important pieces of this puzzle. Absolute must, if possible,

is use a wired connection.

If you're using a wireless connection in your house,

it's subject to a lot of interference,

it's subject to other people in your home using it.

A wired connection is always going to be

your best recommendation and

it's going to be your safest recommendation.

You want a broadband wired or wireless, 3G or 4G/LTE.

If you cannot use

a wired connection and you have to use a Wi-Fi,

try and use a router that you set up that is

specifically and solely for your connection.

With kids homeschooling now,

with everybody being stuck at home,

we're all sharing that Wi-Fi router.

They're streaming videos, they're

connecting to classrooms remotely,

so if you can set up a second Wi-Fi router, do it.

They're easy to set up,

they come with simple instructions,

and just make sure not to share

the information with anyone; that one's yours.

You will want a bandwidth of

2.5 megabits per second up/down.

If you're going to be recording video,

you may want something a little more

than that, but this is a bare minimum.

You can always do a check if you need to by going, do a Google search for free Internet speed check. First one that'll come up is usually Ookla, it's O-O-K-L-A, and you hit the Test button and it'll tell you what your connection speed is. Next, you're going to need a laptop or a desktop computer. You need Windows IE, Edge, Chrome, or Firefox browser. I personally use Chrome for everything. I find it to be the safest. I also find it to be the most consistent. Now, I caution you that this is going to be absolute bare minimum for your computer. This is one of those cases where more is definitely better. But at a bare minimum, you need a dual core 2.2 gigahertz or higher, i3, i5, i7, or AMD equivalent processor. Now, if you're using Zoom, you can go to the Zoom website. They'll give you recommendations. If you're using GoToMeeting, or Skype, or some other platform, I suggest that you go and find out what their minimum recommendations are. but this is a bare minimum.

You'll want four gigabytes or more of RAM. You'll want a screen resolution of 1920 x 1080. For me, probably, the most important part, you'll need dual monitors. You'll want to put your recording software on one monitor and your Internet connection on another monitor. If you try to use one monitor, you end up tiling them over the top of each other. You should have a nice, clear, comfortable view of both of them. Thank you, Lisa. Your camera. I mentioned this earlier. The built-in webcam that comes in a laptop is usually just fine. You can do a test, connect to Zoom, and you can do a test and see what everybody else is going to see as far as the clarity of your camera. If at all possible, again, I recommend using an HD camera. It's not going to really add to your bandwidth anymore, but it is going to give you a much clearer image. Speakers and microphones. Now, this is interesting, and this may be unique to JAVS. I can't speak on anybody else,

but we suggest that you have your built-in speaker and also have an external speaker. This will be connected via Bluetooth or USB. Here's why. Confidence monitoring is probably one of the most important things that we do as a digital reporter. It allows us to listen to the audio after it's been written to disk. That's how we get the confidence of the audio quality is the quality we need for the transcription team. So I can uniquely tell Notewise what speaker I want to monitor for my confidence monitoring. I'm going to choose to do that through a set of headphones, just like I would in person. Yet, I'm going to want to listen to the live audio from the Zoom video conference and I will send that to my USB or Bluetooth speaker. So to me, it's going to be exactly how it is when I'm sitting in the room with them. You will also want a mutable microphone. I know our laptops come with a built-in mic and some of our webcams come with a built-in mic, but you actually want a microphone that has a mute button on it.

Here's why. I can actually share that microphone between the Zoom video conferencing platform and the Notewise recording software. So there's something that we talk about or you hear talked about when referencing video conferencing platforms and that's the near sound and the far sound. So right now, I am the near sound. It's coming into my microphone and it's going out. The far sound is everybody else and it's the sound that's coming into my computer. Well, Notewise is going to record that far sound directly from inside the computer without the need of having to play it on a speaker and then put a microphone up to a speaker, which could be very sloppy. But it's not going to inherently record the near sound, which is my microphone. Even though I'm the reporter, I am going to be speaking. So Notewise actually can take my near sound and the far sound and mix them together, and we'll see that later when we look at the configuration. But if I need to mute myself, which I should be muted.

every speaker should be muted if they're not actively speaking, I can mute it at the mic level. which is going to mute it to both the Zoom and the Notewise application. Tony, I think you're muted. I've got to stop muting myself. My apology, everybody. Lisa, this next section is interesting on the settings for the remote deposition, both with a Zoom-type application and with JAVS itself, particularly in light of what you and I were talking about over this weekend as we discussed it with some of the recent press releases on Zoom. So I think this is a very poignant piece of the presentation because even though it's a minor aspect of what has to be done, it's very critical. So can you tell us a little more about what you're recommending baseline settings to be for both Zoom and then obviously with JAVS? It is a perfect thing to talk about. So I'm sure most of us have seen the articles out about, I think they called it "Zoom-bombing", where people were joining

other people's video conferencing and doing some obscene things. It's just like anything else. It's security. I got an update this weekend from my Zoom conferencing platform, which included two changes, and everyone should be aware of them. Before you could send out an invitation and you did not have to include a password for members to join that meeting. It is now automatic. When you send out an invitation, the password is there. The other thing that Zoom has done has an engaged waiting room. It's what they call waiting room, which means that all participants get put into a waiting room and you have to physically invite them into the call. So those two added layers of security there, they've always been there. They're just forcing us to use them right now. There are some settings. Did I go a slide ahead? No. Let's talk about Notewise for a minute. There are four settings unique to

Notewise that are going to allow us to properly record this video conference. The first is to select our audio device. Now, we're going to actually select our microphone, the mutable microphone we have attached. When we select our audio device. Another option is going to pop up that says, "Do you want to include the PC Audio?" The PC Audio, in this case, would be the Zoom conference meeting. So I'm going to check that box and that's what is going to allow Notewise to mix my microphone in with the Zoom meeting and I'll have a recording as if we were all together. You're going to also want to select where you want the sound for your playback and where you want your confidence monitoring to go. So Notewise allows us to select two different sources for that. We may still be asked to do a playback, even though we're doing a video conference depo. So what I can do is select the playback to be my USB speaker. During the playback, that's where the sound is going to come out.

I will ask everybody else to mute their mics so that I know that they can properly hear it, and it's going to be picked up from my microphone. Confidence monitoring, like we spoke about earlier, I'm going to send that to my onboard sound card. That's going to allow me to plug in a set of headphones or earbuds and still do my confidence monitoring while I'm recording. For Zoom, there are a few settings that I recommend, and Tony and I had talked about this this weekend. I'm sharing with you what I think are the best practices. They are not the only practices. But given a lot of study and research on this and putting it into practical applications, these are what I personally have come up with as best practices and settings in Zoom. So in the video settings, there's an option to always show participant's name. So you're going to have your thumbnails of everybody's video image and it's going to have their name across the bottom of it. Where does it get this name? When they log in for the conference, it requires them to put their name.

Great for us for identifying people that maybe we're not

the most familiar with. Audio settings, we're going to direct Zoom to go to our USB or Bluetooth attached speaker. Screen share, side-by-side mode. This is one that I recommend for the sole reason if somebody is going to do a screen share, this way you are capturing the video of the person who's doing the screen share and their screen share at the same time. Remember, we can also and should be recording the video with this as well as the audio. Virtual background, everybody goes back and forth on it. You can see my background right now. I had to clean up a lot of personal things to get out of the view here. I don't recommend using the virtual background. You don't want to tamper with the record, so to speak. So this is where I am, it's being recorded, but I do recommend clean up that background. Recordings, so Zoom actually will record your video conferences as well most, if not all, of the other platforms out there. In the world of digital reporting,

we always talk about having a primary recording and a backup recording, the redundancy. The Zoom recording in this situation fulfills that need to have the backup recording or a redundant recording. But you're going to need to tell Zoom where you want it to go. If you purchase enough Cloud Storage through Zoom, it could record directly there. I personally just recorded mine to my desktop and saved in there, but you need to tell it where to save the files too. You're muted, Tony. I unmuted again, I'm sorry. Having a wonderful track record here. You've covered the basics of the technology, the hardware, the settings, but then we come into the actual execution of the deposition remote. So in these next few sections. you're going to be speaking about questions about exhibits, questions about things like stipulation, and what needs to happen, and what you're seeing. So I think this is very important because I'm actually getting these same questions,

obviously, from our customer base here. I had a call the other day with a customer who was wondering if we can get some information on how our other customers are handling exhibits, which we were able to answer. So can you just give us, the next few questions you'll obviously be going through, just your best practices here and what really needs to happen to make sure they're successful? Absolutely. So probably the number 1 question I'm asked, if not the first question from everybody that I talk to about this, has to do with exhibits. How do we handle exhibits? First thing I'm going to say is get this settled before you get on the conference call. Get it resolved at the time that the attorney or the court is setting up with you to schedule the video appearance. Decide who's going to be presenting the exhibits and how. So there are a few ways that have been in practice. I'm not a fan of all of them, but I think it's worth covering.

One is, they're saying that they scan the exhibits

in and e-mail them to the court reporter, and the court reporter does a screen share or the attorney keeps them and does a screen share. I don't know that I recommend this as much because if I am the deponent and I am appearing via my phone, I can't resize the screen share. So I'm stuck seeing what is being presented to me through the conference platform, and I may not be able to enlarge it to read it. Another way that I'm seeing is that they're e-mailing, they're scanning the exhibits in and e-mailing them to everyone. Although I get it, I wouldn't recommend it because, as the attorney, I may have 30 exhibits that I'm prepared to present, but I may only present half of them. So there's no need to e-mail exhibits to participants that aren't even going to be presented. The way I like the best is through the chat window on the video conferencing platform. It's for the attorney to scan in the exhibits. The exhibits can be digitally marked. There are all kinds of programs available. I think the cheapest one I saw is \$49.95, and it will actually put in a digital exhibit sticker on the document.

Share the link, upload it to a shareable drive. When you're ready to present an exhibit, the attorney will share a link in the chat section to everyone, everybody clicks on the link, opens up the exhibit, now you're opening a PDF version of the exhibit. So if you are calling in from a phone, you can actually resize it, you can move it around so it's more of a workable file format at that point. But remember, decide this ahead of time. Decide if the attorneys are going to mark the exhibits, decide if the reporter is going to mark the exhibits. I can't stress enough how important it is to decide that ahead of time. Lisa, what was the name, again, because you and I spoke about it, the software you were talking about that was modestly priced at about \$50? Do you remember the name? You know what, I'd have to look that up again. It has escaped me at the moment, but I can definitely provide that information for the publication. Okay. I remember we wrote the name down, but I'll try to look it up as well, but we'll get it to everybody. Thank you.

Okay. Great. So the first thing that I always do when I walk into a proceeding is I ask everybody for their business cards. We're doing these via video now, so we really need to be cognizant of the fact that we're going to have to change how we do things. The best way to handle this type of information gathering is to do it at the time of scheduling. So let's get used to, once a deposition or the proceeding is scheduled, to get everybody's name, address, phone number, and e-mail address. Determine how the exhibits are going to be handled at the time of scheduling, and then get ready to schedule it. Who's going to schedule it? Are you working for a firm that's going to handle it? Is the reporter themselves handling it? Remember, big notations here, use a password. I'm not as familiar with other platforms. I know Zoom is forcing the password now. If, for some reason, you're using a platform that is not forcing a password, use a password. It's going to protect the security of your video conference.

Utilize that waiting room. What the waiting room actually means is that everybody's going to join, and they're going to be put on a virtual hold or a holding pattern, and then as they join, you can select who comes into the meeting. You got it, no? Okay, Lisa. So now, this section is going to get into conducting the deposition remotely, so we're looking forward to hearing your advice on that as well. Some states, some locations require you to do what's called a read on. It's a blurb that you put on the record before everybody starts. Make sure that if you're required to do a read on, that you modify it to include the fact that you're doing this with a video conference. Have a modified version of the oath prepared. I think one that I threw together quickly, "Do you solemnly swear or affirm that the testimony you are about to give remotely will be the truth, the whole truth, and nothing but the truth?"

But you definitely want something on record that you're

conducting this proceeding via a video conference, and get the attorneys on there to stipulate that they agree to do it. It may not be required, but it's one of those things that it doesn't hurt to have on record. Remind everybody to speak one at a time. Sometimes there are delays, and we tend to talk over the top of each other, so just remind everybody the importance of speaking one at a time. Remember to mute your microphone during questioning if you're not the one speaking. Then, of course, you may need to be prepared to remind them to put their mic back on. Another thing, best practices. I'm finding more and more that people are calling in for the audio part of the call with a separate telephone, could be a landline, could be your cell phone, rather than using the audio through the video conferencing platform. Sometimes, you will see hiccups, delays, screens freeze if somebody's using inappropriate bandwidth, but that can all be eliminated on the audio portion

of it if everybody calls in via telephone. If you're confident with your Internet connection, don't worry about it, but if you're questioning whether it's going to be strong enough to handle the whole meeting, call in on your cell phone for the audio. Something unique to do in our video depositions, I would recommend that you ask for proof of identity from the witness or from the deponent. Simply a photo ID, they can hold it up to the screen, and then, again, ask the attorneys to stipulate that this person is who they say that they are. Thank you for that information, Lisa. This is coming up to the end of the formal presentation. There were a couple of questions we have, but we put the slide in there as basically trying to understand how JAVS and Verbit as two separate technology providers, one transcription, one digital capture,

So I think it's pretty simple.

can work in the transcription process.

Danielle, if you can go to the next slide or Lisa.

It's really not that different than how Verbit

or JAVS works with other transcription softwares today.

JAVS handles the remote capture of the preceding or the digital capture of the proceeding. Verbit handles the transcription post-capture. It's as simple as uploading the JAVS file. We do support the M4A file, which JAVS outputs that has multichannel because we can't support multiple channels that JAVS outputs. Also, in standard MP3 as well and other formats. They're independent in steps in the sense that JAVS precedes what you would do with Verbit. At least when I talked about this, we do recommend to utilize the multichannel feature in terms of the mixdown and upload to the M4A. It helps us with the transcription and allows us to fade in and out channels. In addition to that, we also support the upload of main and backup audios. So we have clients that are actually doing different ways of doing backups for remote depositions. But we would be able to support both the JAVS main, upload file, and then a secondary or a third backup file that our transcriptionists would then use. Next slide, please. This is

just a very quick overview of the Verbit flow. Once the audio is captured, for some who aren't familiar with it. the file is simply uploaded, there are certain properties attached to it. We do have what we call profiles. These profiles are designed very specifically for our customers' deposition styles or hearing styles, and also the templates they use, we call them transcript templates, which a hearing may differ than a deposition, and in particular, with different states. It goes through the initial ASR draft, and then from there, it goes to the editing level with two humans, and then from that perspective, the files are posted on the Verbit platform and are available for download. So it's a very simple process, it's a very seamless process. We work with the audio as we work with other audio with the job system. We have the benefit of the multichannel and the M4A support. So it's a very seamless process and very simple to use. Thank you, Lisa. So at this point, we had a few questions.

Some of these, we may be able to answer now, others we will try to get to. Lisa, I had an interesting question that popped up, and I don't know if you can answer it now, but I thought it was very interesting. The gist of it is essentially, it's okay sharing exhibits, but what happens if some of those exhibits are proprietary in nature around intellectual property? In this particular example, the individual attendee gives us a source code document. Do you know of any way that you can prevent that, for instance, a source code, screen capture, or some way of protecting that if it is entered and shared visually at this point? If not, we can research it, but I thought it's a very interesting question. I saw that question come in, and I've been sitting here racking my brains on it. I know you can password protect these, do read-only on it because they're PDFs. So you can add layers of security to a PDF document, if they're clicking on a link, they're opening something, they're not downloading it. But I don't know what keeps them from doing a screen capture, and I'd love to have an opportunity

to reach out to some IT professional and see if we can come up with a solution for it. Absolutely. For the attendee who asked that question, we'll absolutely try to give you our best answer on that. We'll ask some of our technical people on both sides as well if we can do that. Thank you, Lisa. Another question that came out. Let me see if I can find it. This is just really more on the hardware setup, instead of externals, just lost it. Do you see the one on external speakers? Instead of an external speakers on a mutable microphone, what about a computer headset with a mutable microphone? Absolutely. I'll be honest with you, I ran out to my local Walmart this weekend to see if I could buy a pair, or easily find one that had a mute on it, but lo and behold, because of all the kids that are mandatory homeschooling, there are none to be found in my county anywhere. So if you have a pair, good, but definitely, they can be used. Very good. Another question popped up. I think we can both answer this.

It's a generic question. I think Lisa, you see it. Any thoughts on clients requesting video deposition in the new COVID world? Remote video deposition, absolutely, I've seen that with some of my accounts, but do you have anything you can add to that? No. I'm seeing it as well, where videographers are being included in on this. They're going to absolutely be able to capture the video, I think that's what the question is here, in the formats that they need to be able to reuse it the way they need to use it. So don't forget your videographers. Thank you, Lisa. We have another question here. This gets to the backups we talked about a moment ago when you and I discussed. I'll read the question verbatim. You mentioned that your backup video recording was recorded via Zoom. Is your primary video recording done through Note, through your product, Lisa? Yes. The primary is done through Notewise. So you're going to use Notewise like you usually would if you were present. Basically, it's going to

show as a four-channel recording.

For the audio, you're really getting two stereo pair. So you're going to have the, remember we talked about the far audio is going to be one channel, and then you are actually going to be on another channel. You could take your notes, do your speaker identification, everything that you would normally do when reporting an in-person appearance. You'll still be able to do using the Notewise product, but connecting via a video conference platform. Thank you. That ties into another question, you may have just answered it. This one specific to, how are you getting multichannel with Zoom? My experience with Zoom is that once you call in, it merges all calls and users into one audio stream, even if you select separate audio tracks. Yeah, it's a backup. The Zoom recording itself is just your backup recording. Typically, even when we're doing in-person hearings, a redundant, backup recording is going to be a single channel. It's going to be the same in this situation. I haven't played with, I do know it says that you can record out every participant into a separate audio channel. You could definitely try it.

But again, that's a backup recording, and it's not intended to be a multichannel. Even with Notewise. this isn't going to be the true multichannel recording format that we're accustomed to, where each participant is on their own microphone. But the reporter is just going to have to do an exceptional job of managing that everybody is speaking one at a time. So Lisa, we're coming over time. We had one more question that I was going to address. If we can't answer it right now, we'll let the audience know. This gets to what some clients have asked is, how do you ensure a witness isn't being coached in the room? There's two ways I've heard from clients, the lawyers will handle that in terms of documentation of writing. I have another client who's actually having the deponent take their camera and just scan the room with it. So I think that may still be an open question, but if you don't have anything to add to that, we'll post some additional information on that.

No, I've nothing to add. Turn the camera around. That's the best thing that I can think of. Thank you. Okay. Great. Well, I just wanted to say thank you so much to Lisa for giving us your time and giving us these best practices and insights, and to Tony for adding some really essential commentary there too. We're getting in a ton of questions. It's great to see such engagement, and we'll definitely be following up with the on-demand of this webinar for you to re-watch again, or share with any interested colleagues as well as probably an e-book that we'll create with all of the questions that we're seeing that we weren't able to address live. We'll include in there some links to the resources that we mentioned that might be helpful for you to look over, what platforms to consider. So we're really here to serve as a resource for you, and we encourage you to continue to reach out to us with any questions you might have in this process.

Thank you all so much for joining.

Thank you, Lisa, and thank you, Tony.

Thanks for having me.