

>> ALL RISE.

THE SUPREME COURT OF FLORIDA IS NOW IN SESSION PLEASE BE SEATED.

>> Chief Justice Carlos Muniz: OUR THIRD AND FINAL CASE FOR TODAY IS 2023-1170. IN RE: AMENDMENTS TO FLORIDA RULE OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION 2.535

>> Kristin A. Norse: THANK YOU YOUR HONOR. CHIEF JUSTICE, MEMBERS OF THE COURT. MAY IT PLEASE THE COURT, MY NAME IS I AM THE CHAIR OF THE RULES OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION AND HERE ON BEHALF OF COMMITTEE TODAY TO PRESENT TO YOU A PROPOSAL TO AMEND ENLARGED SUBSTANCE RULE 2.535 REGARDING COURT REPORTING AND TRANSCRIPTION THE PURPOSES OF THE AMENDMENTS THAT WE BRING TO TODAY ARE TO MODERNIZE THE RULE SO ALIGNS WITH CURRENT PRACTICES. TO MAKE THE RULE MORE READABLE AND TO IMPROVE UNIFORMITY AND THE READABILITY OF TRANSCRIPTS. I WANT TO DO BRIEF THUMBNAIL SKETCH OF HOW THE PROPOSAL COMES TO YOU TODAY. THE PROCESS BY WHICH WE HAVE GONE THROUGH I DO THINK THAT'S IMPORTANT. THIS PROPOSAL BEGAN WITH A REFERRAL FROM ATTORNEY PAUL REGANSTORF WHO PASSED ON A REQUEST FROM THE COURT REPORTERS ASSOCIATION TO REMOVE FROM THE RULE AN OBSOLETE REQUIREMENT THAT TRANSCRIPT VOLUMES BE LIMITED TO 200 PAGES. THAT WAS CAUSING DIFFICULTIES IN THE DIGITAL AGE FOR THEM.

HE ALSO SUGGESTED THERE WERE OTHER OBSOLETE PORTIONS OF THE RULE AND IT PROBABLY NEEDED SOME UPDATING.

THE FIRST TASK HERE WAS TO SEND IT TO A SUBCOMMITTEE. WE HAVE A SUBCOMMITTEE OF MEMBERS OF THE COMMITTEE TO REVIEW THE RULE. IT HAD A PRELIMINARY MEETING THAN THEY HAD A SECONDARY MEETING WHERE THEY DID INVITE THE COURT REPORTERS ASSOCIATION TO PARTICIPATE AND TO COMMENT ON A PROPOSAL THEY HAD DRAFTED.

THEREAFTER THE SUBCOMMITTEE PASSED THE PROPOSAL THAT THEY HAD DRAFTED LARGELY IN SUBSTANCE OF WHAT YOU SEE HERE TODAY. THERE WAS A SUBSEQUENT MEETING IN FRONT OF THE FULL COMMITTEE WHERE AGAIN THE COURT REPORTERS WERE INVITED TO PARTICIPATE AND DID ATTEND GIVE US SOME INSIGHT INTO THEIR THOUGHT PROCESS.

THEN OF COURSE IT GOES TO THE FLORIDA BAR BOARD OF GOVERNORS ANOTHER CHANCE FOR THE COURT REPORTERS AND THE COMMITTEE TO WEIGH IN FRONT OF THE BOARD OF GOVERNORS WHICH ALSO PASSED THE PROPOSAL. ONCE THE PROPOSAL WAS FILED WITH THIS COURT THERE WAS ANOTHER COMMENT PERIOD WITH A SUBSEQUENT MEETING WHICH COURT REPORTERS CAME TO TALK ABOUT THE COMMENT AND FOR THE COMMUNITY TO RESPOND TO IT.

I DO WANT TO TAKE A MINUTE TO THANK NOT ONLY THE MEMBERS OF THE COMMITTEE WORKED ON THIS BUT ALSO THE COURT REPORTERS.

THE CAME TO MEETINGS THEY WERE ENGAGED.

AND WHILE WE DISAGREE ON SOME REALLY THREE PORTIONS OF THIS RULE THEIR PARTICIPATION ALLOWS US TO VET THAT RULE AND BRING IT TO YOU WITH AS MUCH INFORMATION FOR YOU TO MAKE THE BEST JUDGMENT ON THIS RULE.

>> Justice Charles Canady: CAN ASK YOU FOR THE INVITATION OF THE COLLOQUY. I LOOKED THROUGH ALL OF THIS AND THE COMMENTS I'M JUST BAFFLED CANDIDLY BY THE CHANGE IN THE RULE ONLY ALLOWED THE FIRST LINE OF THE COLLOQUY TO BE INDENTED. AS SOMEBODY WHO READS THESE THINGS FROM TIME TO TIME AS A READER OF OTHER TEXT I FIND THAT WHAT IS AT THE RATIONALE FOR THAT I UNDERSTAND THERE IS SOME INDICATION OF FEDERAL RULE BUT I DON'T THINK IT'S IN THE FEDERAL PROCESS.

WHAT DOES IT BOIL DOWN TO.

>> Kristin A. Norse: I THINK THE COMMITTEE'S POSITION WAS THE FIRST DOUBLE INDENT THE FIRST 10 LINE INDENT IS THE SET OFF THAT'S THE VISUAL CUE NEED TO KNOW WE ARE DEPARTING FROM THE Q&A NOW WE'RE GOING TO COLLOQUY OR INTO A PARAGRAPH OR INTO A QUOTATION. THAT WHEN SHE WENT UP FIRST VISUAL CUE THAT YOU DIDN'T NEED IT IN PARTICULAR IN TRANSCRIPTS.

>> Justice Charles Canady: THEN YOU WOULD BE SMARTER THAN THE AVERAGE BEAR. I STILL FIND THAT CONFUSING.

>> Kristin A. Norse: I THINK THE OTHER THING ABOUT THAT PART OF THE RULE THERE ARE THREE DIFFERENT FORMATS THEN.

THERE IS THE COLLOQUY FORMAT WHICH IS DOUBLE INDENT 10 SUBSEQUENT LINES 5. THERE IS PARAGRAPH INDENT WHICH IS DOUBLE INDENT 10 SUBSEQUENT BACK TO THE MARGINS. THEN THERE IS THE QUOTE INDENT WHICH IS DOUBLE INDENT 10 ALL THE WAY THROUGH. I THINK THE COMMITTEE'S DRAFT BASICALLY TRIED TO SIMPLIFY THAT YOU GET YOUR DOUBLE INDENT THAT TELLS YOU WHAT IS COMING NEXT. AND THEN EVERYTHING ELSE IS UNIFORM.

>> Justice John Couriel: WHAT IS YOUR BEEF WITH 14 POINT FONT.

>> Kristin A. Norse: WE DON'T HAVE A BEEF WITH 14 POINT FONT. THE PURPOSE OF THE FONT REQUIREMENT WAS TO MODERNIZE AWAY FROM THE MONOSPACE COURIER WHICH HAS GONE THE WAY OF WHAT WAS INTENDED TO MIMIC WHICH IS THE TYPEWRITER.

AND TO THEN ALIGN RULE WITH THE MODERN FONTS. THE CURRENT RULE HAS A 12 POINT FONT COULD YOU RAISE IT TO 14 I THINK YOU COULD.

CURRENTLY TRANSCRIPTS THAT HAVE 25 LINES I THINK IF YOU RAISE TO 14 POINT FONT NOW YOU HAVE DIFFERENT LINES SET UP.

>> Justice John Couriel: COULD YOU RESPOND TO THE ARGUMENT THAT THIS IS ABOUT MONEY.

>> Kristin A. Norse: SURE. I CAN RESPOND TO THAT I THINK THAT'S AN IMPORTANT THING TO RESPOND TO IT IS NOT ABOUT MONEY I THINK WHEN YOU LOOK AT THE TOTALITY OF THE RULE CHANGE.

THE ONE MONEY ISSUE HERE IS THE DOUBLE INDENT SINGLE INDENT SPRING.

>> Justice John Couriel: THE FONT SIZE IS ALSO ABOUT MONEY.

>> Kristin A. Norse: THE FONT SIZE IS CURRENTLY 12 NOT CHANGING THE FONT SIZE.

>> Justice John Couriel: ANY CHANGE THAT AFFECTS THE NUMBER OF WORDS ON THE PAGE AND THE NUMBER OF PAGES IS IN SOME SENSE ABOUT MONEY. I WOULD LIKE TO HEAR FROM YOU YOUR ANSWER ABOUT WHY YOU HAVE NOT BEEN DRIVEN BY THOSE CONSIDERATIONS OR IF YOU HAVE BEEN WHY IT'S OKAY FOR YOU TO BE DRIVEN BY THOSE CONSIDERATIONS? SHOW YOUR CARDS.

>> Kristin A. Norse: SURE I'M NOT TRYING TO HIDE ANY CARDS. WE ARE A DEMOCRATIC PROCESS I HAVE A NUMBER OF COMMITTEE MEMBERS OVER 30 WHO VOTE THEIR CONSCIENCE AND THESE I CAN TELL YOU WHAT WE DISCUSSED AND I CAN TELL YOU I THINK WHAT HAPPENED HERE IS THE SUBCOMMITTEE LEVEL AS POINTED OUT ONE OF THE DECLARATIONS THERE WAS AN ATTORNEY ON THE SUBCOMMITTEE WHO COMMENTED THE TRANSCRIPTS WERE HIS BIGGEST COST. AND FOR THAT ATTORNEY THAT WAS A CONSIDERATION.

IN SUBSEQUENT MEETINGS OF THE COMMITTEE MEMBERS OF THE COMMITTEE OTHER MEMBERS OF THE COMMITTEE, MANY OTHER MEMBERS OF THE COMMITTEE SAID I'M NOT WORRIED ABOUT THE COST I DON'T THINK THIS IS GOING TO CHANGE THE COST. WE CAN CHANGE THE FONT SIZE WE CAN CHANGE THE PAGES WE CAN CHANGE WHATEVER NOTHING ABOUT THIS RULE IS GOING TO BIND THE COURT REPORTERS TO THEN REDUCE THEIR THE COST. THEY CAN MODIFY FOR IT.

ON THE FONT SIZE IN PARTICULAR WE MAINTAIN THE SAME FONT SIZES WE ARE NOT LOOKING TO DECREASE PAGES WITH THE FONT SIZES THE SAME NUMBER OF WORDS SAME WITH THE MARGINS.

THE INDENTS OF THE ONE POTENTIAL AREA WHERE YES THEY COULD RESULT IN A SHORTER PAGE NUMBERS.

PARTICULARLY IN A TRIAL WORK WHERE THERE IS A LOT OF COLLOQUY.

BUT THE COMMITTEE DISCUSSED IN THE COURT REPORTERS MENTIONED TO COMMITTEE MEETING ETC. DOES NOT MEAN THAT THEY CANNOT THEN RAISE THEIR PER PAGE RATE OR SHIFT LIKE THE APPELLATE RULES HAVE DONE TO A MORE MAYBE LEVEL THE PLAYING FIELD PER WORD COUNT AND SO I WOULD TELL YOU THERE MAY BE MEMBERS OF THE COMMITTEE THOUGHT THIS MIGHT PRODUCE WORD COUNT AND THIS MIGHT HAVE A LESSER BOTTOM LINE. AS A COURT REPORTER COMMENT POINT OUT THAT IS NOT NECESSARILY A BAD THING. THE RULES TALK ABOUT MAKING LITIGATION LESS EXPENSIVE. I DON'T THINK THAT IS WHAT WAS DRIVING THE COMMITTEE AND SUBSEQUENT MEETINGS THAT WAS A COMMON THEME. WE ARE NOT TRYING TO PREVENT YOU FROM MAKING A LIVING WE ARE NOT TRYING TO TAKE AWAY MONEY FROM YOU BUT WE DO THINK IN GOOD CONSCIENCE A NUMBER OF THE MAJORITY OF THE COMMITTEE THOUGHT THIS RULE WORKS BETTER.

>> Justice Jorge LaBarga: I'VE HAD A LOT OF EXPERIENCE WITH COURT REPORTERS I WAS A TRIAL LAWYER AND A CIRCUIT COURT JUDGE.

THE COURT REPORTERS WORKED REALLY HARD.

AND THEY ARE THE FORGOTTEN ONE IN THE COURTROOM WE ARE TALKING LAWYERS ARE TALKING IN CIRCLES AND THEY CAN TALK ALL DAY LONG AND FORGET

THERE IS THIS PERSON THERE WITH THEIR FINGERS GOING.  
AND WE DON'T CONCERN OURSELVES WITH GIVING THEM BREAKS BECAUSE WE ARE  
IN THE MIDDLE OF AN IMPORTANT ARGUMENT. HOW ABOUT READBACK BACK IN THE  
DAY WHEN WE DID NOT HAVE THE TAPES IN THE COURT REPORTER COULD READ  
BACK TWO HOURS OF TESTIMONY IN 20 MINUTES. WHEREAS NOW WE HAVE TO HEAR  
A TAPE IN REAL TIME IS TWO HOURS. THEY ARE IN IMPORTANT PART OF OUR  
JUDICIAL SYSTEM THEY WORK HARD WHEN THE COURTROOM SESSION IS OVER  
THEY HAVE TO GO BACK AND DICTATE THOSE THINGS NOW OF COURSE THEY HAVE  
MACHINES THAT HAVE MEMORY.

I'M NOT ALL THAT CONCERNED ABOUT THE MONEY PART.  
BECAUSE I THINK THEY EARN IT.

LET ME ASK YOU YOU HAVE A 1 INCH MARGIN.  
ON ALL SIDES WE HAVE A MARGIN LIMIT NOW?

>> Kristin A. Norse: WE ACTUALLY HAVE RULE 2.520 WHICH REQUIRES THAT ALL  
DOCUMENTS AND DOCUMENTS IS ACTUALLY DEFINED VERY BROADLY TO BE AND  
INCLUDE ANY PAPER OR WRITING SUBMITTED TO A COURT TO HAVE A 1 INCH MARGIN  
ON ALL SIDES.

WHAT YOU'LL SEEM THIS IS ONE THING I WOULD SAY RIGHT NOW THERE IS NO  
MARGIN REQUIREMENT IN THE RULE ACCORDING TO THE COURT REPORTERS  
HISTORICAL KNOWLEDGE THAT WAS DELETED AS OBSOLETE AT SOME POINT  
BECAUSE OF THE TYPE OF REQUIREMENTS BUT WHEN THE COMMITTEE PULLED  
SEPARATE FROM TRANSCRIPT FROM THEIR FILES WE SAW ALL KINDS OF MARGINS.  
SOME TRANSCRIPTS ALREADY ARE PRINTED ON A FULL 1 INCH MARGIN. SOME  
TRANSCRIPTS ADOPT I THINK WE SAID AT THE FEDERAL COURT OF CLAIMS WILL  
THEY DO A ONE AND THREE-QUARTER INCH MARGIN AND A 3.8 INCH MARGIN.  
EFFECTIVELY THEY'RE MOVING THE BOX OVER TO MAKE A LOWER MARGIN ON THE  
RIGHT. SAME AMOUNT OF SPACE 1/8 INCH DIFFERENCE. THAT WOULD NOT CHANGE  
PAGE NUMBERS OR THE FONT CHANGE WITHOUT CHANGE PAGE NUMBERS IT IS THE  
INDENTS THERE WAS REALLY JUST A DIFFERENCE OF OPINION ON HOW THIS IS  
GOING TO LOOK I THINK.

WE DO HAVE 2.5.20 WITH A 1 INCH MARGIN ON BOTH SIDES THE COMMITTEE FELT IT  
WAS EASY IT'S CONSISTENT AND THAT WAS THE BEST PRACTICE.

>> Justice: CAN ASK YOU THE QUESTION ABOUT THE FONT ITSELF IT SEEMS IN THE  
PLEADINGS THROUGH THIS CLAIM WAS TO BE CLOSER TO THE APPELLATE RULES.  
TODAY HE SAID IT IS TO MODERNIZE.

WHAT WAS THE GOAL OF THE FONT CHOICE.

>> Kristin A. Norse: I THINK THERE IS AN OVERLAP WHEN THE APPELLATE COURT  
RULES COMMITTEE LOOK AT CHANGING THE FONT THEY DID A BUNCH OF RESEARCH  
ON THAT. WHERE THE LOOK ADA COMPLIANCE LOOK AT READABILITY. AND THEY  
LOOKED AT I BELIEVE DID A SURVEY OF JUDGES AND LAWYERS AND SETTLED THAT  
THESE TWO FONTS WERE THE EASIEST ON THE EYE CRITICALLY FOR SCREEN  
READING THE MOST ACCESSIBLE FONTS AND SO REALLY WHEN IT'S ABOUT  
MODERNIZING TALKING ABOUT THAT I'M TALKING ABOUT WE HAVE MODERN

SENSIBILITIES WHERE WE ARE USED TO READING A PROPORTIONALLY SPACED FONT WE RECKON IS THAT IS EASIER TO READ THAN THIS SPREAD OUT FONT WHERE THE LITTLE I HAS AS MUCH ROOM AT THE W.

>> Justice! I THINK IT IS MORE READABILITY THAT WAS MY QUESTION WHAT IS THE VALUE BEHIND MODERNIZING HAVE THE SAME QUESTION YOU MENTIONED UNIFORMITY. WHAT IS THE HARM WITH THE NON-UNIFORM THAT IS A MARKET ISSUE IF YOU LIKE THIS COURT REPORTER PRODUCE THE TRANSCRIPT IN THIS FONTS. IN THIS MATTER USING THAT COURT REPORTER. I GUESS CAN YOU ADDRESS IN TERMS OF UNIFORMITY BUT THE HARM WE WOULD BE LOOKING TO CORRECT THIS.

>> Kristin A. Norse: I THINK WE JUST EXPECT IN THE COURT RECORD FOR THINGS TO BE SOMEWHAT UNIFORM AND FIND THAT SCROLLING THROUGH UNIFORMITY HELPS TO BREED IMMEDIATE REPETITION. FOR EXAMPLE I THINK IT IS IMPORTANT THAT OUR TRANSCRIPT PAGES HAVE THAT BOX WHEN I'M SCROLLING THROUGH I WANT TO SEE THAT BOX.

I THINK UNIFORMITY THE COMMITTEE FEELING IS THAT UNIFORMITY BREEDS IMMEDIATE RECOGNITION AND CONSISTENCY THAT IS HELPFUL.

THE READABILITY I THINK IS IMPORTANT. WE HAVE MOVED ON FROM THE OLD FONTS BECAUSE WE FIND THEM EASIER TO READ. I DO WANT TO POINT OUT BECAUSE I DO THINK THE COURT REPORTERS COMMENT WAS VERY HELPFUL IN THIS REGARD IN THEIR APPENDIX THEY PROVIDED THREE EXEMPLARS. ONE IS WHAT IT WOULD LOOK LIKE, ONE IS WHAT THE TRANSCRIPT LOOKS LIKE NOW.

ONE IS WHAT A RULE CHANGE WOULD LOOK LIKE AND ONE IS WITHIN ARIAL. THAT IS WHAT I WOULD POINT THE COURT TO. THESE ARE VERY SUBJECTIVE THINGS. I LIKE BOOKMAN SOME PEOPLE WILL DIE ON ARIEL HILL.

BUT I THINK THERE IS OBJECTIVE EVIDENCE THAT THE FONT THAT ARE PROPORTIONALLY MORE ACCESSIBLE THERE EASIER TO READ EASIER ON THE EYES. THAT I THINK IS AN OBJECTIVE MEASURE. BUT SUBJECTIVELY WHETHER WE INDENT 10 SPACES FOR THIS AND FIVE SPACES FOR THAT ETC., THESE EXAMPLES THAT THEY HAVE GIVEN COVER ALL OF THOSE PARAMETERS SO THAT THE COURT READS FOR MORE TRANSCRIPT THAN MANY OF THE ATTORNEYS DO CAN MAKE THEIR OWN JUDGMENT AND DECIDE BETWEEN THESE. I WOULD SAY THERE ARE MANY OTHER THINGS THAT HAVE NOT DRAWN ANY CRITICISM IN THE RULE. FOR EXAMPLE REQUIRING THE PDF FORMAT THAT IS STANDARD NOW . REQUIRING TEXT SEARCHABILITY.

REQUIRING THE PRINCIPAL NOW INSTEAD OF PRINTED . AND IF THE COMMENT MENTIONED AT THE END THEY WERE SEEKING TO REJECT ALL OF THE CHANGES EXCEPT FOR THE REMOVAL OF THE 200 PAGE LIMIT. BUT NONE OF THE CHANGES IN A THROUGH E OR G THROUGH J HAVE DRAWN ANY CRITICISM AT ALL DESPITE THE PROCESS WE'VE GONE THROUGH. WE REALLY ARE DOWN TO THE MARGINS THE INDENTS AND THE FONTS.

I WANT TO RETURN TO THE FONTS ONE MORE TIME.

WE DO REDUCE THE NUMBER OF LINES THAT WILL FIT ON THE PAGE TO 24. IT SEEMED EASIER TO KEEP THAT CURRENT STANDARD AS LONG AS WE APPROVE THE

FONT TYPE. THAT WAS THE REASONING BEHIND THAT.  
BUT AGAIN UNLESS THERE IS ANY OTHER QUESTIONS I DO THANK THE COURT REPORTERS FOR THEIR PARTICIPATION AND MEMBERS OF MY COMMITTEE AND ALSO THE COURT FOR ITS CONSIDERATION.

>> Chief Justice Carlos Muniz: THANK YOU YOU CAN ADD TWO MINUTES FOR REBUTTAL.

>> Jason B. Gonzalez: THANK YOU YOUR HONORS. MAY IT PLEASE THE COURT JASON GONZALEZ ON BEHALF OF FLORIDA COURT REPORTERS ASSOCIATION I HAVE [[LISTING NAMES] PAST PRESIDENT WHO WAS PRESIDENT WHEN THIS BEGAN. [LISTING NAMES] WHO HAD ASKED FOR THE 200 WORD LIMIT TO BE REMOVED FOR EACH VOLUME OF THE TRANSCRIPT IT'S NOT A CONTROVERSIAL CHANGE. WE HAVE THE UTMOST RESPECT FOR THE COMMITTEE AND THE WORK THAT THEY DID. I HOPE NOTHING THAT I SAY CRITICIZING SOME OF THE ADDITIONAL PROPOSALS SEEN IN ANY WAY AS ANY DISRESPECT FOR THE HARD WORK OF THE COMMITTEE. THE COURT REPORTERS DID LATER RECEIVE THE UNPLEASANT SURPRISE OF THESE ADDITIONAL CHANGES TO THE TRANSCRIPT RULE.

THERE ARE SOME THINGS THERE THAT THEY IMMEDIATELY RECOGNIZED WOULD CAUSE DETRIMENT.

IN THAT DRAFT IT WAS DEVELOPED BY THE SUBCOMMITTEE IT EVEN HAD A VOTE THAT WAS DONE BY EMAIL BEFORE THE COURT REPORTERS LEARNED OF IT. THEY WERE WELL DOWN THE PATH ON THESE CHANGES. THERE IS NO EVIDENCE THAT PRIOR TO THAT THE COMMITTEE OR THE SUBCOMMITTEE HAD CONSULTED SOMEBODY WITH SOME EXPERTISE IN COMPUTER AIDED TRANSCRIPTION SOFTWARE WHICH IS WHAT THE COURT REPORTED USE. THEY ARE NOT CREATING TRANSCRIPTS IN WORD WHERE YOU CAN ALTER FONTS. COMPUTER AIDED TRANSCRIPTION SOFTWARE UTILIZES NON MONOSPACED FONT TYPICALLY THEY WILL USE COURIER 56 CHARACTERS PER LINE.

9 TO 10 CHARACTERS PER INCH IT IS VERY UNIFORM AND ITS UNIFORM THROUGHOUT THE COUNTRY.

JUST TO REALLY ILLUSTRATE THE PROBLEMS RATHER THAN REPEAT THE THINGS IN OUR COMMENTS BUT TO ILLUSTRATE THE PROBLEMS LET ME GIVE YOU AN EXAMPLE FROM AN ACTUAL DEPOSITION. AND WHAT WOULD HAPPEN IF THESE OTHER THREE PROPOSALS WERE ADDED. I HAD A DEPOSITION TWO WEEKS AGO . I LEAVE THE DEPOSITION AND A FEW DAYS LATER I'M GIVEN A TRANSCRIPT LARGELY FREE OF ERRORS. THERE WAS A LOT THAT WENT INTO THAT WHEN I LEFT THE DEPOSITION THAT THE COURT REPORTERS DID. IF YOU ADOPTED THESE RULES THERE ARE SOME OF THINGS THAT WOULD HAPPEN THAT WOULD CAUSE DELAYS. THERE WOULD CAUSE A STATISTICALLY HIGHER CHANCE OF ERRORS.

THE COURT REPORTER THEN TAKES THE RAW FILE THAT THEY HAVE IN THE COMPUTER AIDED TRANSCRIPTION TECHNOLOGY SOFTWARE.

THEY WOULD HAVE IT UNDER THE NEW RULE FORMATTED UNDER THESE OUTLIER FLORIDA RULES THAT ARE DIFFERENT THAN THE COURT REPORTERS IN OTHER PROFESSIONALS IN THE INDUSTRY USE THROUGHOUT THE COUNTRY. YOU WOULD HAVE TO DIFFERENT MARGINS.

WOULD POTENTIALLY HAVE BOOKMAN OLD STYLE NON-MANA SPACIAL FONTS. WHAT HAPPENS THEY TYPICALLY SEND THAT FILE TO A SCOPIST. THE SCOPEST WORK REMOTELY ALL OVER THE COUNTRY.

IT WILL GO UP INTO ECLIPSE OR ONE OF THE OTHER THREE PROGRAMS THAT USE THIS CAT SOFTWARE FOR INSTANCE THE SCOPIST IN ATLANTA WILL PULL THAT DOWN FOR THAT PROJECT. THEY WILL HAVE ALL THE FORMATTING SET UP USE EVERYWHERE ELSE IN THE COUNTRY. IT WILL CONVERT IT WILL MOVE THINGS AROUND THEY WILL GO DO THEIR PROOFREADING AND CHANGE WORDS ACRONYMS FROM THE CAT SYSTEM THEY WILL MOVE EVERYTHING AROUND. THEY WILL DO ALL OF THEIR PROOFREADING. IT WILL TAKE EXTRA TIME BECAUSE HE CAME OFF EVERY FLORIDA FORMATTED CAT SYSTEM. THEY WILL UPLOAD AGAIN INTO ECLIPSE IT WILL BE PULLED DOWN BY MY COURT REPORTER. IT WILL CONVERT BACK BECAUSE MY COURT REPORTERS GOT HER SYSTEM SET UP WITH THESE UNIFORM 1 INCH MARGINS POTENTIALLY TO BOOKMAN OLD STYLE ON MONESPATIAL FONTS. THEN INDENTATION. THEY WILL HAVE TO GO BACK BECAUSE EVERY TIME YOU CONVERT ONE OF THESE FILES THERE ARE PROBLEMS NOW THEY WILL HAVE TO GO THROUGH LINE BY LINE, PAGE BY PAGE AND FIND WHERE WORD WAS OUT OF PLACE WERE SPLIT UP AND READJUST THAT IN THEIR CAT SYSTEM THAT AGAIN IS SUPPOSED TO BE USING A NON- MONO SPATIAL FONT. THEY'RE ADDING EXTRA TIME ON THEIR END AND THINK OF WHAT THAT DOES TO THE INDEX THAT WAS REVIEWED BY THE SCOPIST AND EDITED. THE NUMBER OF PAGES HAS CHANGED SO THE INDEX THAT IS NOW MOVED AROUND ALL KINDS OF PAGES THEN WHEN THEY FINALLY DO THAT I GET MY TRANSCRIPT. IT IS TAKEN AN EXTRA DAY OR 2 MY CT. REPORTER HAS BEEN IN OTHER DEPOSITIONS AND THINGS THEY'VE HAD EXTRA TIME TO REVIEW IT AGAIN. IT COMES BACK TO ME I PRINTED OUT BECAUSE I READ EVERYTHING PAPER MY SYSTEM PUTS IT IN A THREE RING BINDER AND THE WHOLE PUNCHES HAVE NOW TAKEN OUT SOME OF THE LINE NUMBERING IN MY EXAMPLE MY DEPOSITION TWO WEEKS AGO WAS VIDEOTAPED.

THAT MEANS MY TRANSCRIPT HAS IN ADDITION TO THOSE LINE NUMBERS ON THE LEFT-HAND MARGINS ALSO HAVE THE TIMESTAMP. SO I CAN GO TO THE VIDEO AND FIND EXACTLY WHERE IT CORRESPONDS. I APPRECIATE THAT THE COMMITTEE PUT IN THE RESPONSE TO OUR COMMENTS THAT WE WOULD NOT OBJECT TO THE COURT ADDING TO THAT LINE THOSE NUMBERS FOR THE TIMESTAMP AND THE LINE NUMBERS, IT CAN BE MOVED OUTSIDE THE 1 INCH MARGIN WHICH WOULD SOLVE MY PROBLEM WITH THE WHOLE PUNCHES TAKING OUT SOME OF THAT DATA. BUT I THINK THE EASIER SOLUTION TO THAT IS JUST DON'T ADOPT THOSE PARTS OF THE RULE.

>> Justice Jorge LaBarga: THIS IS A PRACTICAL QUESTION GIVEN THE PROCEDURE THEY WOULD HAVE TO GO THROUGH.

YOU ARE IN THE MIDDLE OF TRIAL AND YOU FINISH TODAY AND YOU WANT A TRANSCRIPT TOMORROW.

FOR TOMORROW'S CROSS-EXAMINATION OF TOMORROW WHATEVER YOU'RE GOING TO DO. WOULD THEY HAVE TO TYPICALLY HAVE MEMORY ON THE MACHINE AND THEY CAN GET IT OUT TO YOU TOMORROW.

IT'S A LITTLE MORE EXPENSIVE.

UNDER THIS NEW SYSTEM THEY WOULD HAVE TO GO THROUGH THAT PROCESS YOU DESCRIBE HOW WILL I GET A TRANSCRIPT TOMORROW IF I NEED IT.

>> Jason B. Gonzalez: ESSENTIALLY TWO OR THREE CONVERSIONS IF THEY GO TO A SCOPIST AND THEY USE DIFFERENT PROFESSIONAL PROOFREADERS THEY CONVERT THE FILE TO A PDF TO EDIT THE PROOFREADER WHO DOES NOT EDIT LIKE A SCOPIST.

>> Justice John Couriel: AT THE RISK OF USING TWO LETTERS THAT ARE PROBABLY HORRIBLE IN THIS COMMUNITY AI.

I LOOK AT THE RULE AND ASK MYSELF WHAT RULE CAN WE ADOPT HERE THAT WILL SURVIVE THE NEXT 48 MONTHS SAY OF EVOLUTION IN GENERATIVE AI AND APPROVED COURT REPORTERS TO DEFINED BUT SCOPIST IS NOT. AND PROOFREADER IS NOT.

IF THERE IS A LARGE LANGUAGE MODEL ENABLED PROOFREADER AND SCOPIST DEVELOPED IN THE NEXT 12 MONTHS AM I RIGHT THAT THE RULE AS AMENDED IS STILL GOING TO YIELD PREDICTABLE RESULTS?

IN SHORT I WOULD HATE TO BE BACK HERE IN A YEAR OR TWO REWORKING THIS RULE. WHEN THIS INDUSTRY PLEASE DON'T TAKE THIS THE WRONG WAY GOES THROUGH THE SAME REVOLUTION EVERY SINGLE INDUSTRY IS GOING THROUGH RIGHT NOW.

>> Jason B. Gonzalez: RIGHT NOW THERE IS A CONVENTIONAL NATIONAL STANDARD MY TRANSCRIPTS DON'T LOOK DRAMATICALLY DIFFERENT WHEN I TOOK A DEPOSITION IN DETROIT A WHILE BACK.

THERE IS NOT A NATIONAL ADOPTED STANDARD THERE IS CAT SOFTWARE THAT IS USED UNIVERSALLY.

THAT RESULTS IN THE FORMAT THAT WE SEE . I DON'T THINK ANYTHING NEEDS TO BE CHANGED IN THE TRANSCRIPT RULE. I THINK WHEN YOU LOOK AT THE SIDE BY SIDE ON PAGE 12 AND 13 OF OUR BRIEF I THINK NOTHING NEEDS TO BE CHANGED THERE.

I KNOW IT IS SUBJECTIVE TO SOME DEGREE BUT I LARGELY PREFER

OVERWHELMINGLY PREFER THE ONE ON THE RIGHT THAT IS UNHEARD OF THE EXISTING RULE. AND THE INDENTATION SITUATION TO CAUSE ME THE SAME

CONCERN THAT JUSTICE CANADY BROUGHT UP WHEN I GOT MY TRANSCRIPT BACK FROM A DEPOSITION TWO WEEKS AGO I'M GOING TO THE INDEX LOOKING FOR A KEYWORD THAT WAS AN IMPORTANT PART OF THE DEPOSITION BECAUSE I WANT TO SEE IF THAT EXCHANGE CAME OUT AS GOOD AS I THOUGHT IT WAS GOING TO BE OR AS BAD..

>> Justice John Couriel: CAN I ASK YOU MUCH MORE BORING AND SIMPLE QUESTION WHAT IS YOUR POSITION ON THOSE OTHER CHANGES BECAUSE I DID NOT SEEM TO KNOW THE COMMENT BASICALLY SAYS ALL YOU AFFIRMATIVELY WANT IS GETTING RID OF THE 200 PAGE THING. I DIDN'T SEE ANY CRITIQUE OF THE STUFF OTHER THAN WHAT WE ARE FIGHTING OVER RIGHT NOW.

>> Jason B. Gonzalez: WE DON'T HAVE ANY ISSUE WITH ALL THE CHANGES THEY SUGGESTED OUTSIDE OF F THE TRANSCRIPT RULE. WE FOCUSED ON THE THREE

DETRIMENTAL PARTS OF WHAT THEY CHANGED IN THE USE OF PDF ESPECIALLY IF THERE IS NONE MONOSPACE FONT THAT CAUSES BIG PROBLEMS WHEN THE FORMATTING HAPPENS BUT OUTSIDE OF THE TRANSCRIPT -LEAVE THE TRANSCRIPT RULE ALONE THE OTHER THINGS WE HAVE NO ISSUE WE ARE TAKING WITH THOSE. ALONG THE LINES OF THE MONEY ISSUE I THINK IT'S WORTH NOTING WHEN MRS. McCALL PROPOSED THE DISCRETE CHANGE OF GETTING RID OF THE THE 200 VOLUME LIMIT REQUIREMENT THINK ABOUT WHAT THAT DOES IF YOU HAVE UNDER THE CURRENT RULE A 215 PAGE TRANSCRIPT THEY HAVE TO GO TO ANOTHER VOLUME WHICH MEANS THEY WILL HAVE IN THE SECOND VOLUME A TITLE PAGE ANOTHER INDEX PAGE AND APPEARANCE PAGE THE COURT REPORTER CERTIFICATION PAGE AND FIFTH NOTARY CERTIFICATION PAGE THAT IS FIVE EXTRA PAGES FOR EVERY ADDITIONAL VOLUME AS IT GOES LONGER . THAT IS FOR FIVE DOLLARS FOR EVERY SINGLE PAGE. IF IT IS EXPEDITED IS TWICE THAT MUCH. THEY KNEW WHEN THEY PROPOSE THIS THEY ARE ACTUALLY GOING TO MAKE LESS MONEY. BUT THEY ARE PROPOSING SOMETHING FOR ALL THE RIGHT REASONS THAT THE 200 PAGE LIMIT NEEDS TO GO AWAY. THEY BROUGHT THIS TO THE COMMITTEE WITH NO FINANCIAL MOTIVATION. THOSE ON THE COMMITTEE BROUGHT UP SOME - THEY ARE LOOKING FOR WAYS TO CHANGE SOME THINGS THAT I THINK TAKE THE VISUAL CUES AWAY THAT I THINK WE NEED FOR THOSE AREAS. DON'T MAKE IT MORE READABLE AND THERE WAS NO OUTCRY FROM THE BAR TO CHANGE THINGS WE DON'T KNOW OF ANY SURVEY THAT WAS DONE THAT YOU WOULD SHOW SIDE-BY-SIDE AND LET PEOPLE PICK THERE IS NO OVERWHELMING OUTCRY FOR THIS.

THE COMMITTEE WAS SPLIT. I THINK IT WAS ONE THIRD OF THE COMMITTEE DISSENTED AND TOLD THAT'S VERY UNUSUAL IN THIS TYPE OF PROCESS I DON'T THINK ANYTHING IS BROKEN AND NEEDS TO BE FIXED IN THOSE RESPECTS.

YOU SHOULD JUST AS FAR AS THE TRANSCRIPT SECTION ONLY INCLUDE THE CHANGE TO REMOVING THE 200 PAGE LIMIT.

>> Attorney: DID UNDERSTAND THAT THERE IS NOT A SOFTWARE THAT USES THIS TYPE OF FONTS. THE CLASSIFICATION OF FONTS.

>> Jason B. Gonzalez: THE CAT SOFTWARE THE AERIAL AND THE BOOKMAN OLD STYLE EVERY COURT REPORTER IN THE COUNTRY IS USING THE CAT SOFTWARE WHICH FUNCTION PROPERLY WITH THE NON- MONOSPATIAL FONT. AS THEY MENTION IT MIMICS THE TYPEWRITER AS WHEN THEY CONVERTED OVER TO THAT TO ME IT IS VISUALLY EQUAL SIZE CHARACTER ACROSS THE SENTENCE BETTER AND YOU CAN LOOK AT THE SIDE-BY-SIDE. YOU HAVE DIFFERENT FONTS IF YOU ARE IN WORD WHICH THEY DON'T USE THAT WILL KIND OF SCRUNCH UP THE CHARACTERS IN A I THINK IT LOOKS BETTER THE WAY WE HAVE IT RIGHT NOW. I DON'T THINK THERE'S AN OVERWHELMING CONSENSUS TO MAKE THE CHANGE AND CREATES ALL KINDS OF FORMATTING ISSUES WHICH WILL SLOW THINGS DOWN.

AI WOULD NOT AFFECT OUR CURRENT FORMATTING. WE WOULD NOT HAVE TO CHANGE IT.

>> Justice John Couriel: MY QUESTION IS NOT ABOUT FORMATTING. MY QUESTION IS ABOUT A WORLD PROBABLY NOT TOO FAR OFF WHERE I CAN SAVE PROCESS OR LISTEN TO THIS THREE HOUR DEPOSITION AND TRANSCRIBE IT FOR ME. MEETING THE FOLLOWING CHARACTERISTICS 1 INCH MARGIN, MONOSPACE TYPE AND IT SPITS OUT SOMETHING SERVICEABLE THAT NEEDS TO BE PROCESSED. I'VE GOT A RULE THAT REQUIRES AN APPROVED COURT REPORTER. THE COURT REPORTER IS NOT GOING AWAY. BUT MY POINT WAS THESE OTHER LAYERS THAT YOU WERE TALKING ABOUT THE SCOPIST, THE PROOFREADER THOUGH SEEMS LIKE REALLY DANGEROUS PLACES TO BE BECAUSE THOSE ARE SKILLS I'M WILLING TO BET AI COULD PROBABLY ALREADY ANNIHILATE TODAY. IF SOMEBODY WAS SMART AND MOVING IN THE SPACE. MY QUESTION WAS ARE WE ADOPTING A RULE THAT WILL SURVIVE THAT BECAUSE I DON'T THINK THAT IS TOO FAR OFF?

I THINK THE ANSWER IS YES.

>> Jason B. Gonzalez: I THINK IT IS POSSIBLE I THINK THERE WILL BE CHANGES THAT HAVE TO BE MADE TO UPDATE FOR TECHNOLOGY FROM TIME TO TIME AND THE COURT REPORTERS HAVE GONE THROUGH TECHNOLOGY CHANGE AFTER TECHNOLOGY CHANGE. THEY ADAPTED TO THAT. THIS DOES NOT MAKE IT ANY MORE READABLE. WHATEVER AI IS GOING TO LEAD TO BUT YOU DON'T HAVE THE COURT REPORTERS IN FLORIDA NOT REGULATED AS THEY ARE IN CALIFORNIA. THE LAST POINT THE APPELLATE RULES THAT WERE MENTIONED THEY EXEMPT THE TRANSCRIPTS FROM THOSE. THOSE ARE PARAMETERS FOR THE BRIEFING AND THEY SPECIFICALLY EXCLUDE THE COURT REPORTER TRANSCRIPTS.

>> Chief Justice Carlos Muniz: YOU HAD ME SCARED NOEL CORYELL. I WILL BE A BASKET CASE AT THE END OF THIS THING.

[LAUGHTER].

ANYTHING ELSE.

>> Jason B. Gonzalez: I HAVE NOTHING ELSE.

>> Chief Justice Carlos Muniz: THANK YOU VERY MUCH.

>> Kristin A. Norse: JUST A COUPLE OF BRIEF COMMENTS.

WE ALSO WERE CONCERNED AS A COMMITTEE WITH THE QUESTION WAS RAISED IN THE COMMENT ABOUT THE SOFTWARE. BECAUSE THAT WOULD BE THE MOST COMPELLING ARGUMENT WE WENT BACK TO THE QUESTION CAN THE SOFTWARE DO THIS BECAUSE THEY CAN'T DO IT THAT IS ONE THING. IF IT CAN BUT IT IS COMPLICATED AND YOU HAVE TO FIGURE THIS FIGURE THAT WE WERE TOLD THE SOFTWARE CAN DO IT IN THE AND OF THE APPENDICES SHOW THEY CAN BE DONE BUT THE CONCERN WAS ADAPTING TO THAT TECHNOLOGY AND CHANGING THE WAY THAT YOU DO THINGS.

I THINK IT WAS EXPRESSED BY THE COMMITTEE I WILL EXPRESS IT HERE I'M NOT ON SYNTHETIC TO THAT I KNOW MANY LAWYERS WHO STILL USE WORDPERFECT IF THEY WERE ALLOWED TO.

[LAUGHTER]

>> Chief Justice Carlos Muniz: SERIOUSLY PUT YOURSELF IN OUR SHOES THERE WAS THIS KIND OF UNANIMOUS CONSENSUS KIND OF 200 PAGE THING NOW WE HAVE

PEOPLE MAKE A LIVING DOING THIS IN HORRIBLY MORE UP TO SPEED ON THE TECHNOLOGY AND THE LOGISTICS AND THE PRACTICALITY IT DOESN'T SEEM LIKE THE REASONS FOR THE CHANGES ARE REALLY COMPELLING WHY WOULD IT MAKE SENSE FOR US TO ADOPT THESE CHANGES, IT'S NOT A RHETORICAL QUESTION PUT YOURSELF IN OUR SHOES IN THE FACE OF THIS WOULD WE DO IT ANYWAY.

>> Kristin A. Norse: I THINK YOU DO IT IF YOU BELIEVE THAT THE TRANSCRIPT IS MORE USER-FRIENDLY AND AT THE NEW FORMATS. THAT IS WHY YOU DO IT.

IT IS WHY WE ADOPTED PDF AND PDF A THERE A REASON SOMETIMES TO MODERNIZE. THE COMMITTEE BELIEVES CRITICALLY WITH THE MONOSPATIAL FONT CHANGES IT IS TIME IT IS TIME TO DO THAT THERE ARE LEARNING CURVES WE DEFTLY UNDERSTAND THAT BUT WE ARE IN A PLACE I DO THINK THAT WE ARE IN A PLACE WHERE THE TECHNOLOGY IS EASIER TO MAKE ADJUSTMENTS TO.

IS THERE GOING TO BE A PAINFUL PERIOD IN THE BEGINNING?

YES, IS IT WORTH IT IN THE COMMITTEE'S MAJORITY OF THE COMMITTEES THE MAJORITY OF THE BOARD OF GOVERNORS IS IT WORTH IT TO HAVE A TRANSCRIPT LOOKS MORE LIKE OUR OTHER DOCUMENTS THAT WERE USED TO READING THAT SEEMS MORE READABLE TO US THE COMMITTEE BELIEVES SO. IT IS SOMETHING THAT THE COURT IS LOOKING OUT THE WHOLE SYSTEM. COURT REPORTERS ARE PART OF THAT SYSTEM.

>> Justice John Couriel: IS THE STATUS QUO IF PEOPLE WANT TO CHANGE THE WAY THEY DO THINGS AND SELL THE STUFF WITH THIS BE IF THESE CHANGES HAPPEN NATURALLY WITH THE CURRENT RULE PERMIT IT?

>> Kristin A. Norse: I'M SORRY I'M NOT FOLLOWING.

>> Justice John Couriel: I KNOW YOUR PROPOSAL IS WE MANDATE ALL OF THESE CHANGES . IS THE RULE ON THE BOOKS RIGHT NOW FOR SOME REASON EVERYBODY DECIDED THESE THINGS ARE NOT USER-FRIENDLY ENOUGH IS THERE ANYTHING STOPPING THE WORLD FROM ADOPTING THESE SPECIAL >> Kristin A. Norse: THE RULE SAYS COURIER FONT RESTRICTIONS IN THE RULE.

>> Justice John Couriel: IN TERMS OF THE MARGINS AND INDENTATIONS.

>> Kristin A. Norse: WOULD URGE THE COURT TO DO A MARGIN REQUIREMENT I DON'T KNOW WHY WAS TAKEN OUT THERE WAS SOME DISCUSSION ABOUT A NATIONAL STANDARD THERE IS NO NATIONAL STANDARD IT IS TRUE NOT BEEN ABLE TO FIND ANOTHER COURSE THAT IS DONE AWAY FROM PERMITTING THE COURIER FONT TYPE I THINK THAT IS PROBABLY TRUE. BUT THE DIFFERENT INDENTATIONS THE DIFFERENT MARGINS BUT WE WOULD ASK YOU TO ADOPT SOME MARGIN REQUIREMENT BECAUSE WE DID PULL DIFFERENT ONES AND THE MARGINS ARE ALL OVER THE PLACE WHETHER IT IS 1 3/4 AND 3/8 AND 1 INCH ALL AROUND IT MAKE SENSE TO MARGIN PERFORMANCE FOR THE SAME REASON WE HAVE WORD COUNTS ETC. LET'S HAVE SOME UNIFORMITY AND MAKE SURE IT'S A LEVEL PLAYING FIELD.

>> Chief Justice Carlos Muniz: THANK YOU WE APPRECIATE ALL THE RULES COMMITTEE.

>> Kristin A. Norse: WE KNOW THAT WE APPRECIATE OUR LIAISON AND THE WORK THAT THE COURT DOES ON THIS AGAIN THE COURT REPORTERS REALLY HAVE BEEN

WONDERFUL TO WORK WITH AND WE ARE VERY PASSIONATE AND THEY ARE PROFESSIONALS.

WE DO APPRECIATE THAT.

>> Chief Justice Carlos Muniz: THANK YOU WE ARE ADJOURNED.