

ANSWER KEY

CSR MOCK SURVEY

MEDICAL

1. b rupture
2. a cold
3. d double
4. e seizure
5. c perforation
6. c pertaining to blood
7. b blood clot
8. a deficiency of white blood cells
9. e removal of the spleen
10. d disease
11. c pulmonary vein
12. d abdomen
13. a corpus callosum
14. c head
15. c glenoid fossa

LEGAL

1. d
2. b
3. c
4. d
5. c
6. d
7. d
8. a
9. c
10. c
11. a
12. c
13. a
14. b
15. c

CALIFORNIA CODES

1. c
2. direct examination, cross-examination, redirect, recross (d, a, c, b)
3. a

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4.

CODE OF PROFESSIONAL ETHICS (COPE)

Advisory Opinion Index No. 6

Discussion

The question presented here is: Should the reporter have complied with the hiring attorney's request not to continue reporting his opponent's examination?

The answer is an emphatic no. It makes no difference who makes the request. Unless all counsel in an examination agree to go off the record, the reporter is duty-bound to continue reporting the proceedings even when the hiring attorney makes the request of the reporter. The reporter must act impartially and professionally in all proceedings that are reported.

Conclusion

It is the Committee's opinion that the reporter was acting within the provisions of the Code of Professional Ethics, particularly Provisions 1 and 9, which state that the member shall:

No. 1. Be fair and impartial toward each participant in all aspects of reported proceedings.

No. 9. Maintain the integrity of the reporting profession.

5.

Advisory Opinion Index No. 35

Discussion

Provision No. 1 of the Code states that a Member shall be fair and impartial and offer comparable services to all parties to a proceeding. Provision No. 2 requires that Members be alert to conflicts of interest or to situations that give the appearance of a conflict. Provision No. 3 requires a reporter to guard against not only the fact but also the appearance of impropriety.

Provision No. 4 requires reporters to ensure the security of the information entrusted to them.

Provision No. 9 requires Members to maintain the integrity of the reporting profession.

The Committee has determined that for a reporter to enter into an arrangement such as the one described above or any arrangement in which the reporter yields control and distribution of the official transcript to any entity (other than a court reporting firm through which the reporter did the work), particularly one of the parties to a proceeding, violates Provisions Nos. 1, 2, 3, 4, and 9 of the Code. The Committee also considers it a violation of the same Code Provisions even if

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the reporter involved is not directly involved in the agreement, for example, is acting as a subcontractor for a firm that is party to such an agreement.

A reporter is no longer able to fulfill the obligation to offer comparable services to both parties if the reporter supplies a transcript to one party and is prohibited or refuses to do so for the other parties. This is a violation of Code Provision No. 1. Entering into such an arrangement makes the reporter part of the hiring party's litigation team, removes the reporter's impartiality and creates a conflict of interest. In essence, the opposing parties subsidize the hiring party's litigation costs. This arrangement also delays delivery of copies of the official transcript to the opposing parties. Thus, this practice also contravenes Code Provisions Nos. 2 and 3. Giving over the control of the transcript to one party further results in the reporter's abdication of the reporter's duty to ensure the security and confidentiality of the information as required by Provision No. 4. Finally, this practice most certainly violates Provision No. 9 by undermining the confidence of the parties and the public in the reporting profession.

Conclusion

The Committee has determined that for a reporter to enter into any arrangement in which the reporter gives up control and distribution of the official transcript to anyone (other than a court reporting firm through which the reporter did the work) , particularly a party to the proceeding, violates Provisions Nos. 1, 2, 3, 4, and 9 of the Code.

The Committee also considers it a violation of the same Code Provisions even if the reporter involved is not directly involved in the agreement, for example, is acting as a subcontractor for a firm that is party to such an agreement.

DEPOSITION PROCEDURES

1. F
2. F
3. a
4. a
5. d

COURT PROCEDURES

1. b
2. c
3. criminal
4. c
5. d

ANSWER KEY

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TECHNOLOGY

1. a
2. b
3. b
4. rough draft
5. Americans with Disabilities Act