

Chaplin & Associates, Inc.

Instruction Manual

WELCOME TO CHAPLIN & ASSOCIATES, INC.

We are very pleased to have you as part of our team and look forward to a long working relationship with you. Our goal is to provide to the client the most accurate transcript possible. To do so, we will explain the various roles of the people in the company and help to make it clear to you why we all work as a team in order to provide quality service, which will ensure that we will all keep the business continuing to grow and prosper.

If you have any questions or concerns at any time, please feel free to talk to us. We are always glad to hear any ideas or input you may want to share.

We are proud to have you on board and together we will make this a company all of us can be proud to be associated with.

Thank you for all of your efforts.

Cathy Chaplin

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REFERENCE MANUAL & INSTRUCTIONS

GENERAL INFORMATION

While this is by no means an attempt to cover everything you will encounter while typing/proofreading, hopefully, this will cover the majority of the issues you will face. Please, also keep in mind that we are here to answer any questions you may have. Don't hesitate to call; there are no stupid questions.

TYPISTS

The typist will listen to the recordings and type everything in transcript format, which will later be proofread by a proofist.

As a typist, you are not just typing words; you are typing a story. If it sounds like a word that doesn't make sense in the context of what you're typing, 99 percent of the time it is the wrong word.

It is your job to get the transcript as near to perfect as possible. The proofreader should only have to catch just an occasional word or mistake. If he/she is constantly changing things on each page, then some retraining may be necessary for you to continue to type. We will certainly make every effort to help make your job easier, but the quality of your work and your availability to take on projects as needed are the most important things we consider in determining pay raises. We know you have a tough job, but we think you're up to the challenge or you wouldn't have been selected to become a part of our team.

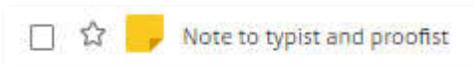
If you find a spelling to be different from what the reporter has listed, you are responsible for noting/reporting inconsistencies when you turn in your final document. This tells the proofist and office that it has already been checked and corrected. The office will not check any words that come up on the final spell check unless it is marked with an asterisk. At this point, after going from the typist and the proofist, the office will believe that everything is correct. If there is any question about anything, please use an asterisk, and mark your questions when you turn in your final document.

BEFORE YOU BEGIN:

Make sure you have Word Perfect and Express Scribe loaded correctly on your computer.

- ❑ Once you receive an email with a typing job, you will need to download everything in the ShareFile folder.
 - WordPerfect document template
 - All document files
 - Audio recordings
 - Zoom recordings – ShareFile has a link to the Zoom's website. You will download Zoom recordings from Zoom's website.

- An icon that looks like a sticky note cannot be downloaded; however, it will have



important information. Click on the name of the note to read the note. **Always read the notes.**

- ❑ Check your documents to make sure you have all the pertinent information. If not, notify the office **immediately** or we will assume you have everything you need to complete your job.

Documents

- ❑ The documents may include a Notice of Deposition (NOD), reporter notes, reporter worksheets, exhibits and searchable copies of previous depositions taken in the case. You will need all these documents when typing. You may want to print out the NOD and the reporter's notes.
- ❑ These documents should contain all the pertinent information. You will refer to these documents and follow along with the reporter's notes as you type. If for some reason you question something, please bring it to our attention. Reporters can inadvertently leave something out or have an error.

Audio/video recordings

- ❑ You will need to download and use ALL the audio recordings and the Zoom recording (if applicable) in order to maintain an accurate representation of the record. Depending on your internet connection, it may be easier to download the audio recordings one at a time.
- ❑ You will type from the audio recordings and/or a Zoom recording. The audio recordings will include the court reporter's voice track. If you get a set of tracks that are very hard to hear or understand to the point where you don't think you can produce a good transcript, CONTACT THE OFFICE IMMEDIATELY.
- ❑ You will type from the room recordings and/or Zoom, but don't neglect listening to the reporter track often to check what you're typing from the room track. If it sounds like a particular word that doesn't make sense in what you're typing, 99 percent of the time it is the wrong word.
- ❑ The reporter has to speak very quietly so that the people around them are not disturbed. It will take a little bit of getting used to in order to clearly hear the reporter, but you will get used to it. There is a button on Express Scribe that will allow you to switch very easily from reporter to room or room to reporter. This is a feature you must use to obtain an accurate transcript. While the reporter is supposed to repeat each word accurately, they are human and will on occasion miss something. Hopefully, if they did, they put it in their written notes.

- ❑ If you have put forth a valiant effort through listening several times to the reporter, the room and the backup recordings and looking at the notes and exhibits and still can't figure out what is being said, this should be noted with an asterisk.
- ❑ There are times when the pace is so rapid that when the reporter is changing tracks, they continue to talk. There might be a few words missing between tracks. Always be very careful when changing tracks that you check the reporter track, as they are taught to say what is being said when the track was *flipped, if possible. If this doesn't work, that is what the backup track is for. Hopefully, the reporter will make a note of this, but don't assume that because sometimes the pace is so rapid or difficult that it is almost impossible. Backup tracks and Steno tracks don't always coincide; however, they should be fairly close.
- ❑ You must check ALL the recordings to make sure that you have 100% of the deposition. Sometimes an audio or video recording will be missing parts.
- ❑ When a typist gets a job, she/he will need to check the packing list section to make sure they have all the pertinent information. If not, **notify the office immediately** or we will assume you have everything you need to complete your job.

READY, SET, TYPE:

- ❑ Briefly scan the documents to familiarize yourself with the type of job you have been assigned. You will type a little differently depending upon the job. The job may be a deposition, an examination under oath, arbitration, hearing, board meeting or other transcription. Jobs may be in person, via video conference (usually Zoom), or recordings that need to be transcribed. In addition, some jobs may have been videotaped by a professional videographer.
- ❑ Make sure that you have the correct template type (EUO, deposition, hearing, etc.)
- ❑ Immediately save your new document with the correct name. The first part of the name will match EXACTLY the first part of the name of the NOD (everything before the hyphen), and you will add your initials and "typing" after the hyphen.

For example:

If the NOD is titled: 6916 Dr John Morris 10-28-20 - NOD.pdf

Name your document: 6916 Dr John Morris 10-28-20 - XYZ typing

- ❑ Save your typed material periodically in case of a power failure, et cetera. Many typists have learned valuable lessons by not taking this necessary step when they have to go back and re-type text. We recommend that you save your work every 10 to 15 minutes.

Cover pages

All the information that you need for the cover pages should be on the reporter's worksheet, reporter's notes and/or the NOD.

Refer to the formatting section of this manual for detailed information on the cover pages.

Please note the following:

- On the front cover page (see formatting section for examples):
 - The caption should match the NOD
 - Make sure you have the correct county, court and case number
 - The date is always written as such: 01-06-05 (on the cover page)
 - Different days of the same witness are done as Volume I, II, III, etc.
 - Medical doctors should always be M.D. as opposed to Dr. on the front cover page. An educational doctor is noted as Ph.D.
 - If it is a trial, HEARING should be typed on the cover page (instead of DEPOSITION OF ...)

- On the Appearance Page, **everyone** who is present should be listed.
 - Attorneys for the plaintiff(s) will be listed first, followed by the attorneys for the defendant(s).
 - EVERYONE else attending the deposition will be listed under "Other Appearances" (including an outside notary, videographer, etc.), with the exception of the court reporter.

Be very careful with the spelling of attorney's names, et cetera. Attorneys hate to see their names misspelled. Sometimes the NODs have incorrect addresses or firm names for the opposing counsel. Always verify the spelling of an attorney's name, as well as the firm's name and address. Most of the firms' websites list all their attorneys and email addresses.

- Check the reporter's notes/worksheet to see if there are any special stipulations that need to be amended or added to the stipulations page.

- Check to see if the witness wants to read and sign or waive signature.
 - You will need to make sure "waived" or "requested" is correct on the stipulations page and the certification page.
 - If the deposition is not a read and sign, the Witness Certification Page and Addendum A page should be deleted, and the lines on the INDEX page referring to these pages should be deleted.

- Make sure the reporter and notary information is correct on the stipulations page and the certification page at the end of the transcript. There are examples of all of this in the formatting section of your manual.

- As you type, fill in the names of the exhibits

Proceedings Section

At this point, you should be ready to type the text. Make sure to use macros, as this will increase your speed immensely. (See below for instructions on macros.)

*******Type each transcript as if it is going out unproofed. *******

- ❑ Listen to every track to ensure that you have correctly typed each and every word. (Paraphrasing content is NOT acceptable.) You MUST type exactly what is being said; otherwise, we wouldn't be verbatim reporting.
- ❑ Follow along with the court reporter's handwritten notes, checking for name, spellings, objections and exhibits
- ❑ Try to make smaller paragraphs out of long questions and answers. This makes the transcript easier to read
- ❑ Listen for objections – you should have at least as many objections as are noted by the court reporter
- ❑ Mark exhibits as the attorney instructs (see formatting section on formatting the exhibit marking). Also add the exhibit names to the index page.
- ❑ Watch your punctuation. You are not just typing words; you are typing a story.
- ❑ Check spellings as you type
- ❑ Be **extremely** careful with context. If it sounds like a word that doesn't make sense in the context of what you're typing, 99 percent of the time it is the wrong word.
- ❑ If you are not 100 percent sure of a word or speaker, please check the reporter track and back-up tracks. Adjusting tone and speed on Express Scribe will sometimes help. If you have listened to all the tracks and listened to the audio at different speed, please put an asterisk next to the word, along with the time stamps from the audio/zoom.
- ❑ Make a notation for the proofist of anything unusual, otherwise mark with asterisks.
- ❑ Check things such as headers, footers, margins and always spell check each document before turning it over to the proofist. If you have any questions on any formatting, please check your manual or call the office.

Take the time you need to ensure accuracy and refer to the reference sections for formats.

MOST IMPORTANTLY: USE COMMON SENSE. IF IT DOESN'T SEEM CORRECT, IT PROBABLY ISN'T

- ❑ A checklist of reminders, margins and small items of formatting is included in this manual for your reference. Even if you feel you know all of this, please check, as some things may have changed.
 - ❑ After you have finished typing a job, you are required to read back through the entire transcript to look for obvious mistakes.
 - ALWAYS recheck objections, and count to make sure that you have at least as many objections as the reporter has on his/her notes.

- ALWAYS recheck to make sure all exhibits have been marked
- ALWAYS do a final spell check before submitting a job.

Save your completed final document as a new document, substituting “typing” with “typed” and add the number of pages typed at the end of the document. For example, your final document will be named:

6916 Dr John Morris 10-28-20 - XYZ typed 193p

RULES FOR FORMATTING DOCUMENTS

GENERAL:

- ❑ Use two spaces after end punctuation (period, question mark, etc.)
- ❑ Use one space after a colon or semicolon in the body of the transcript.
- ❑ Capitalize the witness’s name in swearing in.
- ❑ Some witnesses prefer to be affirmed rather than sworn. There will be an example included of an affirmation. Go by that.
- ❑ Before an attorney starts to question the witness, center, the word EXAMINATION. Examination should always be in caps. On the next line, capitalize the attorney name against the left margin. See the following example.
- ❑ If it is the second day of a deposition, frequently, the witness is not sworn in again. The witness is usually just reminded that he or she is still under oath. Also make sure that this is noted as Volume II on the front cover.
- ❑ If the deposition is being videotaped, the videographer will make various statements. These should be typed for the record before the examination begins. Also on the cover page, you will need to indicate VIDEOTAPED next to the word Deposition exactly as formatted. Statements

made by the videographer are always in colloquy and should be typed as THE VIDEOGRAPHER, not the name of the videographer.

- The Q. and A. format will follow this immediately on the next line. The format is as follows:
(tab)Q.(tab)Question? See the following example.

EXAMINATION

BY MR. CAMPBELL:

Q. Please state your full name for the record.

A. Molly Teresa Brown.

- When attorneys object or interject something, this is called colloquy. Colloquy is always three tabs over and the speaker's name is in all caps. Refer to example transcripts for identifying attorneys and witness in objection and interruption situations. Unless there is a Q. directly above the answer, it is typed as

THE WITNESS: (2 spaces) (See example below).

- After there has been an interruption of any kind (including exhibit marking) and you go back to Q. and A., you should have the attorney's name as such:

(tab)Q.(tab)(Mr. Campbell)(2 spaces)then the question

This shows that the attorney is still doing the examination. See the following example. You only go back to Q. and A. after the attorney directs an actual question to the witness.

MR. SMITH: Object to the form. You can answer.

THE WITNESS: Yes, I knew that.

Q. (Mr. Campbell) What is your current address?

A. 1324 First Avenue, Winston Salem, 27107.

- Attorneys almost always ask questions. They generally do not make statements of fact. Make sure that in the Q&A section, there is a question mark at the end of the attorney's question.
- Indent new paragraphs with two tabs. Also, the transcript is easier to read if you start new paragraphs after long questions or long answers.
- When the questioning (taking) attorney says, "Strike that," type that out and then start a new paragraph.

- ❑ Make sure to change the court reporter's name on the stipulations page and the certification page. Also make sure the correct notary number is listed on the certification page.

Appearances Page

- ❑ All attorneys present for a deposition should be listed on this page whether or not they order a copy of the transcript.
- ❑ The firm name that follows the attorney name should be in all caps.
- ❑ If anyone attends by telephone, type (via telephone) next to their name on the appearances page. If a person appears through Zoom or other video conference, (via video conference) should be typed next to or below their name.
- ❑ P.O. Boxes should never be used on the appearances page for any attorney. If there is a P.O. Box on the NOD, it is your responsibility to look up their physical address.
- ❑ If there is a videographer or interpreter present, they are listed under Other Appearances on the Appearance Page with a comma after their name and what their function was at the deposition. For example: M. Sean Greene, Videographer. Likewise, if a paralegal is sitting in on a deposition, his/her name is also listed under other appearances and followed by their name is a comma and the word Paralegal.

Parentheticals:

- Lunch breaks should be against the left margin.

(Luncheon recess)

- A break should be against the left margin.

(Brief recess)

- A break for a video conference or videotaped proceeding should include the times.

(Brief recess: 2:30 p.m. to 2:36 p.m.)

- An off the record discussion should be against the left margin.

(Off-record discussion)

- A witness examining a document should be against the left margin.

(Witness examines document)

- A witness asked to draw something, et cetera, should be against the left margin.

(Witness complies)

- A witness nods his/her head yes or no should be on the left margin.

(Witness moves head up and down)

(Witness moves head from side to side)

- When the attorney asks the court reporter to read back a question, just show as a

parenthetical, do not type what was said.

(Court reporter reads back previous question)

(Court reporter reads back previous answer)

(Court reporter reads back previous testimony)

Dashes

Dashes used in dates

- Use dashes for dates:

5-31-04

- Type dates and numbers as they are commonly seen. For example, the year of 2003, et cetera. The year may also be typed as '99 in some cases. Example: What was your injury in '99? Type it exactly as they say it.

Dashes with Interruptions

- Attorneys or witnesses interrupting the other person should be handled using a space and three dashes. See the following example:

Q. What did you do ---
A. I didn't do ---
Q. --- with that?
A. --- anything with that.

- Interruptions in thought patterns are space two dashes space. See the following example:

A. I went to -- I went to the store -- to the office to get that.

- When a witness stutters, for instance repeating the same word or phrase more than once, take out all stuttering except to show that he did stutter once. For instance, the witness says: "I took that job -- that job -- that job -- in February of 2009." It should be typed as follows:

A. I took that job -- that job in February of 2009.

Exhibits:

- An exhibit marked appears as three lines in the transcript as follows. The first line should be centered, and the subsequent lines should be lined up with the left side of the first line, using the space bar. For example:

13 Q. Okay.

14 MS. BAGLEY: Gretchen, can we pull up
15 Exhibit 14 now, please?

16 (DEPOSITION EXHIBIT
17 NUMBER 14 WAS MARKED
18 FOR IDENTIFICATION)

19 Q. (Ms. Bagley) And Ms. Bradshaw, this was
20 previously marked as Exhibit 14 to the first part of
21 your deposition, but we are remarking it. I couldn't

- If a group of exhibits are marked at the same time, they should be listed as is indicated below.

(DEPOSITION EXHIBIT NUMBERS
1 THROUGH 12 WERE
MARKED FOR IDENTIFICATION)

- Exhibits must be marked in the transcript in the correct location. When the exhibits are marked in the transcript correctly, it will portray the order of events. If the attorney says, "I want this marked as Exhibit 1," the exhibit should be marked after the attorney says it. However, if the attorney says, "I will show you what has been marked as Exhibit 1," the exhibit should be marked above (before) the attorney asks the court reporter to mark the exhibit.
- If an exhibit is retained, it is marked with an asterisk on the index page. If all exhibits are retained, there are no asterisks next to the exhibits listed themselves. Instead, the following phrase is centered in all caps with asterisks at the bottom of the last exhibit:

EXHIBITS RETAINED BY COUNSEL

- If an exhibit is marked in an Examination Under Oath, it should not have the word "deposition" in the marked phrase. See below:

16	(EXAMINATION* EXHIBIT
17	NUMBER *1* WAS MARKED
18	FOR IDENTIFICATION)

Read back Question/Answer

- If an attorney is reading from a transcript, it should be as follows:

Q. Question: “When did you tell Dr. Cooper you had that pain?”

Answer: “Monday afternoon.”

(sic)

- A witness reads a word or words incorrectly from a document. You may use the (sic) or (as read). This tells the reader that the material is typed in your transcript as it was actually read and may differ from the way it was originally written.
- Technically (sic) is used to tell the reader that this was what was actually said even though you know the speaker was in error and actually stands for “spoken incorrectly.”
- (sic) is also used if the attorney or witness speaks incorrectly. An example would be if the date of the accident is actually February 21, 2008 and the witness/attorney actually says: the accident took place on February 21, 2007 (sic) in front of the McDonald's.

Hearings

- If you are typing a hearing, the exhibits are normally marked, offered and admitted. Each heading is listed on the exhibits page and the page number should be listed under the heading and not at the far-right margin separated by back slashes.
- Attorneys generally give opening and closing statements in hearings. These should be listed on the index page underneath the section of EXAMINATIONS as a STATEMENT

BY MR. LONG

- If THE COURT makes any direct orders, such as any of the following, they should also be listed on the index page under STATEMENT:

QUESTIONING BY THE COURT

FINDINGS BY THE COURT

FINDINGS OF FACT BY THE COURT

FINDINGS AND ORDER OF THE COURT

ORDER BY THE COURT

- ❑ If there was no court reporter present at the hearing, make sure the cover page notes there was no court reporter present and remove the name.

Confidential Portions

- ❑ If the entire transcript is confidential, the word CONFIDENTIAL should be capitalized on the cover page above the word DEPOSITION. Also, under the witness's name on the cover page, it should read: THIS DEPOSITION CONTAINS CONFIDENTIAL AND PROPRIETARY INFORMATION AND IS SUBJECT TO A PROTECTIVE ORDER RESTRICTING PUBLIC DISCLOSURE OF ITS CONTENTS. (This usually takes up three lines.)
- ❑ Please note that normally only portions of testimony are marked confidential. An attorney can request any part of the body of the deposition to be marked as confidential.
- ❑ Confidential is never listed in the header.
- ❑ If a confidential portion is requested, finish typing the rest of the text that is not confidential and mark at the end (CONFIDENTIAL PORTION BEGINS ON PAGE *) and end the text on that page (last line should still be 25). The page number should be the following page.
- ❑ At the top of the next page, mark (CONFIDENTIAL PORTION BEGINS). You will type all text that is confidential under this heading.
- ❑ At the conclusion of the confidential portion, it will be marked as (END OF CONFIDENTIAL PORTION). This will be the end of the text on this page. Please make sure that there are 25 lines on this page as well.
- ❑ Beginning on the top of the next page, you will mark (CONTINUATION OF TESTIMONY). You will then continue typing the transcript as normal throughout the deposition. If there are more confidential portions, just repeat the process above.
- ❑ Confidential portions of a deposition should be listed on the index page as CONFIDENTIAL PORTION with the inclusive page numbers listed on the far-right margin, such as 21-42, 60-78
- ❑ Exhibits may also need to be marked as CONFIDENTIAL

HELPFUL HINTS

General

- ❑ Acronyms are abbreviations that are pronounced as a word, such as *NASA*, *CAD*, *ASP*, et cetera.
- ❑ Use the ampersand only when it is part of an official name of a company, product or other proper noun.

i.e. and e.g.

- ❑ The abbreviation i.e. means “that is.” To be used to restate something in different words, explain the meaning of a term or phrase or to give a complete list.
- ❑ The abbreviation e.g. means “for example” and is like saying “such as.” To be used when you are giving an example or an incomplete list.
- ❑ Both i.e. and e.g. have periods after each letter and are followed by a comma.

The system administration, i.e., the president and vice presidents attended a retreat on Tuesday.

Several majors (e.g., business administration, economics and chemistry) require strong mathematics backgrounds.

Trademarks

- ❑ Some words and names are legally trademarked and should, therefore, appear with initial capitals to acknowledge the fact.
- ❑ The symbols ® and ™ **shouldn't** be used in text.

Special Characters

Do not use special characters. Superscripts, subscripts, symbols and foreign letters all create formatting issues when a transcript is processed through YesLaw.

Dates and Times

Dates

- ❑ Capitalize months.
- ❑ Always spell out the month and day.
- ❑ If the attorney or witness says, “January 10th of 2005,” it should be typed verbatim.
- ❑ The year may also be typed as '99 in some cases:

What was your injury in '99?

- ❑ If a phrase lists only a month and a year, there is no comma between them.

February 2001 was the company's best month.

- ❑ When the phrase lists a month, day and year, it should be typed as follows:

January 18, 2005, was a busy day at Chaplin & Associates.

Inclusive Dates

- ❑ Use a hyphen for continuing or inclusive numbers or dates, but never use a hyphen to substitute the word to.

If the attorney says, “She was in the hospital from May of 2001 to July of 2001,” then that is how it should be typed.

If the attorney or witness says, “1990, 1991,” that is how it should be written.

Times

- ❑ Use numerals with a.m. and p.m.
- ❑ Spell out noon and midnight.
- ❑ Use the colon to separate hours from minutes.

a.m. and p.m.

- ❑ These should always have periods separating each letter.

O'clock

- ❑ On the cover sheet and adjournment, start and end times should read as follows:

06:00 o'clock p.m.

05:31 o'clock p.m.

10:26 o'clock a.m.

*** The only exception is that on the cover page, the time is in all caps.**

- ❑ Throughout the body of the deposition, times should read as the attorney or witness says them.

The accident occurred at 10:43 p.m., and was not reported until the following day at nine o'clock in the morning.

The witness failed to show up for his deposition, which was to start at 3 p.m. on January 7th of 2005.

The scheduled start time of the deposition was three o'clock in the afternoon, but it didn't actually get started until 3:15 p.m.

Capitalization

In General

- ❑ Official names and proper nouns are always capitalized.
- ❑ Common nouns and shortened versions of official names are not capitalized.

Saturday's banquet was the official start of the New Century Capital Campaign.

The campaign has already raised \$25 million.

- ❑ Always capitalize legal holiday, such as Christmas, Thanksgiving, Valentine's Day, et cetera.

Committee, Center, Group, Program and Initiative Names

- ❑ Unless either of the above is officially recognized and formally names, avoid capitalization.
- ❑ Always capitalize the official proper names of long-standing committees and groups and formally developed programs and incentives.

The Mountaineering Collection in Norlin Library contains a quite a bit of unique material. The collection is located on the library's third floor.

Degrees

- ❑ Capitalize abbreviations of degrees but not the spelled out versions and not when they're referred to generically.

Melinda Cortez received a doctor of law degree.

The Johnson family members hold a total of five doctor's, three master's and ten bachelor's degrees.

Jeremy Smith, PhD, earned his bachelor of science degree at Radford University.

Department Names

- ❑ Capitalize official department names and office names.
- ❑ Names using shortened or unofficial references should not be capitalized.

The geography and anthropology departments are cooperating on the project submitted by the faculty.

The Department of Media Studies publishes a newspaper called The Tartan on a weekly basis.

Geographical and Related Terms

- ❑ Capitalize geographic terms that are commonly accepted as proper names.
- ❑ Descriptive or identifying geographical terms that either are not regarded as proper names for their entities or that do not apply only to one entity are not capitalized.
- ❑ Cultural or climatic terms are generally lowercase when they come from geographical proper names.

The Flatirons, the South, southern, southwestern, the Southwest, western Europe, the West Coast, the Middle East, western, westerner.

Job and Title Positions

- Job titles are only capitalized when they precede the individual's name or when they are honorary titles or names positions.

President George Bush loves his dogs.

The president of the United States serves a four-year term.

Have you taken Professor Johnson's course?

The president, George Bush, will be inaugurated shortly.

Descriptive Job Titles

- As opposed to formal job titles, are not capitalized.

News photographer Jason Williams and writer Elizabeth Shue presented their proposal to public affairs Director Michael Morris.

Occupational Descriptions

- These are never capitalized, regardless of whether they come before or after a name.

When chef Piper Hallowell met with editor Pheobe Hallowell, they decided to create a cookbook.

Publication and Other Titles

- Underline titles of books, journals, brochures, pamphlets, long poems, TV series, operas, long musical compositions, artwork and movie titles. Newspaper title and Bible.
- Set chapter titles, short stories, poems, conference papers, essays and article titles in italics. Newsletter in italics as well.
- Capitalize the following:
 - the first word
 - the last word
 - the first word after a colon
 - all nouns, verbs (even the short ones, such as is and are), pronouns, adjectives, adverbs and subordinating conjunctions (such as if, because, as, that).
- Do not capitalize the following:
 - articles (a, an, the) unless they are part of a proper noun
 - coordinating conjunctions (and, but, or, for, nor)
 - prepositions (on, between, because, of, to, so, yet, by, before, over, under, through, et cetera)

Letting Go: A Parent's Guide to Understanding the College Years is a book by Karen Levin Coburn and Madge Lawrence Treeger.

In the newspaper article, *Meningitis: Making a Comeback at VT*, four cases of meningitis have been reported.

- ❑ Only in special cases, for example, when you know an author officially uses lower case letters, like the poet e e cummings, use the preferred capitalization.
- ❑ Titles of forms, reports, workshops, conferences, et cetera, are set in plain text with the proper capitalization. (See above.)

Government Programs

- ❑ Full formal or accepted titles of plans, policies, law and similar documents or agreements, including the names of programs resulting from them, are usually capitalized.
- ❑ Incomplete names are not.

The Federal Privacy Act of 1974, Section 7 (b) ...

Names with Initials

- ❑ There are no spaces between initials.

The following witnesses are scheduled for depositions today: H. Edward Wilson, H.E. Wilson and B. Wilson.

Names with Suffixes

- ❑ A comma should be placed before and after such suffixes as: Jr., Sr., III, et cetera

Hugh Edward Wilson, Sr., Hugh Edward Wilson, II, and Hugh Edward Wilson, Jr., are an example of three generations.

Race and Ethnicity

- ❑ There should not be a hyphen in non-European American names.
- ❑ The following is an incomplete list of preferred spellings:

African American

Asian American

European American

Hispanic American / Latino / Latina

Native American / American Indian

Caucasian

- ❑ Other preferences:

African Americans: black, not capitalized

Caucasians: white, not capitalized

Asian, capitalized

American Indian is preferred of Native American

Numbers

In General

- ❑ Spell out numbers one through ten. Use numerals for numbers over ten.
- ❑ Exceptions:
 - Use numerals for percentages (always using the term percent), decimals, book sections and pages and quantities combining whole numbers and fractions.
 - Use numerals when marking exhibits.
- ❑ Use a combination of numbers and words with numbers in the millions and larger.
- ❑ Use a comma for numbers over three digits long, unless they represent years.
- ❑ Spell out numbers at the beginning of a sentence, except for years and phone numbers
- ❑ Hyphenate fractions when they are spelled out.

You will find the answers in Chapter 6 on page 72.

We used 4 1/2 cups of flour.

In general, two-thirds of the population is overweight.

Forty-nine people participated in the event.

She gave five dollars to charity, which was 8 percent of her dividend check.

2004 was a very productive year for the company.

The fundraiser brought \$2 million to help meet budget.

There were over 100,000 deaths caused by the tsunami.

Adjacent Numbers

- ❑ In order to prevent confusion, use a combination of numerals and words when there are two numbers right next to each other.
- ❑ If one of the numbers is a measurement, leave that number a numeral.
- ❑ In other cases, spell out the shorter of the two.

The construction of the clubhouse included twelve 8-foot-high plastic pillars.

They distributed 225 four-page pamphlets.

Money

- ❑ If a relation between two or more similar amounts is expressed, the dollar symbol (\$) may or may not be repeated.
- ❑ Use a hyphen to denote range.
- ❑ The dollar symbol (\$) is only used when the person specifically says the word dollars, unless used in the beginning of a sentence, in which case, the words are spelled out.

The cost of transcripts for that case are generally from \$194.95 up to \$1,365.29.

The defense has invested \$1-2 million in the on-going case.

Eleven hundred dollars is what she spent on the furniture.

She paid \$1100 for the couch and loveseat.

Four hundred and twenty dollars is what it cost me at the vet's office.

Ordinal Numbers

- ❑ Spell out ordinal numbers from first to tenth.
- ❑ Use numerals for ordinal numbers over tenth.

She placed fourth out of 200 competitors.

The 21st century is known for its leaps in technology.

Telephone Numbers

- ❑ Do not put the area code in parentheses.
- ❑ Use hyphens as follows: 336-992-1954

Punctuation

In General

- ❑ Use two spaces after end punctuation (period, question mark, et cetera)
- ❑ Use one space after a colon or semicolon.

Apostrophes

- ❑ The form of possession for a name is noted with an apostrophe followed by an s, even when the name ends in an s or other sibilant.
- ❑ The only two exceptions are Jesus' and Moses'.

Kansas's team

Jones's theorem

Marx's ideas

The Joneses are attending the dinner party tonight.

It's the Jones' dish.

- ❑ A few exceptions are: the possessive of a singular common noun is formed by the addition of an apostrophe and s, and the possessive of a plural common noun by the addition of an apostrophe only.

The horse's mouth

The puppies' tails

The children's desk

- ❑ Do not use an apostrophe to indicate plurals, including acronyms and abbreviations, unless confusion would result.

There are five S's in that word.

There are five 5s in that number.

There were five PhDs last year.

Five NGOs were present in the conference.

- ❑ Apostrophes are required in bachelor's degree and master's degree.

Colons - (one space after a colon)

- ❑ Use colons to introduce a series or list, especially a list preceded by as follows or the following.
- ❑ Capitalize material after a colon if it constitutes a complete sentence.
- ❑ Use a colon to introduce an explanatory phrase or sentence.

Retreat participants should bring the following items: alarm clock, laptop computer and pillow.

The implication of the email was clear: If the work is not being sent or delivered back in the allotted amount of time, you will not get work.

Commas...

Before Proper Nouns

- ❑ Use a comma between two proper nouns.
- ❑ Use a comma between a year and a proper noun.

When they were invited to the Club House, The Breakfast Club drew a huge crowd.

In 2005, Chaplin & Associates updated their manual.

In Complex and Compound Sentences

- ❑ Use a comma before a conjunction that introduces an independent clause or a complete sentence.
- ❑ NOTE: Not every and, but, or, because introduces a complete sentence or independent clause.
- ❑ If what follows the conjunction is not an independent clause, it does not need a comma.

The car came out of nowhere, and it struck me in the driver's side door.

The care came out of nowhere and struck me in the driver's side door.

To Avoid Confusion

- ❑ Don't add commas just because you may pause when speaking the sentence, but do if the meaning might be misconstrued without them.

For example: we don't use the last comma in a series; however, if the series is made up of a list and uses semicolons, the meaning may be altered without the last comma. E.g., People attended the conference from all over, including, Jane Johnson, New York; Tiffany Marks, Georgia; Steven Harris, California; and Benjamin Wallace, Louisiana.

With Appositives

- ❑ Use commas with appositives.

Cathy Chaplin, owner of Chaplin & Associates, attended a mandatory meeting today.

With Introductory Phrases

- ❑ Use commas with introductory phrases.
- ❑ Common introductory words that should be followed by a comma include yes, however, well and now.
- ❑ Never put comma after "so" at the beginning of a sentence

When the holidays are over, everyone begins their diets.

Sitting here today, can you tell me the answer?

No, sir.

Yes, I do.

Now, can you tell me what happened?

In Lists

- ❑ Do NOT use a comma before the conjunction and the final element in a list.

I need to get sugar, conditioner, coffee and trash bags from the store today.

With Nonrestrictive and Parenthetical Phrases

- ❑ Use commas to set off nonrestrictive and parenthetical phrases.

My car, which is falling apart, is my only transportation.

My car, the green one over there, is getting old.

Dashes

- ❑ Use two dashes to denote that the person speaking has changed thoughts in the middle of the sentence, when they interrupt themselves and/or when they stumble or repeat words.
- ❑ Use three dashes when someone else interrupts the speaker. (See examples under Rules for Formatting Documents.)

Ellipses

- Use ellipses points to indicate that the speaker has trailed off mid-sentence.

A. I live in High Point, so...

- Ellipses should not be used in the middle of a paragraph or sentence. In transcript format, the ellipses are replaced by the two dashes to indicate a change in thought.

A. I told him that, but he -- where did he go from there? I can't remember.

NOT

A. I told him that ... where did he go from there? I can't remember.

- Ellipses are used in a quotation when the speaker leaves out or omits part of a quote. A period should only ever follow an ellipses when the quotation that omits something is followed by a period.

The movie theater announcer announced the beginning of the movie by saying, "For the enjoyment of all viewers, please turn all phones and pagers off, and refrain from talking...during the show."

The court reporter read back the following: "You told Dr. Cooper that you had pain in..." When did you first feel that pain?

Hyphens

- Use hyphens as follows:

It was a well-played game.

He had a head-on collision.

Do you need a follow-up appointment?

- Omit hyphens as follows:

The game was well played.

He was hit head on.

You will need to follow up on that.

Periods

- Use periods as follows:
 - When you come to the end of a declarative sentence.
 - When you come to the end of a quoted passage that also ends a sentence, even if it's not the end of the original sentence.
- Do not use more than one punctuation at the end of a sentence. There should only ever be one period, regardless as to whether or not it is a quotation.

Quotation Marks

- ❑ Commas and periods always go inside quotation marks.
- ❑ Colon and semicolons always go outside quotation marks.
- ❑ With questions: If the question mark is part of the quotation, put it inside the quotation marks; however, if the question mark is not part of the quotation, it goes outside of the quotation marks. Note: Catch phrases: question mark always goes inside the quotation marks.
- ❑ If an attorney or witness is reading a quote and they are interrupted, the quotation marks go inside the dashes. If they are reading a quote where the interruption is part of the quote, then the quotation mark goes outside the dashes. See below for an example.

Q. Would you please read the first paragraph on that page into the record.

A. Sure. "The physicians and staff of Carolina Bone and Joint, P.A. realize" ---

Semicolons

- ❑ Use semicolons in lists that include commas.
- ❑ Use semicolons to separate complete sentences that are closely related.

Grammar and Language Use

Plurals of Abbreviations and Acronyms

In General

- ❑ Adding an "s" alone forms the plurals of abbreviations and acronyms.

All the department's MAs, PhDs and TAs spent several hours at the seminar.

State Abbreviations

- ❑ ALWAYS spell out the names of states in text if the attorney or witness says the full name. Only abbreviate if the witness or attorney says "NC."
- ❑ Place one comma between the city and the state name and another after the state name, unless it's at the end of a sentence.

The class of 12 included students from Alaska, Georgia, Colorado, Minnesota and Virginia.

Research was conducted in Mesa, Arizona, and Las Vegas, Nevada.

We have family in Baltimore, Maryland; Denver, Colorado; Falls Church, Virginia; Elkin, North Carolina; and Charlotte, North Carolina.

United States

- ❑ The two-letter abbreviation for the United States of America uses periods.
- ❑ The three-letter abbreviation, along with other abbreviations of more than two letters, uses no periods.

The U.S. Senate promised to pass a bill guaranteeing a tax cut in lower income families.

If you tell a group of people that a product was made in the USA, they are likely to not buy it at all.

- ❑ As a general rule, unless the speaker specifically says U.S. or United States, United States is abbreviated only when it's used as an adjective and spelled out whenever it's used as a noun.

Collective Nouns

- ❑ Many words, such as faculty, committee, board, team, class, group, public, group and data, can be both singular and plural. The choice of the singular or plural verb depends on whether or not the speaker is referring to the group as a whole of the members of the group.

That/Which

- ❑ That defines and restricts
- ❑ Which does not.
- ❑ In order to tell: if you are using which properly, a comma usually precedes it. (Although, that isn't true in every case, as in the previous sentence.)

The deposition that was taken two days ago ended up being over 300 pages long.

The deposition, which was taken two days ago, ended up being over 300 pages long.

World Wide Web Style

Capitalization of Electronic World Names

- ❑ The Web is an abbreviation for the World Wide Web, and, therefore, the Web is capitalized when it's used as a proper noun in place of the more lengthy term.
- ❑ When the term the web is used as an adjective, it is not capitalized.

web page

web site

home page

The Web initiated a revolution in communications and many other things.

URLs and Email Addresses

- ❑ When a web address is used at the end of a sentence, always use a period or the proper punctuation after it.
- ❑ Do not add punctuation to an email or internet address.
- ❑ If the web address is too long and won't fit on one line, break the address after a forward slash (/) or before a period.
- ❑ Do not hyphenate.
- ❑ Do not set web addresses in bold or italics fonts. Treat them like phone numbers.

WORD LIST

Note: Don't forget we are transcribing verbatim. Therefore:

It they say et cetera, type it out.

If they say incorporated, type it out.

If they say Inc., put Inc.

Commonly Misused words include:

a while / awhile Awhile is an adverb which means "for a period of time." A while is a noun phrase which means "a period of time."

accede / exceed Accede means to give in. Exceed means be longer than.

access / assess

Does he have access to the records?

Let me assess the situation.

acquiesce To comply without over protest.

airbag(s) When pertaining to an automobile, it is always one word.

all right NEVER alright.

alot / a lot Alot is not a word. It is always a lot.

altogether / all together Altogether means entirely. All together means everyone in a group.

anymore / any more Anymore means from now on.

We can't talk anymore.

Is there any more tea left?

anyone / any one Anyone means anybody. Any one means one person in a group.

anytime / any time

We can do this anytime.

Do you have any time available?

anyway/any way Synonym for nevertheless, anyhow, at any rate.

I'm busy, but we can do it anyway.

Is there any way you can give me some time.

anywhere To any extent or degree at all.

anywise In any way or manner.

assure / ensure / insure Assure is a verb used to convey the sense of reassuring someone.

Ensure is a verb that means to make sure that. Insure is used only in the sense of insurance purposes.

We assured her that we would ensure that she was insured with our company.

affect / effect Affect is a verb. Effect is a noun.

cannot This is one word

check out / checkout As a noun, it's one word. As a verb, it's two words.

Checkout is at 11 a.m., and you can check out at the front desk.

co- Do not hyphenate in combinations that do not form nouns, adjectives or verbs.

Cooperate v. co-counsel

compose / comprise / constitute Compose means to create or put together. Comprise means to be made up of. Constitute means to be the elements of.

The United States comprises 50 states. The United States is composed of 50 states.

Fifty States constitute the United States of America.

counsel / council / consul Counsel means an attorney at law or to give advice. Council is an assembly. Consul is a foreign representative.

courtroom

cyber Forms closed words, as in Cyberspace.

data A plural noun, although it is now often referred to as a collective noun as well. Data represents a unit and can be used in the plural or singular.

database

decent / descent / dissent Decent means proper or right. Descent means going down. Dissent means disagreement.

decision making No hyphen when used as a noun. Hyphenated only when it's used as an adjective immediately before a noun.

defendant Person defending a law suit.

dependent Someone or something dependent on something or somebody.

disc Use this spelling when referring to a CD or DVD, or anything else that's a read only medium.

disk Use this spelling when referring to a computer disk or other digital data, including floppy disk.

email

entitled / titled Entitled means to have the right to something. Titled is the name of something.

envelop / envelope Envelop means to cover or wrap. Envelope is a wrapper for a letter.

every day / everyday Every day is a noun meaning each day. Everyday is an adjective meaning daily.

extant / extent Extant means still existing. Extent refers to a measure.

farther / further Farther means "at or to a greater distance or can also refer to "a more advanced point" or "to a greater extent."

The **farther** you go . . . the harder it is to return.

He'd do anything to **further** his own interests at the company

Nothing could be **further** from the truth!

fax The abbreviation for facsimile. Not capitalized.

faze / phase Faze means to disturb. Phase is a stage in development.

federal Capitalized only when part of a formal name of when it refers to an architectural style.

female / woman Female is an adjective or a noun; woman is only a noun.

full time Hyphenate only when used as an adjective immediately before a noun.

fundraising One word, no hyphen.

gender Used to indicate psychological or sociological elements of a person's identity.

gibe / jibe Gibe is a sarcastic remark. Jibe is to agree.

gray Grey is the British preference.

hard copy

hearsay

high tech No hyphen.

holy / wholly / holey Holy means sacred. Wholly means entirely. Holey means full of holes.

home page

in-house Hyphenate when immediately precedes a noun.

interdisciplinary

Internet Capitalized when referring to the World Wide Web. Not capitalized when used as a generic term for network or connected networks.

insofar one word.

into / in to

I went in to the store.

It turned into something else.

its / it's Its is the possessive pronoun; it's means it is.

Judgment NEVER spelled judgement.

lawsuit

lean / lien Lean means thin or incline. Lien means a legal claim.

lesser Of smaller size.

levee / levy Levee is an embankment of a river. Levy (noun) is a tax. Levy (verb) means to raise money.

loose / lose Loose means not tight. Lose is the opposite of win.

more than / over Over refers to spatial relationships. More than refers to quantity. Use over when referring to an amount that cannot be easily counted.

multicultural

the Net Abbreviation for the Internet.

non- Usually, words beginning with this prefix do not use a hyphen; however, exceptions include when the following word is a proper noun or if it would cause confusion otherwise.

oftentimes

okay

omitted / emitted / admitted Omitted means to leave out. Emitted means to send out. Admitted means to admit.

online adjective.

onscreen adjective.

part time hyphenate only when used as an adjective immediately before a noun.

past / passed He drove right past me. He passed away.

per se not per say.

plaintiff / plaintive Plaintiff is a party in a lawsuit. Plaintive means mournful.

pleas / please Pleas is the plural of plea. Please means to be agreeable.

post- Usually, without a hyphen, unless the word is capitalized or it would result in confusion otherwise.

pre- Usually without the hyphen.

precedence / precedents Precedence mean priority. Precedents are established rules.

preface Something that precedes something, i.e., the preface to a book.

problem solving Hyphenate when used as an adjective before a noun. No hyphen when used as a noun.

purported Pertains to.

raise / raze / rays Raise means to lift something. Raze means to destroy. Rays are beams.

re- Use a hyphen in compounds beginning with re only if the word begins with an e or it would cause confusion otherwise.

rote / wrote Rote is repetition. Wrote means did write.

seatbelt When pertaining to an automobile it is always one word.

safety belt Always two words.

Sheetrock – this is always capitalized, as it is brand name of drywall

since Used as a synonym for because.

Statewide

Time frame is two words.

Timeline is one word.

toward Not towards; towards is the British term.

undo / undue Undo means to open or render ineffective. Undue means improper or excessive.

Uh-huh (yes) / Huh-uh (no) Should always be written as such.

U.S. As an adjective only. Spell out when used as a noun.

valuation / evaluation Valuation means to value. Evaluation means to evaluate something.

veracious / voracious / veracity Veracious means truthful. Voracious means greedy. Veracity means truthfulness.

versus / verses Versus means against (used especially to indicate an action brought by one party against another in a court of law, or to denote competing teams or players. Verses means one of the lines of a poem

Veterans Services No apostrophes.

vice president

vice versa With the meaning or order reversed.

vis-à-vis One of two persons or things opposite or corresponding to the other.

wait list / wait-list Two words as a noun; hyphenated when used as an adjective.

the Web Abbreviation for the World Wide Web. Do not capitalize when used as an adjective.

web address

web page

web site

whose / who's Whose is possessive. Who's means who is.

workload

World Wide Web

your / you're Your book. You are taking this deposition.

LEGAL TERMS

30(b)(6) Depositions where you designate a person out of a corporation to testify on its behalf.

All statutes are written as such 50(b)(4)

Ab Initio From the first act.

Ad valorem taxes

Ad hoc For a specific case, situation or purpose.

Alienation of Affection To steal the affection of a married person.

Bad faith effort

Bates stamp or Bates number Bates is always capitalized.

Bench Trial

Bequest To leave something, as in a will.

Bona-fide offer

Carte blanche

Collateral Estoppel When a fact has been determined, you can't go back and change, i.e., paternity.

Compensatory damages

Conflict of interest

Criminal Conversation – Adultery

De Bene Esse

Discovery Rules

Directed verdict Usually at the end of the plaintiff's evidence, the defendant can make this motion and assert that the plaintiff has not asserted any genuine issues. This will not stop the case if directed verdict is granted.

Doctrine of Laches Not doing what you should have done to assert a claim and then you're restricted from doing so.

Ed case

Emotional distress

Equitable distribution In equitable distribution states, both parties of a marriage own things jointly. However, this doesn't necessarily mean 50-50, it means to distribute this equitably.

Escrow To put aside, as in putting aside taxes on your house.

Estoppel When a fact has been determined, you can't then deny it.

Ex parte Based on one party's request without hearing from the other side.

Fair market value

Federal rules of civil procedure

Fiduciary duty You're in a position of trust. Example: Director of a company to its stockholders.

Fiscal year

Forfeiture To forfeit.

Making a good faith defense

Guardian ad litem

Habeas Corpus Person objection to his imprisonment.

Hearsay evidence You can only testify as to what someone said to you if you have them present to be cross examined by the other side.

Heir Someone who inherited something.

GAAP Generally accepted accounting principles.

GAAS Generally accepted auditing standards.

Gross Negligence

Inter-vivos A gift made while the person is still alive, as in a living trust.

Ipsa Facto By the fact itself, or the very nature of the case.

Liquidated damages A figure arrived at if you don't perform a certain act.

Lis pendens Applies to a property that is in litigation. You will typically have to file something with the Register of Deeds office to notify people that it is in litigation.

Litigious Sues a lot.

Mitigated damages To help prevent further damage.

Nolo Contendere To plead no contest, which is the same as guilty legally, but not admitting to guilt.

PDR Physicians desk reference.

Preliminary injunction You can stop someone from doing something if you can show probability of success or the danger of irreparable damage if it continues.

Prima-facie Case Proved on the face of the evidence or document.

Pro forma Outlook or projection, usually in financial matters.

Punitive damages Damages awarded by a jury to punish a party.

Quid pro quo Something for something.

Quitclaim deed Transfers ownership without guaranteeing there are no other claims against the property.

Res ipsa loquitur Assumed that the person's injuries were caused by the negligence of another, or else the injury could not have happened.

Res judicata When you obtain final judgment, you can't later sue for the same thing or same issues.

Respite Obtaining a delay.

Subsidiary A company or corporation owned by a parent corporation.

Wholly-owned subsidiary Wholly owned by a parent corporation.

Writ of certiorari A higher court reviewing any possible irregularities of a lower court.

Wrongful death To cause the death of another through negligence.

LOOSE ENDS

We can't stress this enough: pay attention to detail! Small errors or inconsistencies can really make us look bad. We know it's difficult, but please, try to maintain consistency throughout your work. If you are spelling a name Lynn, don't begin to spell it Lyn halfway through the case. If you have been typing end-stage renal disease, chances are the lawyer did not suddenly begin talking about bend-cage renal disease.

Other Details:

1. Check any zip code that you are unsure of or that you know is a PO Box zip code at the US Post Office website at www.usps.com.
2. , et al. is the correct punctuation.
3. There should be 25 lines on the final page of a deposition. View the last page, if there are not 25 lines, hit enter until there are. The last line should be at 9.33.
4. Try to paragraph long questions and answers.
5. Unless otherwise noted by the reporter, always check the backup tape when the steno is flipped so that you don't miss anything.
6. Check the reporter track if there is a question that appears to go unanswered. The witness may have nodded yes or no. Also pay attention to where objections fall in a reporter's notes. Sometimes objections are hard to hear and are missed. You may have to listen to the reporter track to make sure.
7. If someone says "cause" type because. The same goes for until.
8. Also the same for ya'll. It should always be you all.
9. When a lawyer says, "strike that," start a new paragraph.
10. Do not use any punctuation, except quotation marks, before an interruption.
11. Pay close attention to the formatting examples in the section Formatting Example Pages. Use capitalization in the appropriate places.
12. Do not split interruption marks and spellings between lines.
13. **Above all, stay consistent!**

14.

