

Association of Trial Lawyers of America

1050 31<sup>st</sup> Street, N.W., Washington, DC 20007-4499  
(202)965-3500 • (800) 424-2725 • FAX (202)625-3712

**ATLA BOARD OF GOVERNORS  
OCTOBER 24, 1998  
WASHINGTON, DC**

**RESOLUTION ON COURT REPORTER CONTRACTING PRACTICES**

**WHEREAS** court reporters are officers of the court, whose impartiality must remain beyond question in order to ensure the public's continued faith in our judicial system; and

**WHEREAS** some court reporting firms are contracting directly with the parties in interest in litigation, thereby circumventing counsel and their ethical obligations to the courts; and

**WHEREAS** such arrangements allow parties in interest to control directly the terms and conditions of court reporting services in a manner sometimes indistinguishable from an employer-employee relationship; and

**WHEREAS** certain of these contracting arrangements require court reporters to provide special services to the paying party in interest that are not available to opposing parties in the litigation; and

**WHEREAS** the National Court Reporters Association has resolved to seek enactment of statutes and/or court rules that will limit or prohibit such contracting arrangements in order to maintain the impartiality and independence of court reporters in their capacity as officers of the court; and

**WHEREAS** the American Judges Association has endorsed legislative and judicial efforts to prevent the establishment of any relationships between court reporters and parties to litigation that could create an appearance of partiality that is inimical to public faith in the judicial system; and

**WHEREAS** numerous states (including Alabama, Georgia, Hawaii, Kentucky, Louisiana, Massachusetts, Michigan, Montana, Nevada, New Jersey, New Mexico, Ohio, Rhode Island, Texas, Utah and West Virginia) have enacted or are considering enactment of statutes or court rules prohibiting or strictly regulating such relationships to ensure the impartiality of the court reporting profession specifically and the integrity of the courts generally;

**NOW, THEREFORE, BE IT RESOLVED** that the Association of Trial Lawyers of America endorses legislative and judicial efforts to prevent the establishment of any relationships between court reporters and parties to litigation that could create an appearance of partiality that is inimical to public faith in the fairness and impartiality of the judicial system.

Adopted October 24, 1998  
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