

RE: THE SOCAL STIP

To our valued clients:

Veritext is committed to keeping our clients up to date on trends and practices within our profession. You may be aware of a movement among reporters in Southern California to decline the SoCal Stip, so we want to share some information that may be helpful to you.

When deposition transcripts are handled “per Code,” the physical original transcript is retained by the reporter or court reporting agency through the entire production process, safeguarding its integrity until the reading and signature period has elapsed. We then seal and send the transcript and exhibits to the noticing attorney.

For decades, attorneys in Southern California have commonly utilized and recited a stipulation at the end of deposition proceedings in Superior Court matters referred to as the SoCal Stip. The stipulation relieves the court reporter of their duties under the California Code of Civil Procedure (CCP) and allows for them to send the original transcript directly to the witness or witness’ attorney for reading and signature. The agreement usually goes on to say that opposing counsel or the witness will then notify the noticing attorney of any changes made to the transcript within the period allotted for reading and signature, usually 30 days.

While uncommon in Northern California, the practice of using the stipulation in Southern California began in the 1970’s when the logistics of getting around the area were becoming increasingly difficult. Court reporters have always been uncomfortable with the SoCal Stip due to their concern for the integrity of the original transcript and exhibits, and for the potential opportunity for a party to tamper with the physical original transcript or exhibits when the reporter is relieved of their duties.

Though it made them uneasy, the stipulation had been an accepted practice by Southern California court reporters for many years. A growing number of reporters now prefer to handle the original transcript per Code and in some instances, are declining to abide by the SoCal Stip.

In December 2015, the CSR Board of California published a legal opinion on this issue indicating that court reporters do not have an obligation to follow the terms of a stipulation relieving them of their legal duties unless they have agreed to said stipulation, and that the Board cannot discipline a reporter for refusing to agree to the stipulation.

Rejecting the SoCal Stip is not a practice being adopted strictly by reporters that work with Veritext, but by reporters in Southern California at large. Attorneys are already being impacted at depositions they are taking or defending regardless of what court reporting agency they schedule with, and we expect this trend to become increasingly more common over time.

Court reporters are rightfully honoring their responsibility to protect the integrity of the record, by refusing to abide by the SoCal Stip. The effective result is for all transcripts to be handled per Code, which continues to be a lawful and efficient way to handle deposition review and signature within the state and across the country.

Regards,

Nina Kirsch

Regional Vice President – California

Veritext Legal Solutions