

HOW TO RECORD A ZOOM DEPOSITION – INSTRUCTIONS FOR COURT REPORTER

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In light of KRS 454.280(2)(a) which sets forth before whom a deposition must be taken and specifically prohibits attorneys for parties from doing this and KRS 454.280(2)(c) which automatically voids the deposition, I have revised the Zoom Deposition Recording steps so that it is the court reporter who is recording the deposition from their account/computer so that it is the official video recording for the record.

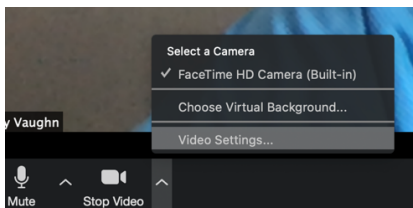
CR 30.02(4)(b): The video recording equipment will remain stationary at all times during the deposition and will not “zoom” in or out on the witness excepting those times during the deposition when the witness is displaying, for the jury's viewing, exhibits or other pieces of demonstrative proof that can only be fairly and reasonably seen on the video recording by use of the equipment “zooming” in on said evidence. The purpose of this clause is so that the video recording equipment will not “zoom” in on a witness solely to give unfair or undue influence upon the words of the witness, and does not apply to the “zooming” in for other purposes described above.

CR 30.02(4)(e): All objections will be reserved and shall not be stated on the video recording except for objections relating to the form of the question. Objections to testimony on the video recording will be resolved by agreement of counsel or ruling of the Court if counsel cannot agree. All objections relating to said depositions must be made at least 10 days before trial. An edited version shall be presented at trial.

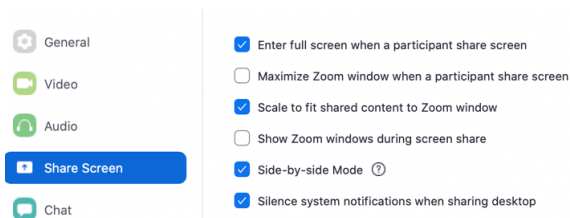
1. Log into your Zoom account online
2. Go to Settings in list on left side of screen
3. Then click on Recording at the top of the Settings screen
4. Enable the settings as shown below:



5. Once in the Zoom Meeting, the Court Reporter needs to “Spotlight” the video of the witness as only the Host of the Meeting has this capability.
6. The Court Reporter should instruct all attorneys and the witness to enter “Full Screen Mode.”
7. The Court Reporter should instruct everyone to put their view in “Speaker View” (if you see the words “Gallery View” then this means you are actually in “Speaker View” and vice versa). If in Speaker View and the witness is “Spotlighted” by the Court Reporter, then everyone’s screen will show the witness and all other attendees will be on the right in smaller viewing boxes.
 - a. The official recording from the Court Reporter will only show the witness and not the smaller viewing boxes off to the side of the attorneys, court reporters, etc.
8. The Court Reporter should instruct everyone to enable Side-by-Side Mode so that when documents are displayed, everyone can see both the exhibit & the witness. To do this, once in the Zoom deposition, at bottom left of screen, select the arrow by Stop Video, select Video Settings:



9. Then select Screen Share & make sure Side-by-Side Mode is enabled as shown below:



10. Before you begin recording, test out the screens by talking to see if the deponent only sees themselves in the middle of the screen and the attorneys & court reporter in smaller viewing boxes. Same with the deponent saying something and making sure that everyone only sees the deponent in the middle of the screen and everyone else in smaller viewing boxes.
11. Make sure Court Reporter turns off “Private 1-1 Chatting” in their main Zoom settings. However, the main group chat function can stay enabled as this allows the Court Reporter or Parties to upload & share Exhibits so everyone can open & save on their own computer.
12. Make sure Court Reporter has disabled Virtual Background in their main Zoom settings so that attorneys, witnesses, etc. aren’t putting up photos, slogans, etc.
13. The Court Reporter should not grant anyone else access to record the meeting.
14. Finally, once everyone is in the Zoom Depo, make sure the Court Reporter “Locks” the Meeting so that no one else can join.