

Struggling with Exhibits During a Remote Deposition? An Exhibit Index Can Help!

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Since late March 2020, about 95% of the depositions we have provided court reporting services for have been facilitated through remote means. While Zoom and other video conferencing platforms are not new to the world of depositions, these proceedings were conducted much differently than they are today. Typically, the court reporter would be with the witness and the scheduling attorney would provide the reporter with the exhibits to present to the witness.

Additionally, when conducting a deposition in person, the taking attorney will traditionally print out the potential exhibits, put them in a binder or bankers' box, bring them to the deposition and pull-out documents as they are being referenced. The court reporter is responsible for marking the exhibits and keeping track of whatever documents exist in that banker's box that were not utilized. These documents would then get brought back to the office without anyone else ever knowing which potential exhibits were not used.

However, in our remote environment today, things have to operate much differently. With the necessity of social distancing, it is now normal to see that all remote deposition participants are in separate locations. This means that it is now logistically impossible for the reporter to pass a physical document to a witness or take responsibility for a banker's box of documents in the way that they did before.

So, how do we mimic that same workflow and retain confidentiality?

Sending the potential exhibits to opposing counsel and the witness will work but it is often less than ideal that they have access to the documents before the deposition even begins. From our research and conversations with attorneys, there is a strategic advantage that is diminished when everyone has access to all documents before the deposition begins. Through problem-solving and creativity, we came up with a solution that has been proved successful for nearly a year of conducting remote depositions: a Fortz Legal Custom Index. So, how does it work?

First, our clients send us their universe of documents, which are typically formatted as PDF's. We then take those PDF's and convert them to shareable URL links and create a custom exhibit index. Our index consists of several fields as follows:

Doc. ID	Description and Share Link	Dep. Exhibit #
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The description is taken directly from the way in which the attorney has named the PDF and contains a hyperlink to the potential exhibit. This link can then be copied and pasted in the chat feature to provide a courtesy copy to all attendees during the remote deposition. The Doc. ID column is used so that the taking attorney and whoever is presenting the documents can quickly reference the same document. Finally, the Dep. Exhibit # column allows the attorney and reporter to fill in the exhibit number that is being marked.

Through our solution, the same level of banker's-box-confidentiality can be achieved even in a remote setting.

To learn more about our custom exhibit index, [click here](#) to watch our one-minute video!

Call Fortz Legal at **844.7320.4066** today to learn more about how we can support your next trial!

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