
CONSENT

Bill No: AB 711
Author: Chen (R)
Amended: 5/6/25 in Assembly
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 6/24/25

AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Valladares

ASSEMBLY FLOOR: 70-0, 5/15/25 - See last page for vote

SUBJECT: Civil Actions: shorthand reporters

SOURCE: California Court Reporters Association
Deposition Reporters Association of California

DIGEST: This bill requires a party to include, as part of its meet-and-confer declaration submitted in support of a discovery motion, whether the parties have met and conferred regarding the retention of a certified shorthand reporter for the hearing on the motion.

ANALYSIS:

Existing law:

- 1) Requires, in a civil case, an official reporter or official reporter pro tempore of the superior court to take down in shorthand all testimony, objections made, rulings of the court, exceptions taken, arguments of the attorneys to the jury, and statements and remarks made and oral instructions given by the judge or judicial officer, on the order of the court or at the request of a party. (Code Civil Procedure (Civ. Proc.), § 269.)
- 2) Establishes the Civil Discovery Act, which governs discovery in civil cases. (Code Civ. Proc., pt. 4, tit. 4, §§ 2016.010 et seq.)

- 3) Requires a party filing a motion pursuant to the Civil Discovery Act to file a meet-and-confer declaration in support of the motion; the declaration must state facts showing a reasonable and good faith attempt at an informal resolution of each issue presented by the motion. (Code Civ. Proc., § 2016.040.)

This bill:

- 1) Requires that the meet-and-confer declaration filed in support of a discovery motion to include whether the moving party has met and conferred with the subject of the motion, including through an electronic communication, regarding the retention of a certified shorthand reporter to report the hearing on the motion.
- 2) Provides that 1) does not prevent the retention of a certified shorthand reporter.

Comments

Only a licensed court reporter can take a record of a court proceeding. A party wishing to have their proceeding recorded by a court reporter can do so in one of two ways. If the court has an official court reporter available to take down the proceedings, the party can request that the court reporter take the record of their proceeding. If the court does not have an official court reporter available, a party can retain a freelance licensed court reporter to serve as an official pro tempore reporter. According to the author and sponsors of this bill, however, sometimes multiple parties to a case each retain a court reporter, which results in court reporters being unavailable for matters and parties expending unnecessary funds.

This bill is intended to help parties avoid double-booking freelance court reporters by requiring a party, as part of its meet-and-confer declaration in support of a discovery motion, to state whether the moving party has conferred with the opposing party regarding the retention of a certified shorthand reporter to report the hearing on the motion. This bill specifies that the party can accomplish the court reporter meet-and-confer through electronic communication, which will permit parties to more easily meet and confer on this point.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/25/25)

California Court Reporters Association (co-source)

Deposition Reporters Association of California (co-source)
SEIU California

OPPOSITION: (Verified 6/25/25)

None received

ARGUMENTS IN SUPPORT: According to the California Court Reporters Association:

As every working court reporter knows, it is common for attorneys to double-book freelance court reporters for the same hearing or trial in court, resulting in court reporters needlessly being unavailable to be retained by other attorneys for other matters for an entire workday.

AB 711 simply requires counsel to meet and confer regarding whether they are retaining duplicate reporters for the same matter prior to any court appearance. This is a common-sense measure that will benefit litigants, lawyers, and the courts with no cost to the state's General Fund.

ASSEMBLY FLOOR: 70-0, 5/15/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Soria, Ta, Tangipa, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Alanis, Arambula, Castillo, Lee, Quirk-Silva, Ramos, Solache, Stefani, Valencia

Prepared by: Allison Whitt Meredith / JUD. / (916) 651-4113
6/27/25 15:57:30

**** END ****