



NOTE

This document includes the Executive Summary, Findings and Recommendations, and Conclusion sections extracted from the full report.

The page and section numbers have been retained from the full report and therefore correspond to their original placement within that document.

Capturing the Record

A Study of Digital Court Recording in Texas

**A REPORT TO THE TEXAS JUDICIAL BRANCH
OFFICE OF COURT ADMINISTRATION**

2 Executive Summary

Texas courts are facing a growing gap between the supply of Certified Shorthand Reporters (CSRs) and the demand for verbatim court records. The number of active CSRs in Texas declined by nearly 400 between FY 2005 and FY 2025, while the number of trial court benches grew by more than 14% over the same period. Training programs have contracted sharply, both in Texas and nationally, and the existing CSR workforce is aging, with more than half of Texas-based reporters first certified before 2000. These supply-side pressures are particularly acute in rural jurisdictions, as CSRs are geographically concentrated in urban centers and courts increasingly struggle to maintain docket continuity.

House Bill 16 (89th Legislature, Special Session) directed the Office of Court Administration (OCA) to conduct a comprehensive study of digital court recording (DCR). OCA contracted with the Public Policy Research Institute (PPRI) at Texas A&M University to carry out the study. The research team employed a mixed-methods approach across five objectives: a multi-state policy landscape scan; documentation of current DCR usage across Texas counties; a statewide survey and interviews assessing stakeholder perspectives; a cost comparison of CSR and DCR implementation; and observations of DCR implementation across Texas courtrooms.

The national landscape scan of all 50 states and the federal courts reveals that DCR is broadly authorized and in active use across the country. Nineteen states operate under permissive statewide authorization, eight mandate DCR, twenty states use hybrid or conditional authorization, and only three states, including Texas, do not have an explicit statutory framework for use of DCR as an alternative to stenographic reporting. Where DCR is authorized, states universally require human monitoring of recordings, set technical standards for audio capture and data retention, and establish certification or training requirements for court recorder personnel.

In Texas, 42 of 254 counties have formal administrative orders authorizing electronic recording, all 42 for civil matters and 21 for criminal matters. A survey of courts statewide found that approximately 24% of responding courts (n = 240) use DCR as their primary recording method, with the heaviest concentration in municipal courts (74.5%) and the lowest in district courts (5.2%) and probate courts (0.0%). DCR is also widely used informally in rural jurisdictions when a CSR is unavailable and for magistration proceedings conducted via videoconference.

Stakeholder perspectives, gathered through a statewide survey of 1,714 Texas respondents and 63 structured interviews, are sharply divided by professional role and court level. Court reporters are the most resistant to DCR adoption, with roughly 89% disagreeing that DCR produces a record as accurate as a stenographic reporter. Judges express similar, but less stated, skepticism. Court recorders and appellate-level respondents are considerably more receptive. Across all groups, there is strong agreement that a trained human must be present to monitor any recording, that centralized multi-courtroom monitoring is unacceptable, and that Texas policy on DCR needs to be clarified and standardized.

The cost analysis compares direct implementation costs on a per-courtroom basis. Equipment and supply costs are excluded for CSRs, as these are borne by the reporter rather than the county. The court recorder is assumed to be a county employee, with recruitment and onboarding costs included accordingly. Under default assumptions, DCR costs an estimated \$72,733 per courtroom annually, compared to \$167,941 in urban counties, \$133,143 in mid-

size counties, and \$118,463 in rural counties for a CSR. The cost advantage of DCR ranges from approximately \$45,700 per courtroom in rural settings to \$95,200 in urban settings. Over a ten-year horizon for a three-courtroom rural county, the cumulative cost difference is estimated at approximately \$1.7 million (\$1.3 million in present value). These figures reflect direct implementation costs only; potential downstream costs related to transcript accuracy differences are addressed qualitatively in the report.

Based on these findings, the report presents seven recommendations for consideration by OCA, the JBCC, the Texas Supreme Court, and the Legislature. First, the legal framework for DCR in Texas should be clarified, specifying what technical standards apply, and who bears responsibility for monitoring and transcription. Second, a formal certification and training pathway for court recorder personnel should be established, modeled on the rigor of existing CSR certification. Third, minimum technical and operational standards for DCR systems should be set, including multi-channel audio capture, real-time monitoring, redundant backup, and defined data retention requirements. Fourth, a one-recorder-per-courtroom rule should be explicitly required, prohibiting centralized multi-courtroom monitoring arrangements that stakeholders broadly view as incompatible with record integrity. Fifth, targeted investments in the CSR pipeline should accompany any DCR expansion, including support for court reporting programs, recognition of national certifications for stenographic and voice reporters, and outreach to prospective students, treating DCR as a complement to the stenographic workforce rather than a replacement. Sixth, policymakers should address the current absence of regulation on transcript pricing, which is creating access to justice concerns for litigants across both CSR and DCR settings. Finally, additional study may be useful to assess accuracy and effectiveness of digital models in Texas courtrooms.

12 Findings and Recommendations

This section synthesizes the main findings from each component of the study and presents recommendations for consideration by the Office of Court Administration, the Judicial Branch Certification Commission, the Texas Supreme Court, and the Legislature.

12.1 Key Findings

12.1.1 CSR Workforce

- The number of active CSRs in Texas declined 14% between FY 2005 and FY 2025, while the number of trial court benches grew by more than 14% over the same period.
- Only six schools are currently recognized by the JBCC to train court reporters in Texas, down from a larger number in prior decades, and national program counts fell by 27% between 2022 and 2026.
- More than half of Texas-based active CSRs received their first certification before 2000, placing a disproportionate share of the workforce near retirement age.
- Certified CSRs are geographically concentrated in urban centers, leaving rural courts with limited access to local reporters and increasing reliance on travel or alternative recording methods.
- Nationally, approximately 1,120 stenographers retire annually while only 200 new stenographers enter the field, a net annual loss of 920.

12.1.2 National DCR Policy Landscape

- DCR is broadly authorized across the country. Nineteen states operate under permissive statewide authorization, eight mandate DCR statewide, twenty states use hybrid or conditional authorization, and only three states, including Texas, do not have an explicit statutory framework for DCR to replace stenographic reporting.
- Where DCR is authorized, states universally require human monitoring, set technical standards for multi-channel audio capture and data retention, and establish certification or training requirements for court recorder personnel.
- The federal court system has used electronic sound recording as an authorized alternative to stenography since 1982, under rigorous technical and oversight standards administered by the Judicial Conference of the United States.
- All four Texas federal districts currently use electronic sound recording as the standard method for Magistrate Judge and Bankruptcy Judge proceedings.

12.1.3 Current DCR Usage in Texas

- Of Texas's 254 counties, 42 have formal administrative orders authorizing electronic recording, all 42 for civil matters and 21 for criminal matters.
- A statewide court survey found that approximately 24% of responding courts (n = 240) use DCR as their primary recording method, with the heaviest concentration in municipal courts (74.5%) and the lowest in district courts (5.2%) and probate courts (0.0%).
- DCR is widely used informally in rural jurisdictions when a CSR cannot be found and for magistration proceedings conducted via secure videoconference.
- Nearly all Texas courtrooms are equipped with multichannel audio technology, though it is currently used primarily as a supplemental tool rather than for the official record.
- Local Rules and Standing Orders governing court recorder duties closely parallel the statutory duties of CSRs.

12.1.4 Stakeholder Perspectives

- Professional role and court level, rather than urbanicity, are the primary factors shaping views on DCR. Court reporters and judges are the most resistant; court recorders and appellate-level respondents are the most receptive according to our survey.
- Roughly 8.9% of court reporter survey respondents agreed that DCR produces a record as accurate as a stenographic reporter. Court recorders agreed at a rate of about 69%.
- Across all stakeholder groups, there is near-universal agreement that a trained human must actively monitor any recording, that centralized multi-courtroom monitoring is unacceptable, and that AI alone is insufficient to produce a legally sufficient record.
- Stakeholders agree that Texas policy on DCR is ambiguous and needs to be clarified.
- Budget constraints and the inability to find a CSR are the primary drivers pushing courts toward DCR adoption, particularly in rural jurisdictions.
- Stakeholders emphasized rising transcript costs, which are largely unregulated, and inability to find a cost-effective way to take the record are creating access to justice concerns for litigants in both CSR and DCR settings.

12.1.5 Cost Comparison

- Under default assumptions, DCR costs an estimated \$72,733 per courtroom annually, compared to \$167,941 in urban counties, \$133,143 in mid-size counties, and \$118,463 in rural counties for a CSR. These figures exclude equipment and supply costs for CSRs, which are borne by the reporter rather than the county, and include recruitment and onboarding costs for the court recorder, who is assumed to be a county employee.

- The estimated annual cost difference per courtroom ranges from approximately \$45,700 in rural settings to \$95,200 in urban settings.
- Over a ten-year horizon for a three-courtroom rural county, the cumulative cost difference is approximately \$1.7 million (\$1.3 million in present value), growing over time because DCR's recurring costs are held flat while both labor lines grow at the same rate.
- Even the high-cost DCR scenario (\$93,175 per courtroom annually) remains less expensive than employing a CSR in all county types.
- This analysis captures direct implementation costs only. Potential downstream costs associated with transcript accuracy differences are not quantified and may affect the total cost comparison.

12.1.6 Observing Court Use of DCR

- In three of the four Texas courts observed, the transition to DCR was driven primarily by an ongoing shortage of CSRs and the inability to hire replacements.
- Implementing DCR improved operational efficacy by transitioning the court record from an isolated asset owned by an individual reporter into an interconnected, jurisdiction-owned asset with redundant backups.
- DCR provided significant financial benefits, with one court estimating \$80,000 in annual savings after the first year and reporting zero system failures over six years of operation.
- One jurisdiction utilizes transcripts and feels that the live transcript is mostly accurate and can easily be corrected after. The other three jurisdictions do not create a transcription unless it is requested, then offer the recording to be transcribed by a freelance CSR.
- All courts had a system in place to maintain accuracy of the record including human monitoring and active courtroom management.

12.1.7 Accuracy and Effectiveness of DCR compared to CSR

- Record accuracy is not defined in statute. However, stakeholders refer to 95% verbatim standard based on the CSR exam thresholds. There is not a comparable standard or certification process for digital modalities in Texas.
- Stakeholder opinions on DCR accuracy are divided and often tied to their role in the court, though limited federal and corporate research supports its accuracy.
- High-quality audio recordings give courts a reliable backup and allow transcripts to be reviewed and corrected after proceedings.
- Directly comparing live accuracy between digital and stenographic reporters in a controlled study is difficult and requires testing across various modalities and settings. Another option - comparing official submitted transcripts - is impractical because errors are usually corrected before filing, and courts rarely retain audio for later comparison.

- Observations of DCR use in courtrooms found that accuracy is maximized with live human monitoring of the audio and robust courtroom management by the judge and court staff.
- Efficacy is less clearly defined but should be measured by transcript delivery speeds, overall case processing times, and how often records are challenged or appealed.
- DCR users report increased court capacity, but courts currently do not track quantitative data on transcript processing times, error rates, or appeals.
- Of the courts where we observed DCR use, all felt that the DCR system was sufficient for their needs and none of the courts reported an impact on appeals due to the record.

12.2 Recommendations

Recommendation 1: Clarify the legal framework for DCR in Texas.

This framework should specify what technical standards apply, who is responsible for monitoring and transcription, who is responsible for exhibits, and what backup procedures are required in the event of a technology failure. The policy should be reviewed every 2-3 years. Without regular review, technological advances may render certain guidelines obsolete and Texas will once again enter an unclear policy arena.

Recommendation 2: Establish a certification and training program for court recorders.

Texas should develop a formal certification pathway for court recorder personnel, modeled on the rigor of the existing CSR certification process. Certification should include a skills examination, ethics requirements, continuing education, and background check standards comparable to those required of CSRs. The JBCC is a natural home for this function.

Recommendation 3: Set minimum technical and operational standards for DCR systems.

Any authorized DCR system should be required to meet minimum technical standards, including multi-channel audio capture with voice isolation, real-time confidence monitoring by a trained court recorder, time-stamped log notes, redundant backup of audio files, and a defined retention period. These standards should align with the federal technical specifications set out in the Guide to Judiciary Policy, Vol. 6 as a baseline.

Recommendation 4: Require one trained court recorder per courtroom.

Any DCR policy should explicitly prohibit centralized monitoring arrangements in which a single individual monitors multiple simultaneous proceedings. Stakeholders across all role groups and court levels expressed strong opposition to this model. One trained, accountable individual per courtroom is the minimum standard consistent with the integrity of the official record.

Recommendation 5: Invest in the CSR pipeline alongside DCR expansion.

DCR should be viewed as a complement to the CSR workforce, not a replacement. The Legislature should consider targeted investments to grow the CSR pipeline, including scholarships and grant support for court reporting programs, as well as recognition of national stenographic and voice reporting certification exams as an acceptable prerequisite to Texas certification without re-testing, outreach to high school and pre-law students, and a review of examination standards to reduce barriers without compromising quality.

Recommendation 6: Address transcript cost regulation.

The current absence of regulation on transcript pricing, for both CSRs and DCR-produced transcripts, impacts public access to the court record. Considering the concerns raised by stakeholders about this issue and its impact on access to justice, policymakers should explore standardized fee schedules or caps and should require greater transparency in transcript fee structures across all recording methods.

Recommendation 7: Consider further study on DCR accuracy and effectiveness.

While the current evidence base, including stakeholder perspectives, national policy experience, and prior research, provides a sufficient foundation to guide near-term Texas policy development and DCR implementation, meaningful gaps remain on the questions of accuracy and effectiveness. Additional study may be able to answer these questions, but rigorous experimentation would require testing across multiple conditions and digital modalities, creating novel data collection strategies, and sufficient time to establish the necessary structures. OCA and the Legislature should consider commissioning a targeted accuracy and efficacy study as DCR is piloted in Texas, building in data collection requirements from the outset so that evidence accumulates as implementation proceeds.

13 Conclusion

Texas courts are navigating a genuine and growing tension between the integrity of the official record and the practical realities of a shrinking CSR workforce. The evidence gathered through this study, spanning a national policy landscape, a statewide survey of more than 1,700 court personnel, 63 stakeholder interviews, a detailed cost analysis, and a review of current DCR usage across all 254 counties, points consistently in the same direction. The status quo is not sustainable, and DCR offers a viable path forward *if* implemented with the same rigor and accountability that has long defined the CSR profession.

No tenable stakeholder position in this study advocates for eliminating human involvement from the record-taking process. The debate is not about technology replacing people; it is about which people - with what training and under what standards - are responsible for the record. That framing, shared across the spectrum of stakeholder perspectives, offers a workable foundation for policy reform.

The recommendations in this report are designed to preserve the integrity of the official record while giving Texas courts, particularly rural courts facing the most acute workforce pressures, access to a broader range of credentialed, accountable record-keeping options. Clarifying the legal framework, establishing rigorous certification standards for court recorders, setting minimum technical requirements, and investing in the CSR pipeline are not competing priorities. They are complementary steps toward a court recording system that is accurate, accessible, and sustainable for the long term.