

Are you taking unnecessary risks at deposition?

The *delay* in accessing critical information needed to make immediate, informed decisions during and after depositions is a *problem*.



Depositions are demanding. The preparation alone is intense. During the proceeding many things can go right or go wrong. Did you get the exact wording you need to show at trial? Following the deposition, there are actionable steps from updating your client to negotiation to motions for summary judgement. How can you possibly get the best outcome for your client when you won't know the exact transcript wording for weeks?

Now you can **dominate your depositions** with a reporting partner that mitigates risks to support your best performance. Whether your deposition is to build a roadmap for the case, prepare for summary judgment, or prepare for trial, your

client needs the most favorable transcript. Maintain a competitive edge, demonstrate professional competence, and avoid uncertainty by precisely building that transcript and verifying the wording as only real-time reporting enables. Then, take appropriate actions in hours, not weeks.

View the transcript during the deposition, at lunch, during a break, or later in the evening to avoid these common missteps:

Misstep Risks for Taking Attorneys

Misstep	The Problem	How Readback Helps
#1 Neglecting Trial Preparation During Depositions	Focusing solely on discovery or summary judgment without preparing for trial risks leaving gaps in your case.	Real-time reporting enables immediate review of testimony, allowing you to refine questions and ensure responses are locked in for trial.
#2 Failing to Optimize Question Phrasing for Trial	Without immediate transcript access, attorneys may fail to adjust their question phrasing to use “loaded words” that lock down testimony effectively for trial presentation.	Real-time access lets you adjust phrasing on the fly and re-ask questions to ensure precise and persuasive answers that hold up in court.
#3 Missing Errors or Misstatements in Testimony	Failing to catch and correct a witness’s misstatements or inaccuracies during the deposition, leaving errors unchallenged and uncorrected.	Real-time transcription allows you to identify and address errors immediately, avoiding a flawed or incomplete record.
#4 Allowing Ambiguous Testimony to Stand	Letting unclear or vague answers remain unchallenged in the record, risking gaps in your case.	Real-time reporting ensures you can catch ambiguities during the deposition and rephrase questions to clarify the record.
#5 Overlooking Key Opportunities to Follow Up	Missing critical details in a witness’s testimony, resulting in lost opportunities for crucial follow-up questions.	Real-time review makes it easier to circle back to key points during the deposition while the witness is still present.

#6 Missing Inconsistencies in Witness Testimony	Failing to identify and confront contradictions in real time, losing the chance to challenge credibility effectively.	Reviewing real-time transcripts during breaks allows you to identify discrepancies and adjust your strategy for immediate confrontation.
#7 Losing Track of Key Testimony	Without real-time transcription, critical points may slip past unnoticed, leaving gaps in your questioning strategy or case preparation.	Access to testimony ensures you stay organized and on top of the record.
#8 Inadequate Preparation for Multiple Depositions	Scheduling depositions in close proximity without immediate access to prior transcripts risks losing critical context when witnesses' testimonies overlap.	Real-time transcripts ensure you can review one deposition immediately before the next, allowing you to confront witnesses with conflicting accounts.
#9 Relying Too Heavily on Memory or Notes	Depending on hurried notes or memory instead of an accurate transcript, leading to missed details or weaker questioning.	Real-time transcription eliminates reliance on memory, giving you an exact record to refer to during questioning.
#10 Losing Control of the Record	Without access to audio recordings alongside the transcript, you risk losing control of the record when a witness attempts to “clarify” their testimony during the review process.	Integrated audio recordings allow you to challenge attempts to alter testimony with errata, providing definitive proof of what was said.
#11 Undermining Your Professionalism and Credibility	Giving opposing counsel or clients the impression of being less prepared or technologically adept.	The cutting-edge features of Readback, including instant access, demonstrate professionalism and a commitment to leveraging the best tools for your client.

Is it Costly?

Not anymore. Just a few short years ago, real-time reporting cost a substantial premium due to the very limited number of stenographers capable of the speed and accuracy required. Today, thanks to A.I. assistance, costs are on par with conventional reporting.

Is it Hard?

To the contrary, real-time reporting augments your preparation and places a safety net under your performance by relieving you of reliance on memory and notes. Also, remember ABA Formal Opinion [477R](#). This duty of technological competence is critical not only for maintaining professional standards but also for avoiding malpractice risks. Tools like Readback address many of the challenges attorneys face, ensuring compliance with evolving expectations while enhancing the quality of representation.

In all these ways, Active Reporting helps litigators avoid errors, make more strategic and timely decisions, and ensure that they aren't missing crucial details during a deposition. It effectively adds an additional layer of precision and reliability to the entire process, serving as a safety net to mitigate risks that could otherwise negatively impact the case. All at low, flat rates.