



COURT REPORTERS BOARD OF CALIFORNIA



Best Practice Pointer No. 2 How to Go On and Off the Record

GOING ON THE RECORD:

Before the witness is sworn in, licensees are encouraged to make an introductory statement on the record at the commencement of the proceeding so that all parties know the deposition officer is a Certified Shorthand Reporter licensed by the State of California.

For example: “Good morning/afternoon. My name is [name on CSR certificate]. I am a certified shorthand reporter in the state of California, License Number [license number], a code-compliant reporter.”

GOING OFF THE RECORD:

Reporters may go off record at some points during a proceeding, including when:

- All parties agree (pursuant to [California Code of Civil Procedure \(CCP\) 2025.470](#)).
- Someone states they are going to move for a protective order (pursuant to [CCP 2025.420](#)).
- Marking exhibits.
- Reporting equipment or remote platform malfunctions (See Best Practice Pointer Number 11).
- Personal safety concerns arise, such as a physical fight breaking out.
- Noise or outside distractions interfere with the reporter’s work.

POINTERS FOR GOING ON AND OFF RECORD:

[CCP 2025.470](#) requires all parties present to agree to go off the record. Get the agreement on the record.

There is no code dealing with going back on the record. Since the reporter is present to report the record, if any single person wants to put something on the record, the reporter should go back on.

Be clear when you’re on and off the record using the following techniques:

- State clearly “We are off the record” or “We are on the record.”
- Move away from the reporting equipment.
- Stand up.

If unsure that a speaker’s comments should be on or off the record, clarify. For instance, if the attorneys start talking about where to go for lunch, say, “Counsel, is this for the record?”

When in doubt, KEEP WRITING.

Best practice pointers are not regulations or statutorily mandated. They are a way for the Board to provide guidance on situations not expressly set out in statute or regulation. Although the pointers may be used by licensees as a guide, the Board will not use them as a basis for discipline or enforcement of any type.



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2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
Phone: (916) 263-3660 / Toll Free: (877) 327-5272
Fax: (916) 263-3664
www.courtreportersboard.ca.gov



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