

RECORDATION OF PROCEEDINGS

Members of the jury, these proceedings are being recorded on the recorder that you see on the clerk's bench here in front of me. This generally produces a satisfactory record, and is considerably less expensive to you as taxpayers than the cost of a stenographer.

However, for the benefit of the lawyers and any witnesses who will be testifying, I want to mention that the microphones that are in the witness box and at the lawyers' tables are very focused, to avoid picking up background noise. For that reason, it is important to speak directly into them.

There is a court rule that makes it the responsibility of the attorneys to work with me to produce an accurate record. They should bring to my attention whenever someone is not using the microphone properly, so that I can correct it.

District Court Special Rule 211(A)(3) provides that "[c]ounsel shall be responsible for assisting in the creation of an audible record by properly using the microphones provided. Counsel shall speak with sufficient clarity and in sufficient proximity to the microphones to ensure an audible record, and shall be responsible for requesting the judge, when necessary, to instruct other counsel, witnesses or others as to the proper use of the microphones in order to ensure an audible record."