

Attorney to Read Into the Record

You'll notice that this is NOT designed for John the Video Man to read into the record. If you want John to read something into the record then please write it out for him. No sense him guessing. He'll say anything you want. Pretty much that is. He can rule on objections, too. Anyway, if YOU read it aloud, you will satisfy Idaho Rule 30(b)4.

1. "My name is _____
2. "I am a member of the firm _____
3. "I represent _____
4. in the matter (*read caption*) _____
5. "This deposition is being made on behalf of the (*plaintiffs - defendants*).
6. "This deposition is being video tape recorded by **John G. Hall** who is the proprietor of the John Glenn Hall Company whose business address is post office box 2683, Boise, Idaho."
7. "Today's date is _____
8. "The time is approximately _____
9. "The location of this deposition is _____
10. "The deponent's name is _____
11. "Now, the other counsel will identify (himself / herself / themselves)."
12. (*Discuss stipulations and objections.*)
13. "Please swear the witness."
14. (*Examination.*)
15. (*Discuss stipulations including video tape and exhibits custody.*)
16. (*Thank the witness.*)
17. "This concludes the deposition." *Nobody ever remembers this part. If you don't remember then John the Video Man will ask. ID Rule 30(b)(4)(5)*

OVER PLEASE

John G. Hall	(208) 345-4120 voice	www.jghco.com
John Glenn Hall Company	(208) 345-5629 fax	jghall@jghco.com
PO Box 2683	(208) 345-4726 cell	
Boise ID 83701-2683		

Rule 30(b)4
Audio-Visual Deposition
IDAHO RULES OF CIVIL PROCEDURE

(A) Recording. Any deposition may be recorded by audio-visual means but simultaneously shall be recorded as a stenographic record. Any party may make at his own expense a simultaneous stenographic or audio record of the deposition. Upon his request and at his own expense, any party is entitled to an audio-visual copy of the audio-visual recording.

(B) Official Record. The audio visual recording is an official record of the deposition. A transcription prepared by a reporter is also an official record of the deposition.

(C) Transcript. On motion the court, for good cause, may order the party taking, or who took, a deposition by audio-visual recording to furnish, at his expense, a transcript of the deposition.

(D) Use. An audio-visual deposition may be used for any purpose and under any circumstances in which a stenographic deposition may be used.

(E) Notice. The notice for taking an audio-visual deposition and the subpoena for attendance at that deposition must state that the deposition will be recorded by audio-visual means.

(F) Procedure. The following procedure must be observed in recording an audio-visual deposition:

(I) Opening of Deposition. The deposition must begin with an oral or written statement on camera which includes.

- (i) the operator's name and business address;
- (ii) the name and business address of the operator's employer;
- (iii) the date, time, and place of the deposition;
- (iv) the caption of the case;
- (v) the name of the witness;

(vi) the party on whose behalf the deposition is being taken; and
(vii) any stipulations by the parties.

(2) Counsel. Counsel shall identify themselves on camera.

(3) Oath. The oath must be administered to the witness on camera.

(4) Multiple Units. If the length of a deposition requires the use of more than one recording unit, the end of each unit and the beginning of each succeeding units must be announced on camera.

(5) Closing of Deposition. At the conclusion of a deposition, a statement must be made on camera that the deposition is concluded. A statement may be made on camera setting forth any stipulations made by counsel concerning the custody of the audio-visual recording and exhibits or other pertinent matters.

(6) Index. Depositions must be indexed by a time generator or other method specified by rule.

(7) Objections. An objection must be made as in the case of stenographics depositions.

(8) Editing. If the court issues an editing order, the original audiovisual recording must not be altered.

(9) Filing. Unless otherwise ordered by the court, the original audiovisual recording of a deposition, any copy edited pursuant to an order of the court, and exhibits shall be held and preserved by the attorney who noticed the deposition, in the same manner as a transcript of a deposition as provided by Rule 30(f)(1).

(G) Costs. The reasonable expense of recording, editing, and using an audiovisual deposition may be taxed as costs.