

OTHER VOICES

Japanese Court Reporters

BY JODI HARMON

As I approached the end of my first year of living and reporting in Japan, I was honored to be invited as a guest speaker at the Japan Electronic Stenography Research Association meeting in Tokyo. This optimistic group of court reporters is engaged in developing "Hayato-kun," a Japanese realtime theory, while at the same time trying to overcome unique challenges and to salvage what is left of their dying industry.

THE SITUATION IN JAPAN

One challenge Japanese realtime reporters face is conflict resolution. Their language contains thousands of sets of homophones that create an enormous problem when trying to resolve conflicts. Most English homophones come in pairs, such as *red* and *read*, *one* and *won*, and so forth. But Japanese homophones can be in sets of six, eight, and sometimes ten. For example, the phonetic "kaki" can have any one of the following meanings: *persimmon*, *summer season*, *fire*, *flames*, *fence*, *what is noted below*, or *oyster*. Although the sound is the same, depending on the context, each meaning is written and spelled differently. Imagine writing "kaki" in realtime and having to resolve one of seven conflicts on the fly!

Japanese reporters must also deal with the limitations of a steno machine with no number bar and a near obsolete DOS-based software program. American reporters who started on DOS ages ago and have experienced the leaps and bounds taken in the field of technology can appreciate why this problem would be such a roadblock to the advancement of our counterparts in Japan.

Perhaps the most insurmountable challenge that Japanese court reporters face is that they have been deemed unnecessary by the Japan Supreme Court. In 1996, Japan had 825 court reporters when the Supreme Court dealt its first blow to the industry in an effort to abandon the court reporter system. The Supreme Court cited such reasons as steno machines were not currently being manufactured in Japan and there was an insufficient number of trainees. To abandon the system, the court closed the court reporter training at the government-run school and suggested that reporters become court clerks.

During a trial, Japanese realtimers work in teams of two, alternating as reporter and onsite scopist. But in an effort to continue phasing out reporters, the Supreme Court claimed that it was not economical to have two reporters attend one session. The court opted to have court clerks create a summary record or to tape record the proceedings to be transcribed later by outside vendors.

The absence of a verbatim record does not seem to bother



A demonstration of Japanese realtime.

the appellate court. During an appeal, the court review the summary record by the lower court's clerk. If the appellate court has a doubt about the record, it reexamines witnesses or it can even examine new witnesses.

FASCINATION WITH THE U.S. SYSTEM

After my presentation at the Tokyo meeting, I answered questions through interpreters for the reporters there. Most questions focused on American reporters' stamina: How could we write for six to seven hours per day even with breaks? Do we suffer from arm or hand pain? Do we do special exercises? How do we concentrate for so long? How long does it take to prepare voluminous transcripts? During my realtime demonstration, my hands were actually videotaped. The reporters intend to study the tape as if to reveal my secret.

For one reporter to write 250 pages in one day and to transcribe it overnight, if necessary, seemed unimaginable to them. For a two-hour proceeding, even with an onsite scopist, it still takes a Japanese reporter approximately seven hours to produce a transcript.

The group was also fascinated by the many different venues in which a U.S. realtime reporter's skills could be put to use. Currently, there are no other venues where court reporters are used in Japan other than during trials, although some reporters volunteer their free time to provide realtime at meetings, ceremonies, and schools for the hearing-impaired population.

Stenograph has designed and now exports a Stentura for use in Japan. It replicates the unique keyboard layout of a machine formerly produced there. An authorized service provider has been trained and services the machines in Japan. However, the

INSIDE REPORTING



The Japanese configuration of Stenograph's steno machine. Photograph provided by Stenograph.

court has forbid use of these machines by claiming that their safety cannot be proven and by citing the number of reporters with carpal tunnel-like injuries. The court then issued a command that reporters use only Japanese-made stenotype machines. Undeterred, the reporters are privately purchasing Stenograph's model in hopes of having an opportunity to demonstrate their value to the court.

The court reporters have now

formed the All Japan Justice Union and have rallied together with the Japan Allied Bar Association to reinstall court reporters and to reopen the court reporting school. There are also a handful of judges who support the reporters in theory but who hesitate to go to bat for them publicly.

Realtime demonstrations are given during bar association meetings to educate attorneys. The Hayato-kun theory and a Windows-based realtime program are improving. But despite all of these continued efforts, the Supreme Court in Japan maintains its position that court reporters are unnecessary.

We are fortunate in the United States to be so respected and valued and to have NCRA, state associations, and lobbyists, as well as federal funding, advertising, and 66 NCRA-certified training programs to support an estimated 50,000 court reporters.

Today, only 312 court reporters are left in Japan, but they remain committed to overcoming their challenges and

improving their skills, hoping that the supreme court will reconsider its position and save their profession.

Jodi Harmon, RMR, CRR, is president of American Realtime Court Reporters in Japan. She can be reached at Jodi@americanrealtime.com or www.americanrealtime.com.