

Instructions: Operating the Digital Recorder for Offsite Hearings

[FINRA Rule 12606](#) of the Code of Arbitration Procedure requires FINRA to make a tape, digital or other recording of every hearing. Unless the panel determines that a stenographic record will be the official record of the hearing, the hearing is generally recorded using a digital recorder provided by FINRA.

For offsite hearings, FINRA will either mail the digital recorder to the designated arbitrator before the scheduled hearing session or have a recorder available at the hearing site. The arbitrator must be able to operate the recording device to ensure that the hearings are recorded as required under the Code.

Please follow these instructions as you operate the digital recording device for offsite hearings.

Packaging

When you receive the recorder it will be securely packed in a carrying case or bubble wrap. Please retain the packaging and re-use it when returning the digital recorder.

Compact Flash Cards

The digital recorder is similar to an analog recorder, but instead of using tapes, it uses compact flash cards or CF cards to store the recording. When you receive the recorder, the CF card will already be installed. Do not remove the card.

Plugs and Cords

Make sure the AC adapter is plugged into the power pack and the adapter jack is plugged into DC IN. Plug the recorder into the wall outlet.

Power Switch

Turn the power switch ON. The switch is located on the right-hand side of the recorder.

Test Recording

Before you make the official record of the hearing, test the digital recorder. Press the RECORD button and clearly state the case name, case number and date. The RECORD indicator will be lit and steady while recording. The circle and arrow icons will also be visible on the digital display, as well as with the track increment counter, when the device is recording. When you are done with your test, press the STOP button. Now, press the PLAY/PAUSE button to play back your test recording. Be sure to test the recorder each day before the hearing begins.

Start Recording

When you are ready to start the official record of the hearing, press the RECORD button. Remember to **state the case name, case number and current date for the record at the start of the each hearing day.**

Stop Recording

When you need to stop the recording to take a recess or convene an executive session among the arbitrators, press the STOP button and end the track. **It is very important to stop the digital recorder when the panel goes into executive session because these sessions are not part of the official record.** If an executive session is inadvertently recorded, the chairperson should notify FINRA and provide the track information containing the errant recording.

Track Incrementing

A track is a segment of recorded material. Breaking the hearing record into a series of tracks will make it easier to find a particular point in a recording. Each time you press the STOP button, you will end the track. Upon resuming the recording and pressing the RECORD button, you will create a new track.

Resume Recording

Remember to turn the recorder on when you call the hearing back to order. Press the RECORD button and resume the record of the hearing.

Handheld Devices

The chairperson should remind all participants in the hearing room to turn off their electronic handheld devices, including BlackBerries, iPhones, other smart phones and cellular phones. If these devices are not turned off, they **will** cause interference, and the recorder will not produce a clear recording of the hearings.

Confidential Information

During the course of the hearings, parties may reveal personal confidential information on the record. To preserve the confidentiality of the information, you must handle the recording device in a secure manner. Do not leave the recorder unattended and exercise caution when transporting, storing and shipping the recorder to FINRA.

Shipping the Digital Recorder to FINRA

When the hearing has concluded, prepare the digital recorder to ship back to the appropriate FINRA regional office. The CF card should remain in the digital recorder, and the recorder should be returned to its carrying case or securely wrapped in bubble wrap, along with all cords and power packs. Please use the self addressed shipping label that was included in the original package and include a transmittal memo with the case name and number when returning the digital recorder to FINRA.

If the hearing is scheduled to continue, the chairperson may hold onto the digital recorder or return it depending on the duration of time between the hearings. If more than two weeks lapse between hearing dates, the chairperson should return the recorder to FINRA for safekeeping. Note that the CF card has the capacity to store multiple hearing sessions.

Additional Resources

To view the **instructional video** on operating the digital recording device, please go to the [Arbitrator Case Guidance and Resources](#) or [Advanced Arbitrator Training](#) page of our website.

Contact your regional office if you have any **questions**:

Northeast Region: (212) 858-4200

Midwest Region: (312) 899-4440

Southeast Region: (561) 416-0277

West Region: (213) 613-2680