

# AAERT Certified Electronic Reporter (CER) Practice Test (Sample)

## Study Guide



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**SAMPLE**

## **Questions**

- 1. What does dismissal of a case with prejudice mean?**
  - A. The action can be brought again at another time**
  - B. The action cannot be brought again**
  - C. The case must go to trial**
  - D. The defendant won the case**
- 2. In legal terms, what does "Pro Se" imply regarding representation?**
  - A. The party is represented by an attorney**
  - B. The party chooses to represent themselves**
  - C. The party is pro bono**
  - D. The party hires outside counsel**
- 3. What does "Of Counsel" refer to in legal terminology?**
  - A. An attorney hired by the court**
  - B. A freelance attorney hired for a deposition**
  - C. An attorney representing a corporation**
  - D. An attorney working independently**
- 4. To see a remote participant, which type of platform should be used?**
  - A. Video Conference**
  - B. Webinar**
  - C. Chat Room**
  - D. Forum**
- 5. According to AAERT standards, which rules are they based on?**
  - A. Federal rules**
  - B. State rules**
  - C. International rules**
  - D. Local rules**

- 6. Can a digital reporter become a CSR?**
- A. Yes**
  - B. No**
  - C. Only with additional training**
  - D. Depends on certification**
- 7. True or False: All courts must follow the law exactly, even if the outcome seems unreasonable.**
- A. True**
  - B. False**
  - C. Depends on the jurisdiction**
  - D. Not applicable**
- 8. What does the acronym EUO stand for in legal proceedings?**
- A. Ensured Under Oath**
  - B. Examination Under Oath**
  - C. Expert Under Oath**
  - D. Evaluation Under Oath**
- 9. True or False: CME, IME, and EOP are terms that can be used interchangeably.**
- A. True**
  - B. False**
  - C. Depends on context**
  - D. Only in insurance claims**
- 10. Common law is primarily considered what type of law?**
- A. Obvious law**
  - B. Statutory law**
  - C. Judge-made law**
  - D. Constitutional law**

## **Answers**

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1. B
2. B
3. B
4. A
5. A
6. B
7. B
8. B
9. A
10. C

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## **Explanations**

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**1. What does dismissal of a case with prejudice mean?**

- A. The action can be brought again at another time**
- B. The action cannot be brought again**
- C. The case must go to trial**
- D. The defendant won the case**

The dismissal of a case with prejudice means that the action cannot be brought again in the future. This type of dismissal is a final judgment that signifies the court's decision on the merits of the case has been made and serves as a closing action, preventing the plaintiff from refileing the same claim. It is often used to discourage repeated lawsuits over the same issue and to provide a sense of finality for both parties involved. The legal implications of a dismissal with prejudice are significant, as it protects defendants from being harassed with the same claims repeatedly and ensures that judicial resources are not wasted on matters that have already been settled. This contrasts with a dismissal without prejudice, where a case may be refiled in the future, allowing the plaintiff another opportunity to pursue their claim if desired.

**2. In legal terms, what does "Pro Se" imply regarding representation?**

- A. The party is represented by an attorney**
- B. The party chooses to represent themselves**
- C. The party is pro bono**
- D. The party hires outside counsel**

The term "Pro Se" originates from Latin, meaning "for oneself." In the context of legal representation, it indicates that an individual is choosing to represent themselves in a legal proceeding rather than hiring an attorney or being represented by one. This can occur in various legal contexts, including civil cases, criminal cases, and family matters. Individuals who proceed pro se take on various responsibilities typically managed by legal counsel, such as understanding court rules, filing documents, and making legal arguments. This choice can stem from various reasons, including financial constraints, personal beliefs, or a desire to retain complete control over their case. Understanding the implications of pro se representation is crucial, as it can affect the outcome of legal matters. While parties have the right to represent themselves, they must also be aware of the legal complexities involved in their cases.

### 3. What does "Of Counsel" refer to in legal terminology?

- A. An attorney hired by the court
- B. A freelance attorney hired for a deposition**
- C. An attorney representing a corporation
- D. An attorney working independently

"Of Counsel" is a term used in legal practice to describe a relationship between a lawyer and a law firm, where the individual is not a partner or an associate but maintains a close, ongoing relationship with the firm. This designation often implies that the attorney contributes specialized knowledge or expertise and is available to offer advice or services without being a full-time member of the firm. The term can encompass various situations, including those where an attorney is providing support for cases, advising on specific legal matters, or retaining a consulting role while independently practicing law. The key aspect of being "Of Counsel" is the association with a law firm and the capacity in which the attorney can operate alongside other attorneys within that firm. This is distinct from being simply a freelance attorney hired for specific tasks, as the "Of Counsel" designation typically implies a broader, more integrated relationship with the firm, often involving continuous collaboration and professional identification with the firm's practices.

### 4. To see a remote participant, which type of platform should be used?

- A. Video Conference**
- B. Webinar
- C. Chat Room
- D. Forum

Using a video conference platform is crucial for visually connecting with remote participants during meetings, hearings, or discussions. These platforms allow for real-time audio and video interaction, making it possible for participants to see, hear, and engage with one another as if they were in the same physical space. This interaction is particularly important in the context of electronic reporting, where visual cues and expressions can enhance understanding and communication. Webinars primarily serve for one-to-many communication, where a host presents to an audience, often without interactive visual access for all attendees. Chat rooms and forums are text-based communication platforms that do not facilitate video or audio connections, making them unsuitable for seeing remote participants. Thus, the video conference option stands out as the most effective choice for ensuring visual engagement with remote individuals.

**5. According to AAERT standards, which rules are they based on?**

**A. Federal rules**

**B. State rules**

**C. International rules**

**D. Local rules**

The correct answer is based on the premise that AAERT standards are developed in alignment with Federal rules. This is important because federal standards provide a uniform framework that guides electronic reporting practices across multiple jurisdictions. These standards help ensure consistency, reliability, and adherence to established legal guidelines, which are crucial for maintaining the integrity of the reporting process. Federal rules not only set the groundwork for court procedures but also influence state and local regulations. By aligning with these broader rules, AAERT ensures that electronic reporters are equipped to meet high standards of professionalism and compliance that are recognized at the national level. This alignment also helps with the acceptance and reliability of electronic transcripts and recordings in the legal system. State, international, and local rules may have their own merit and relevance in specific contexts, but federal rules serve as the foundational basis for establishing standardized practices within the realm of electronic reporting as per AAERT standards.

**6. Can a digital reporter become a CSR?**

**A. Yes**

**B. No**

**C. Only with additional training**

**D. Depends on certification**

A digital reporter cannot automatically become a Certified Shorthand Reporter (CSR) because the two roles require different skill sets and certifications. A CSR typically utilizes shorthand techniques for transcription, which is a specialized form of note-taking that relies on a unique set of symbols to capture speech in real-time. This requires specific training and proficiency in shorthand systems, which a digital reporter does not necessarily possess. While there might be opportunities for a digital reporter to transition to a CSR role, this would generally involve additional training specifically focused on shorthand and the accompanying certification process. Therefore, stating that a digital reporter cannot be a CSR without indicating the nuances of additional training or certification requirements reflects the distinction between the two professions succinctly. This clarity helps emphasize the importance of proper training and certification in legal recording fields.

**7. True or False: All courts must follow the law exactly, even if the outcome seems unreasonable.**

**A. True**

**B. False**

**C. Depends on the jurisdiction**

**D. Not applicable**

The assertion that all courts must follow the law exactly, even if the outcome seems unreasonable, is false because the legal system allows for discretion and interpretation of laws, particularly when strict adherence might lead to absurd or unjust results. Courts often rely on judicial discretion to interpret laws in a way that aligns with justice and the intentions of the legislative body that enacted those laws. Additionally, courts have the authority to consider precedents and the specific circumstances of each case, which can lead to outcomes that may deviate from the strict application of the law. This flexibility is essential to ensure that justice is served and that the legal system adapts to evolving societal values and norms. Moreover, various jurisdictions have their own interpretations and nuances in how laws are applied, underscoring the fact that the application of the law may vary depending on context and individual case circumstances. This illustrates the importance of understanding that rigid application of the law may not always lead to fair or reasonable outcomes, hence rendering the statement incorrect.

**8. What does the acronym EUO stand for in legal proceedings?**

**A. Ensured Under Oath**

**B. Examination Under Oath**

**C. Expert Under Oath**

**D. Evaluation Under Oath**

The acronym EUO stands for Examination Under Oath, which is a legal process where a person is questioned by an attorney or a representative in a formal setting while under oath. This means that the individual is legally required to tell the truth, similar to what is expected during a trial. EUOs are commonly used in insurance claims and litigation to gather information and clarify facts before proceeding with a case. This process allows for a detailed exploration of the circumstances surrounding a claim, making it a valuable tool for legal representatives to assess the merits of the case and to prepare for potential further legal actions or settlement discussions. The integrity of the oath ensures that the information provided during the examination is credible and can be relied upon in legal proceedings.

**9. True or False: CME, IME, and EOP are terms that can be used interchangeably.**

**A. True**

**B. False**

**C. Depends on context**

**D. Only in insurance claims**

The correct answer is that these terms are not interchangeable, as each has a distinct meaning relevant to specific contexts, particularly within the realms of medical and legal practices. CME refers to Continuing Medical Education, which is designed for medical professionals to maintain, develop, and increase their knowledge and skills. IME stands for Independent Medical Examination, a process often used in legal cases where an outside expert evaluates a patient to provide an unbiased assessment of medical conditions or treatment. EOP stands for Explanation of Benefits, a document provided by health insurance companies that explains what medical treatments were covered, denied, or adjusted. Understanding the separate definitions and purposes of these terms is essential, especially in fields like healthcare and insurance, where the implications of each can significantly affect processes and outcomes. Using these terms interchangeably would likely lead to misunderstandings and confusion regarding medical documentation, insurance claims, and continuing education requirements.

**10. Common law is primarily considered what type of law?**

**A. Obvious law**

**B. Statutory law**

**C. Judge-made law**

**D. Constitutional law**

Common law is primarily considered judge-made law because it originates from the decisions made by judges in individual cases rather than from legislative statutes or written laws. Over time, these judicial decisions create precedents that guide future case law, allowing the legal principles to evolve based on specific circumstances and interpretations by the courts. This form of law is characterized by its reliance on judicial rulings and the principle of stare decisis, where past decisions are followed in similar future cases. As judges apply existing legal principles to new facts, they contribute to the development of common law, shaping the legal landscape based on judicial reasoning and interpretation. The other types of law mentioned, such as statutory law and constitutional law, are created through specific governmental processes and do not develop from judicial interpretations over time. Therefore, the classification of common law as judge-made law accurately reflects its nature and origin in the legal system.