



DEPARTMENT OF CONSUMER AFFAIRS
COURT REPORTERS BOARD OF CALIFORNIA
MINUTES OF THE OPEN SESSION
AUGUST 9, 2007

CALL TO ORDER

Ms. Toni O'Neill, Chair, called the meeting to order at 2:05 p.m. in the Board's conference room in Sacramento.

ROLL CALL

Board Members Present:

Toni O'Neill, CSR, Chair
Greg Finch, Public Member, Vice Chair
Yvonne Fenner, CSR
Karen Gotelli, Public Member (via teleconference)
John Hisserich, Public Member (via teleconference)

Staff Members Present:

David E. Brown, Executive Officer
Dianne Dobbs, Staff Legal Counsel
Norine Marks, Staff Legal Counsel

Ms. O'Neill stated Ms. Yvonne Fenner would be late to the meeting but a quorum was established and would continue the meeting.

MINUTES OF THE JULY 13, 2007 MEETING

Ms. O'Neill asked if the Board members had an opportunity to review the minutes of the July 13, 2007 Board meeting. Mr. Greg Finch made a motion to adopt the minutes as submitted. Dr. John Hisserich seconded the motion; **MOTION CARRIED.**

AB1025 (BASS) – BUSINESS AND PROFESSIONS CODES 480, 485, 490, 491

Ms. Dianne Dobbs provided a review of AB1025. She stated this bill would provide the following:

- No one maybe denied, suspended or revoked based on criminal convictions that have been expunged or set aside.
- A certificate of rehabilitation has the presumption that the person is rehabilitated. This bill would require the agency to provide proof that the person is not rehabilitated. Ms. Dobbs stated a person, who wants to apply for a license and has a certificate of rehabilitation, has to provide documentation to support the fact that they are rehabilitated. If this bill becomes law as written, the Board would have the burden to prove, by substantial evidence, the person applying is not rehabilitated.
- Report to the Legislature every time a license is revoked or suspended based solely on criminal convictions.

Ms. Dobbs stated several Boards, as well as the Department of Consumer Affairs, have taken an opposed position on this bill. Discussion ensued, whereupon Mr. Finch made a motion to take an opposed position on AB1025 unless amended to strike the presumption of rehabilitation based on a dismissal. Mr. Gotelli seconded the motion, **MOTION CARRIED**.

Mr. Hisserich volunteered to work with staff to write the opposition letter.

EXECUTIVE OFFICER REPORT

Mr. Brown provided an update regarding the Board's year-end budget for the 2006-2007 fiscal year. The Board ended the year with a 3.51 percent surplus. He stated staff would continue to closely monitor the current year's budget.

BOARD STRATEGIC GOALS

Mr. Brown provided the Board the following update to the strategic goals that are currently outstanding:

- OE4 – Is pending passage of the budget;
- PS5 – Ms. O'Neill created a Task Force to explore firm registration. Mr. Finch has been appointed chair and Ms. Fenner vice-chair. The first meeting is scheduled for August 20, 2007 in Sacramento. The committee members are: Dan Feldhaus, Debra Codiga, Diane Sauner and Sheila Atkinson-Baker.
- OE6 – Mr. Brown stated a meeting has been scheduled for the Technology Committee in October.

RECESS

Ms. O'Neill requested a seven minute recess.

RECONVENE

The Board reconvened the meeting, whereupon Ms. O'Neill announced Ms. Fenner had arrived and was in attendance.

CONTINUING EDUCATION – PROPOSED NEW STATUTORY LANGUAGE

Ms. Fenner stated after discussions with staff legal counsel and with the Continuing Competency Committee, the better route would be to pass the requirement for continuing education legislatively and then develop the detail issues, such as how many hours, tracking of the hours, etc., through the regulatory process. Ms. Fenner then made a motion for the Board to approve the proposed statutory language to establish a continuing education program and to authorize the Executive Officer to locate an author for the bill and make non-substantive changes as necessary.

Mr. Hisserich seconded the motion; **MOTION CARRIED**.

Ms. Norine Marks mad a suggestion to place the language of continuing education under Business and Professions Code section 8024 rather than 8008.

PROFESSIONAL STANDARDS OF CONDUCT – CCR 2475

Mr. Brown provided a background to the Board as to why the issue of CCR 2475 was brought before the Board and the inequity of section 8 in the regulation. Section 8 provides a limitation on gift-giving for licensed CSRs but no limitation on gift-giving from court reporting firms not owned by a CSR. The Board decided previously to separate the discussion of potential changes to the current regulation from the Board's goal of firm registration. Ms. Fenner stated the ultimate issue is that anyone who is offering court reporting services has to be held to the same standard so that the consumer knows what they can expect when hiring a court reporter. She stated she believed that once the firm registration issue has been resolved, then language to correct the current regulation would be easier to craft. Discussion ensued, whereupon the Board decided to table the issue until the October Board meeting.

FUTURE MEETING DATES

The following meetings were scheduled:

- August 20, 2007 – Firm Registration Task Force meeting in Sacramento;
- October 19, 2007 – Board meeting in Los Angeles;
- October 19, 2007 – Technology Evaluation Committee meeting in Los Angeles.

PUBLIC COMMENT

Ms. Toni Pulone advised the Board of Senate Bill 823.

Natalie Dold, from Golden Gate Reporting, stated her firm had drafted a position paper regarding firm registration and would like to submit it to the Board for review and asked if there were any timeframes. Mr. Brown stated that it could be submitted at any time including at the Firm Registration Task Force meeting.

ADJOURNED TO CLOSED SESSION

Ms. O'Neill adjourned the meeting to closed session at 3:40 p.m.

RECONVENE

Ms. O'Neill reconvened the meeting to open session at 4:20 p.m.

ADJOURN

Ms. O'Neill adjourned the meeting at 4:21 p.m.

TONI O'NEILL, Chair

Date

DAVID E. BROWN, Executive Officer

Date