Attachments

Part I

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I-B	Organization Chart
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I-E	Timestamping
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Part II

II-A	Qualifying Methods – First Timers (Graph)
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COURT REPORTERS BOARD OF CALIFORNIA

Public Schools Recognized Reporter Training Schools

Argonaut Court Reporting Program
Jones Skills & Business Center
5451 Lemon Hill Avenue
Sacramento, CA 95824
(916) 433-2600 ext. 1218
Bonnie Chufar-Comstock
Bonniero@sac-city.k12.ca.us

Bakersfield College/CRP/ Weill Center
2101 K Street Mall
Bakersfield, CA 93301
(661) 868-4296 Dawn Thompson
dtsteno@aol.com

Cerritos College
11110 E. Alondra Boulevard
Norwalk, CA 90650
(562) 860-2451 ext. 2792 Sherry Perkins
www.cerritos.edu/busc
sperkins@cerritos.edu

College of Marin/Indian Valley Campus
1800 Ignacio Boulevard
Novato, CA 94949
(415) 883-2211 ext. 8226 Tom Holub
holub@marin.cc.ca.us

College of the Redwoods
7351 Tompkins Hill Road
Eureka, CA 95501
(707) 476-4369 Gay Scott
www.redwoods.cc.ca.us
gay-scott@eureka.redwoods.cc.ca.us

Cypress College
9200 Valley View Street
Cypress, CA 90630
(714) 484-7211 Carolee Freer
www.cypress.cc.ca.us
freer4@earthlink.net

Downey Adult School/CRP
12340 Woodruff Avenue
Downey, CA 90241
(562) 940-6242 Irene Weston
iweston@dusd.net

Oceanside ROP
2111 Mission Avenue
Oceanside, CA 92054
(760) 757-2560 x553 Peggy Miller
(760) 439-8095 fax
pmiller@oside.k12.ca.us

Tri Community Adult Education
Griswold Center CSR Program
16209 E. San Bernardino Road
P.O. Box 269
Covina, CA 91723
(626) 472-7681 Dixie King
Dixiepi@earthlink.net
www.cvusd.k12.ca.us/tri-community/ag/courtreporting.htm

West Valley Community College
Court Reporting Program
14000 Fruitvale Avenue
Saratoga, CA 95070
(408) 741-2439 Linda Lawson
linda_lawson@westvalley.edu

COURT REPORTERS BOARD OF CALIFORNIA

Private Schools Recognized Reporter Training Schools

Bryan College of Court Reporting
2333 Beverly Boulevard
Los Angeles, CA 90057
(213) 484-8850 Nancy Patterson
www.bryancollege.edu
info@bryancollege.edu

Court Reporting Institute
1333 Camino del Rio South, #106
San Diego, CA 92108
(619) 294-5700 Janet Carter
www.cri.org
sdfinaid@yahoo.com

Golden State College of
Court Reporting & Captioning
6543 Regional Street
Dublin, CA 94568
(925) 831-9029 Kelly Emerick/Sandy Finch
www.goldenstatecourtreporting.com
emerickfinch@emerickfinch.com

Humphreys College
6650 Inglewood Avenue
Stockton, CA 95207
(209) 478-0800 Bruce Bodine
www.humphreys.edu
bbodine@humphreys.edu

Sage College
12125 Day Street, Building L
Moreno Valley, CA 92557-6720
(909) 781-2727 Lauren Somma
www.sagecollege.edu
cscrsrgoup@aol.com

Sierra Valley Business College
4747 North First Street, Suite D
Fresno, CA 93726-0517
(559) 222-0947 Donald Goodpaster
svbcinc@aol.com

South Coast College
2011 West Chapman Avenue
Orange, CA 92868
(714) 867-5009 Marsha Harline
www.southcoastcollege.com
ssago@southcoastcollege.com

Department of Consumer Affairs

COURT REPORTERS BOARD OF CALIFORNIA

July 1, 2004

FY 2004-05
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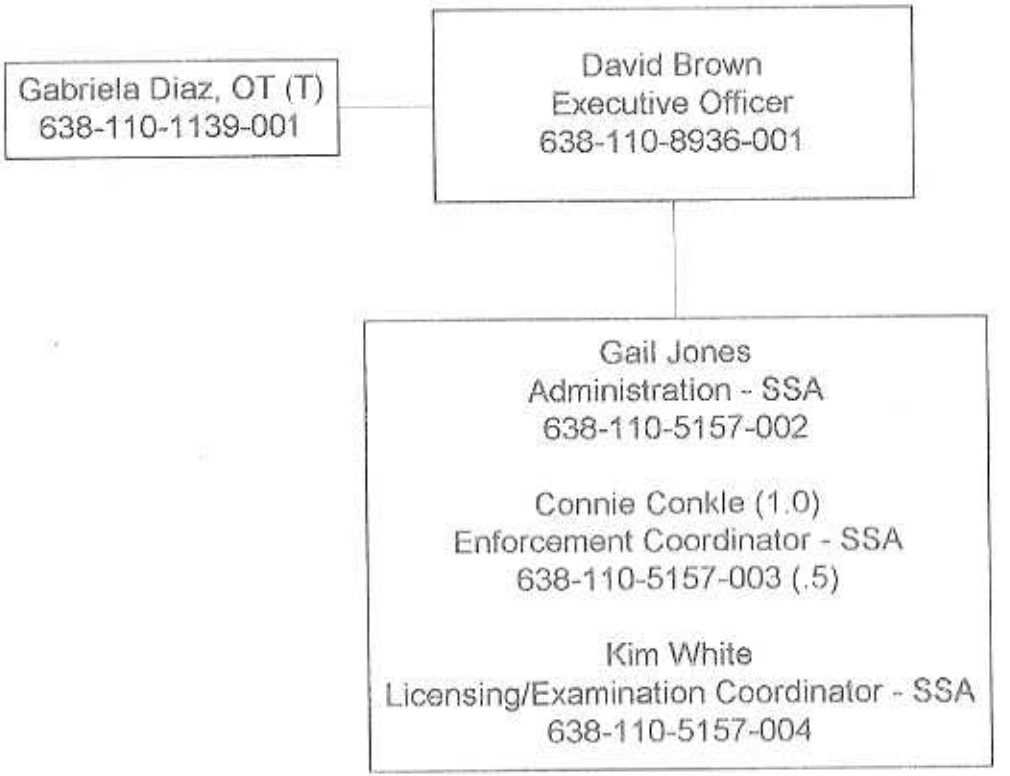

DAVID BROWN, EXECUTIVE OFFICER — DATE

LES CHAN, PERSONNEL ANALYST — 7/30/2004 DATE

State of California Department of Consumer Affairs

COURT REPORTERS BOARD OF CALIFORNIA
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
Phone (916) 263-3660 / fax (916) 263-3664

July 15, 2002

Memorandum of Understanding
Between the
California Court Reporters Board
And the
Bureau of Private Postsecondary and Vocational Education
Relating to the Approval of Institutions for the Preparation of Certified Court Reporters

The California Court Reporters Board (CCRB) and the California Department of Consumer Affairs' Bureau for Private Postsecondary and Vocational Education (BPPVE) enter into this agreement, for the purposes cited below. This updated MOU amends the original agreement between the CCRB and BPPVE, dated October 30, 2000.

- To establish a cooperative effort between the CCRB and the BPPVE with regard to the regulation of private court reporting schools for the purpose of assessing the overall quality of education and training, and determining if they meet with full approval, provisional approval, or denial of certification.

- To set forth the individual responsibilities of each of these public agencies with respect to the regulation of private postsecondary court reporting schools operating in the State of California.

Premises:

1. The CCRB, through its authority contained in the Business and Professions Code, Section 8027, and Section 2411 of the California Code of Regulations, requires the Board to (1) approve a court reporting institution; (2) define, review, and update the curriculum; (3) set school notification mandates; (4) gran recognition; (5) review schools' applications; (6) maintain statistics which display the number and passing percentage of all first-time examinees; (7) conduct site visits; (8) require schools to file their current school catalogs; and (9)define instructor qualifications.

2. The BPPVE, through its authority contained in the California Education Code, Title 3, Division 10, Par 59, Chapter 7 and related California Code of Regulations, approves and regulates private postsecondar and vocational institutions including those offering court reporting training. The BPPVE (1) reviews initial and reapproval applications to operate; (2) conducts initial, reapproval and compliance site visits of institutions; (3) enforces BPPVE laws; (4) mediates student and school complaints; and (5) provides student protections and services through the Student Tuition Recovery Fund and Closed Schools Assistance Program.

3. It is the intent of the CCRB and the BPPVE to (1) ensure those institutions furnishing court reporting education and training services provide training in accordance with regulating statutes and regulation; and (2) avoid duplication of processes.

AGREEMENT:

The California Court Reporters Board agrees:

To assume sole responsibility for the definition, review, and upgrade of the schools' curriculum, instructor qualifications, and quality of administrative staff pursuant to Business and Professions Code 8027, Article 2 Section 2411 of the California Code of Regulations (CCR) and other CCRs as required by statute changes.

The Bureau of Private Postsecondary and Vocational Education agrees:

To assume sole responsibility for the adoption of minimum standards for refund policies, enrollment agreements, contracts consumer information, attendance policies, and financial responsibility pursuant to Section 94774 of the Education Code.

The California Court Reporters Board and the Bureau of Private Postsecondary and Vocational Education jointly agree as follows:

To notify each other when either entity plans to conduct a site visit at any private postsecondary court reporting institution operating in California. If agreeable to both the CCRB and BPPVE, either entity may request permission to accompany the other on scheduled site visits of private postsecondary court reporting institutions.

This Agreement will remain in effect unless terminated by the California Court Reporters Board, the Bureau of Private Postsecondary and Vocational Education, and/or the California State Legislature.

David E. Brown — July 23, 2002

David E. Brown, Executive Officer
California Court Reporters Board

Date

Michael V. Abbott — 7-24-2002

Michael V. Abbott, Chief
Bureau for Private Postsecondary & Vocational Education

Date

Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833

California Department of Consumer Affairs

Court Reporters Board of California

Considering a Career in Court Reporting?

THINGS YOU SHOULD KNOW AND CONSIDER

WHAT IS A COURT REPORTER?

Certified Shorthand Reporters (CSR), commonly known as "court reporters," are trained and licensed to write testimony from multiple persons at speeds of 200 words per minute and higher. Court reporting schools teach shorthand machine theory and speed-building classes designed to advance skills in preparation for the state exam. Schools offer intensive classes in English grammar, punctuation, spelling and word usage, legal and medical terminology, deposition and court procedures, computer aided transcription programs and current California laws relating to court reporting.

Becoming a licensed CSR requires passing a three-part licensing exam, usually after attending a Board-approved court reporting school. Other ways to qualify are to obtain certain out-of-state licenses or work experience. Once a CSR license is earned, the licensee may choose to work in a courthouse setting or take depositions. Salaries range from $30,000 to $100,000 per year, based on how much a CSR wants to work and where he or she chooses to live.

The skills gained on the stenotype machine may prepare a student for other career options that do not require a state license, such as, rapid data entry, scoping, legal secretarial, paralegal, medical transcribing, Communication Access Realtime Translation (CART), and captioning. The concentrated English education and legal and medical terminology may be applicable to other career options or used as a foundation for pursuing higher education.

HOW LONG WILL IT TAKE?

Court Reporting is ***designed*** to be a three to four year program, assuming strict adherence to daily attendance and practice on the machine ***five hours per day***. This machine practice is ***mandatory*** to succeed in building speed levels required to sit for the licensing exam, which is 200 words per minute with a 97.5% accuracy rate. A significant portion of the education is related to skill-based curriculum. Court reporting students also have to do transcribing and academic homework in addition to machine practice. Court reporting school is a full-time job. While a few students have attained the required speed in less time, they are rare.

As indicated, court reporting school can take three to six years if attending full time and adhering to the minimum daily schedule established by the institution. It may take five years or more if a student's extracurricular responsibilities consume a significant portion of a personal schedule. It is self-paced, challenging and requires self-discipline and a high degree of motivation. Court reporting is typically more difficult for students who are easily distracted or those who have other responsibilities that do not allow them to treat school as a full-time job.

Plan to commit to the necessary amount of time and effort for three years or more. Excellent attendance and practice at home is vital for the completion of the program within the designated time. Work as a court reporter can also be physically taxing as sitting for hours without breaks may be required.

Progress in speed building classes will vary from person to person. Each school should be able to provide a detailed chart of the ***approximate*** time it should take to progress in each speed class according to their student's records. The chart should identify the average length of time it takes at that school, based on actual data from students' records.

The Business and Professions Code and regulations that govern the practice, specify the following minimum requirements to graduate:

Subjects	Hrs of Instruction
English	215
Legal	175
Medical	125
Transcript Prep.	60
Apprentice Train.	60
Technology	25
Typing Skills	45 wpm.
Total Academic Hrs.	**660**
Approximate Machine Hrs.	**3000**

Some Questions to Ask

Prior to enrolling in a court reporting program the Board recommends you interview the prospective school.

Interviewing Schools

1. At this school, how long can one expect to be enrolled on a full time basis? A part-time basis?
2. Do these figures (quest. #1) include both students that started the program, and transfer-in students?
3. What is the total cost of attending this school, including tuition, books, supplies, and purchase or rental of a machine? $_____
4. How many tests are required at each speed level to progress to the next speed?
5. Approximately how long should it take to progress in each speed level at this school?
6. How many candidates did this school send to the CSR exam last year? The previous year? How many of this school's candidates passed the CSR exam last year? The previous year?
7. What is this school's dropout rate? What is this school's transfer-out rate?
8. Who accredits, approves, and recognizes this school? Get names, addresses, and phone numbers and check with both the Court Reporters Board and the Bureau for Private Postsecondary and Vocational Education to see if this school is on probation, or has provisional approval, or full approval from these agencies. (see names, phone numbers and web addresses at end of brochure.)
9. How many weekdays is this school closed per year? (Each day missed delays graduation.)
10. How many hours per week does this school offer live dictation?
11. What is the policy on "pushing" and "trailing" classes?
12. Does this school have a graduate placement program? If so, what percentage of graduates are placed after receiving their California license?

Interview Current Students & Court Reporters

✓Ask working CSRs which schools they would recommend and why. What were their experiences in school and on the job?

✓Visit potential schools and speak with current students. What is their view of the school being considered?

✓What are the school's strengths and weaknesses?

✓How has this school assisted the students in reaching their goals and overcoming any problems?

✓How has the school assisted graduates with placement opportunities in the court reporting field?

Final Considerations

Calculate the costs for attending the average length of time, as well as the longest length of time, at the schools being considered.

If you are attending a private court reporting school, ask the school if they customarily provide a regular accounting statement of the financial aid checks and an itemization of where the money goes.

If you are attending a private court reporting school, ask the school what their policy is regarding communicating increased indebtedness and whether notification of approaching the end of financial eligibility can be expected.

Understand that any student loans incurred are real loans, meaning they have to be paid back, whether or not the education is completed.

Research the costs of equipment and realize that four years or so down the road, technology will have advanced and your equipment may need to be updated or replaced.

Other Sources of Information

Interview deposition firms in your geographic area. Ask their opinions about the schools in which you are interested. What are the strengths and weaknesses of the various schools based on the people they have hired from those schools?

Job shadow current CSRs. Sit in a courtroom and observe the reporter working. Ask questions at breaks.

Check some of the following Web sites for further information:

National Court Reporters Association
www.ncraonline.org and www.bestfuture.com

Deposition Reporters Association
www.caldra.org

Calif. Court Reporters Association
www.cal-ccra.org

Calif. Official Court Reporters Association
www.cocra.org

US Court Reporters Association
www.USCRA.org

In Summary

After all research is completed and analyzed, enroll in the school that offers complete answers to all your questions.

More Questions?

Call the Court Reporters Board of California at (916) 263-3660, or fax any questions to us at (916) 263-3664, or visit the web site:

www.courtreportersboard.ca.gov

or you may call:

Bureau for Private Post Secondary & Vocational Education at (916) 445-328; their web site is:

www.dca.ca.gov/bppve

California Code of Regulations

TITLE 16. Professional And Vocational Regulations
Division 24. Certified Shorthand Reporters Board
Article 8. Denial, Suspension and Revocation of Certificates

§2473. Minimum Transcript Format Standards.

(a) A reporter licensed under Chapter 13, Division 3 of the Code shall comply with the following transcript format standards when producing a transcript in a legal proceeding. If a reporter is employed by a court, either as an official or pro tem official reporter, the transcript format set forth by state or local rules of court, or adopted by that jurisdiction, if any, will supersede. If there are no transcript format guidelines established within a jurisdiction, the following minimum transcript format standards shall apply:
(1) No fewer than 25 typed text lines per page;
(2) A full line of text shall be no less than 56 characters unless timestamping is used, in which case no fewer than 52 characters shall be used on a full line of text;
(3) Timestamping may only be printed on a transcript under any of the following circumstances:
(A) when a deposition is videotaped;
(B) when requested by counsel on the record, or
(C) when a transcript will have not less than 56 characters per line.
(4) Left-hand margin is defined as the first character of a line of text;
(5) Each question and answer is to begin on a separate line;
(6) Text is to begin no more than 10 spaces from the left margin. "Q" and "A" Symbols shall appear within the first 8 spaces from the left-hand margin;
(7) Carry-over "Q" and "A" lines to begin at the left-hand margin;
(8) Colloquy and paragraphed material to begin no more than 10 spaces from the left-hand margin with carry-over colloquy to the left-hand margin;
(9) Quoted material to begin no more than 14 spaces from the left-hand margin with carry-over lines to begin no more than 10 spaces from the left-hand margin;
(10) Parenthetical and exhibit markings of two lines or more shall be no less than 35 characters per line; and
(11) In colloquy, text shall begin no more than two spaces after the colon following speaker "ID."
(b) Failure to comply with these minimum standards, as noted above, constitutes grounds for disciplinary action.

NOTE
Authority cited: Sections 8007, 8008 and 8025, Business and Professions Code.
Reference: Sections 8015 and 8025, Business and Professions Code.

HISTORY
1. New section filed 1-11-2000; operative 2-10-2000 (Register 2000, No. 2).
2. New subsections (a)(3)-(a)(3)(C), subsection renumbering and amendment of newly designated subsection (a)(6) filed 7-31-2002; operative 8-30-2002 (Register 2002, No. 31).

COURT REPORTERS BOARD OF CALIFORNIA

2003 STRATEGIC PLAN

MISSION

The mission of the Court Reporters Board of California is to provide users of the judicial system access, consumer education, and consumer protection through regulating and testing of the qualifications, performance, and ethical behavior of certified shorthand reporters and entities regulated by the Board.

Our Consumers/Stakeholders:

LITIGANTS STUDENTS LICENSEES

SCHOOLS THE BAR THE BENCH

WITNESSES COURT ADMINISTRATORS

NON-LICENSED COURT REPORTING FIRMS

PRESS

As of June 2003, there are 7,928 active CA licensed court reporters.

The Board recognizes and respects the diverse needs of its consumers/stakeholders. This strategic plan was developed to better meet the needs of the individuals and groups we serve.

VISION STATEMENT

Our vision is for judicial system consumers to be free from concerns relating to the accuracy and timely delivery of transcripts. We are committed to maintaining the highest standards of excellence.

To this end the Board will:

1. Certify applicants' competence through rigorous and validated testing.
2. Undertake to compile and disseminate information about the profession.
3. Actively pursue its expanded authority to oversee court reporting schools.
4. Impartially investigate and promptly resolve violations of laws and regulations administered by the Board.
5. Aggressively assess changing technology and then integrate relevant changes into its regulatory program.

GOAL 1: ADMINISTER A MINIMUM LEVEL COMPETENCY TEST TO DETERMINE ENTRY LEVEL ABILITIES, DISCIPLINE LICENSEES WHEN NECESSARY, AND REGULATE THE MINIMUM CIRRICULUM WHICH COURT REPORTING SCHOOLS MUST OFFER.

OBJECTIVES:

✓License qualified applicants through the state CSR exam.

Measures:

Fiscal Year	2000/2001	2001/2002	2002/2003
Total # of Exam Applicants	493	523	454
% of Exam Applicants Passing	20.69%	34.61%	34.36%
Total # of Newly Licensed CSRs	102	181	156

✓Enforce compliance with state rules and regulations for court reporters.

Measures

Fiscal Year	2000/2001	2001/2002	2002/2003
Total # of Complaints Received	122	109	170
Total # of Complaints Closed	114	93	170
Total # of Cases Investigated	4	24	2
Total # of Formal Actions	24	24	10
Total # of Informal Actions	21	19	34

✓Certify Court Reporting schools and review them for compliance with rules and regulations.

Measures

Fiscal Year	2000/2001	2001/2002	2002/2003
Total # Court Reporting Schools Accredited	18	16	17
Total # of Student Complaints	•	6	3
Total # of Compliance Reviews	4	0	6
Total # of Corrective Actions	2	0	1

GOAL 2: CREATE AND MAINTAIN ON THE BOARDS WEBPAGE A COMPENDIUM OF RULES, REGULATIONS AND STATUTES, AND OTHER RELEVANT INDUST

Consumer
Affairs

COURT REPORTERS BOARD OF CALIFORNIA
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
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www.courtreportersboard.ca.gov

JULY 2004 CSR EXAMINATION
SCHOOL PREPARATION TIME SURVEY

The Court Reporters Board of California is interested in determining the usual or average length of time it takes to complete court reporting training at California recognized schools. Your input will be kept anonymous. If you did not qualify for the California CSR exam by attending a California recognized school, please disregard this form.

PLEASE PRINT CLEARLY. ***Thank You!***

1. When did you complete your training & qualify for the CSR Exam? _____month _____year

2. At what school did you complete your court reporter training?

3. In addition to the aforementioned school, is there another school where you completed more than 50% of your court reporting education? List name of the school, time attended and approximate percentage of study done at that school.

4. What was the total length of time you attended the court reporting school(s)? (List the **TOTAL** number of years/months spent at school. Example: if you attended school from January 2001 to December 2001 but took 2 months summer vacation, indicate 10 months): _____ years _____ months

5. Did you have any leave(s) of absence of more than six weeks (indicating summer breaks if applicable)? If "YES," how long were you out of school altogether? _____ years_____ months (the sum of 4 and 5 should equal the total time period from starting school to completion)

6. What's the average number of classroom hours you spent per week during your school years? _____hr/wk

7. What's the average number of homework hours you spent per week during your entire study? (practice outside of formal classroom hours) Machine dictation: _____hr/wk; Other materials: _____hr/wk

8. How many hours of practice per week do you plan on completing in preparation for the state exam? ___hr/wk

9. What can schools do to reduce the total amount of time it takes students to qualify for the state exam?

10. Do you have any ideas of what schools could be doing to improve the pass rates on the state exam?

****CONTINUED ON BACK****

11. How can the Court Reporters Board assist students/schools in achieving educational quality of the cou reporter program?

12. On what frequency are qualifiers provided by your school?

13. How many of the qualifiers provided by your school did you report?

14. How many of those qualifiers that you reported did you pass before sitting for the CSR machine dictation exam?

15. How many school qualifiers did you take before you passed your first qualifier?

Comments: _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

EXAMINATION EXIT SURVEY

GROUP NO. _____

1. How did you qualify to sit for the CSR exam?

   ☐ Completed a CA recognized CSR program
   ☐ Work Experience
   ☐ Holder of RPR Certificate
   ☐ Licensed CSR from Georgia, Nevada, or Texas

2. If you completed a program at a court reporting school, when did you complete the program?

   _____
   month/year

   What school? _____

3. Do you feel you were adequately prepared to pass the dictation/transcription portion of the CSR exam?

   ☐ yes ☐ no

4. Do you feel the speed of the dictation exam was:

   ☐ Too fast? ☐ Too slow? ☐ Appropriate speed?

5. Did the readers speak clearly?

   ☐ Yes ☐ No

6. Was the warm-up period:

   ☐ Too short? ☐ Too long? ☐ Appropriate amount of time?

7. Did you encounter any problems with fingering or keystrokes during the dictation portion of the exam?

   ☐ Yes ☐ No

If yes, please explain: _____

_____

Additional Comments:

_____

_____

_____

_____

_____

DICTATION EXAM EXIT SURVEY RESULTS

Dictation Exam Exit Survey Results*	Dec. 2003	March 2004
Total Examinees	189	155
Total Responses	177 (94%)	132 (85%)
Method of Qualifying (Methods explained in Question A, Item E)	**Number/Percent**	**Number/Percent**
CSR Program (school)	159 (90%)	109 (83%)
Work Experience	8 (5%)	10 (8%)
RPR Holder	6 (3%)	9 (7%)
Other Recognized State	2 (1%)	1 (.007%)
Former Calif. Licensee	2 (1%)	--
Number Who Felt Prepared	155 (88%)	111 (84%)
Dictation Speed	**Number/Percent**	**Number/Percent**
Too Fast	20 (11%)	11 (8%)
Too Slow	2 (1%)	0
Appropriate	153 (86%)	120 (91%)
Readers Spoke Clearly	**Number/Percent**	**Number/Percent**
Yes	154 (87%)	120 (90%)
No	22 (12%)	7 (5%)
Warm-up Period	**Number/Percent**	**Number/Percent**
Too Short	52 (29%)	31 (23%)
Too long	0	0
Appropriate Amount	120 (68%)	98 (74%)
Total Passed -- Dictation Exam	49	28
Percent Passed -- Dictation Exam	25.9%	18.1%

* NOTE: Some respondents did not answer every question

COURT REPORTERS BOARD MEETING DATE: March 15, 2004

AGENDA ITEM 2 – Voicewriting - Pilot Study

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Agenda Description: Summary of voicewriting study.

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Recommendation:

Discussion Item.

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Brief Summary:

The Board voted at its September 1, 2003 Board meeting to conduct a pilot study of voicewriting technology (Attachment A). The purpose of the study was to identify if voicewriting technology is sufficiently advanced to provide for a verbatim transcript. The methodology would be to allow volunteer voicewriters to participate in the dictation reading of the CSR examination. (The CSR examination is based on a minimal competency level to practice safely in California. The definition of minimal competency is defined in California Code of Regulations Section 2420 as a 97.5% accuracy level.)

The planning of the pilot study included contacting the National Verbatim Reporters Association (NVRA) for background information on the technology of voicewriting and the certification/licensure requirements within that organization. Attachment B outlines the NVRA certification requirements for voicewriting certification within the NVRA. Volunteers were then solicited via the NVRA newsletter and posting on the CRB website (Attachment C). Volunteers were asked to complete an application similar to that designed for the California CSR (Attachment D). Volunteers were also provided the same materials that are provided to all CSR examinees, i.e. grading criteria, sample transcript format, etc.

On December 13, 2003, eight voicewriters participated in the study. The study consisted of the reading of the 12/13/03 CSR examination. Representatives from CRB, CCRA, COCRA, DRA, LAGSRA, ARTS and RAPS were in attendance for the overview/instructions. (Some of these representatives also conducted a Q/A with the voicewriting examination chairperson during the course of the study. The author was not in attendance during this session, so he is unable to comment on what transpired. See Attachment E).

The reading was preceded by an overview of how the CSR test is developed, how the reading would take place, and what security measures were in effect. The additional measure of having each person affirm that their (laptop) recording device was off was monitored by CRB Board members. Each voicewriter also had their equipment checked for sound levels to ensure that no sound could be heard by another voicewriter in the same vicinity.

The pilot study then began, under the same constraints as the dictation exercise held earlier that day for the candidates of the California exam. All of the voicewriters used laptop computer systems to transcribe their transcript. Four of the eight used the voice-to-text feature with two using realtime to capture the dictation exercise. The other four used analog recordings to capture the dictation. At least two of the eight typed the transcript from their recordings. The other six reviewed the "text" produced from the voice and prepared the transcript.

Completed transcripts and floppies when available, were collected at the end of the study. Machines were double-checked to ensure that recordings and/or duplicate transcripts were not made of the text material. Transcripts and materials were returned to the CRB office for grading.

The results were posted to the CRB website and emailed to reporter associations (Attachment F). In general, all eight first-timer volunteer voicewriters passed. The person with the "highest" number of errors (51 errors is failing) missed 25. The person with the least amount of errors missed 6. The person that took the longest to complete the transcript took 45 minutes of the 180 minutes allotted for transcript production.

Attachment G provides additional background as to the voicewriter's working experience and errors produced on the pilot study.

Attachment H also identifies the performance of seven out-of-state working machine reporters. These are reporters who participated in the CSR dictation exam. Two of these candidates took the CSR for the first time; both failed. The other five reporters had each taken the test in August 2003. Of these five, ~~three~~ *one* passed. ~~Of the three that passed, the "highest" number of errors was 40; the least amount of errors was 7.~~ The machine writer with the best "score" of seven errors is from Canada.

Attachment I reflects additional information on voicewriting from NVRA, a DRA newsletter and a reporting firm.

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Support Documents:

Attachments A - I

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Fiscal Impact: Not applicable

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Report Originator: David Brown

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Board Action Taken: New Item.

COURT REPORTERS BOARD OF CALIFORNIA
DECEMBER 6, 2003

FIRST TIME CANDIDATES
DICTATION EVALUATION
51+ Errors Equals Failed Score

Group	# Candidates	# Passed	Most Errors	Least Errors	Comments
Voicewriters	8	8	25	6	Average missed score of 13. 1-California applicant (practices voicewriting, non-CSR), 7 from other states, freelance and/or official reporters using voicewriting.
Working Reporters[1]	2	0	Incomplete --------- 83	n/a	New York freelance work experience plus California work experience. Temporary Arizona license (AZ not recognized by CRB). ---------- Washington State work experience plus California work experience.
Students	30	11	50	8	No detail to date.

MULTIPLE ATTEMPTS
DICTATION EVALUATION
51+ Errors Equals Failed Score

Group	# Candidates	# Passed	Most Errors	Least Errors	Comments
Working Reporters[1]	7	1	40	7	7 candidates, second dictation test; first attempt August 2003. One candidate, approximately 11 attempts. Least errors from British Columbia candidate, 2nd attempt.

[1] "Working Reporters" group is work experience used when: 1) candidate is licensed by a state where licensure/testing standards are not equivalent to CRBoard standards; 2) the CSR or out-of-state license has lapsed; 3) there is no license issued by the out-of-state regulatory body; 4) California experience in non-CSR required hearing settings.

PROVISIONAL/TEMPORARY LICENSING TASK FORCE
DRAFT CONCEPTS

Provisional/temporary licensing task force.
Membership:
Tom Pringle, CCRA; Gordon Aiavao, COCRA, John Squires, DRA; David Brown, CRB.

This group was established to seek methods/strategies to obtain alternative methods to expedite CSR licensure. The group has met on a couple of occasions to discuss and fine tune conceptual ideas for expedited licensing and to formulate concepts into reality based strategies.

The primary focus on the initial meetings was to provide an expedite method to provide out-of-state reporters an early license in California. The group has since broadened the scope to include concepts that would allow students to participate in some type of streamlining exam methodology to enable a quicker license.

It is anticipated that the strategies discussed at the last committee meeting will be presented in draft legislative language format for the December 13, 2003 CRBoard legislative meeting in Los Angeles, for review, discussion and recommendations by the board. The CRB has not affirmed any movement on the ideas, but rather has been kept informed as to the progress of the committee meetings. The Board's Executive Officer has met with legislative staffers to discuss these concepts and has received a positive response to carry these bills, maybe even on an urgency basis.

The following "concept" ideas were discussed and agreed to in theory by the group:

1. Out-of-state licensing –
   - This category applies to those working reporters who have been working five years immediately preceding CSR exam/license application in California. This group may include those licensed by a state licensing board with the examination process similar to that prescribed for California. The examination for this group will consist of a professional practice written exam only. A discussion was held concerning the possibility of a temporary license to practice until the examination was scheduled. Based on the limited number of candidates expected in this category, the person could call the board directly and schedule a written exam outside of the normal three times a year current exam schedule. Therefore, a temporary license would not be needed.

2. Out-of-state licensing – RPR
   - This category applies to those working reporters who have an RPR, in a state that does not provide a licensing examination. These reporters will have worked the five years immediately proceeding the CSR application. This group may be granted a temporary/provisional license for (up to) two years to complete the full CSR examination requirements, (dictation and two written exams). There was also discussion if this group should also have waived the dictation test and the English written examination. If this holds true, then a temporary license would not be necessary, as the individual could call the board and schedule an examination outside of the regular 3x a year current schedule.

PROVISIONAL/TEMPORARY LICENSING TASK FORCE
DRAFT CONCEPTS

3. Students
   - This category would allow early CSR written examinations for students. The school would certify that the student had completed academics, and, if included as part of this scenario, that the student had reached a certain machine speed level. This option would allow students to take both the Professional Practice and English written exams after they have completed the academic portion of their curriculum. Under current authorities, students would still have up to three years to complete the dictation exam for licensure.

4. Temporary Licensing
   - This category will authorize the board to issue temporary licenses. No such authority currently exists. This scenario would apply to those applicants who have completed the dictation examination, and are only taking the written examination(s). Due to the limited volume of this category of applicants, these written examinations could be graded at the test site, and, successful applicants could leave with a temporary license. The license would have an expiration date to allow for the issuance of a permanent license.

Other strategies suggested by the group include:

- The formation of a student liaison group with the board. The point person from each school would work internally with that school and the board on an ongoing basis to identify and mediate student complaints at the local level. The full group would meet to discuss school issues/concerns of a statewide nature. The number of meetings would be determined by the need of the membership and dependent on future CSR board funding levels.
- A FAQ page for students on the board's webpage.
- An email/ toll-free number for students to email/call regarding school issues.
- Look at alternative methods to reduce examination stress levels, such as conducting written exams separate from the dictation exam, reducing the number of examinees in the dictation exam, etc.

ISSUE: SHOULD THE COURT REPORTERS BOARD LICENSE AND REGULATE COURT REPORTING AGENCIES?

BACKGROUND/HISTORY:

Established in 1951 by the Legislature to protect consumers from incompetent practitioners, the Court Reporters Board of California (formerly the Certified Shorthand reporters Board), tests, licenses, investigates and disciplines members of the court reporting profession. In California, a person must be licensed to work as a reporter in state courts or as a deposition reporter.

Until the 1960s the Board allowed only certified shorthand reporters to own and operate companies offering court reporting services. However, when no statutory authority supporting such requirement could be found, the practice ceased until 1972 when passage of AB 970 (Chapter 1306, Statutes of 1972), authorized the registration of shorthand reporting corporations by the Board.

After twenty years of regulation, the process of registration was rescinded with the passage of AB 2743 (Chapter 1289, Statutes of 1992). At that time the Board's position was that the registration duplicated the filing required by the Secretary of State, provided no additional benefit or consumer protection, and was an unnecessary expense for businesses.

In 2000 the Board sponsored AB 2808 (Papan) again seeking to license and regulate shorthand reporting entities. However, as the bill made its way through the legislative process it was amended to instead require the Board to evaluate the need for registering shorthand reporting entities, and report its findings to the legislature on or before July 1, 2002. This reporting deadline was later extended to January 1, 2004 pursuant to the enactment of SB 1244 (Chapter 1079, Statutes of 2002).

STUDY RESULTS:

AB 2808 (Chapter 334, Statutes of 2000) authorized the Board to examine, evaluate and investigate complaints against shorthand reporting entities[1] during a period beginning January 1, 2001 and ending no later than July 1, 2002[2]. Based on the information gathered, the board shall, on or before July 1, 2002[3], submit a report to the Legislature, including recommendations on the necessity for the board to register shorthand reporting entities. If the report recommends the registration of shorthand reporting entities, the report shall include:

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[1] a "shorthand reporting entity" is an entity or person, including partnerships, unincorporated associations, and limited liability companies, that holds itself out as a deposition agency, offers a booking or billing service for certified shorthand reporters, or in any manner whatsoever acts as an intermediary for a person, entity, or organization that employs, hires, or engages the services of any person licensed as a certified shorthand reporter.

[2] SB 1244 (Chapter 1079, 2002 Statutes) extended the end date for data collection to January 1, 2004, and removed the prior beginning date of January 1, 2001.

[3] SB 1244 (Chapter 1079, 2002 Statutes) extended to January 1, 2004, the deadline for the Board's report to the Legislature.

(b) The reasons this proposed registration requirement was selected to address this problem, including the full range of alternatives considered and the reason each of these other alternatives was not selected.
(c) The specific public benefit or harm that would result from the establishment of the proposed registration requirements, the specific manner in which the registration requirements would achieve this public benefit, and the specific standards of performance that shall be used in reviewing the subsequent operation of the shorthand reporting entities.
(d) The specific source or sources of revenue and funding the board will utilize to regulate the newly registered entities in order to achieve its mandate.

To assist in its evaluation of the need for regulation, the Board conducted several outreach efforts to solicit information/complaints related to unlicensed shorthand reporting entities. Public notices of the Board's authority to examine, evaluate and investigate complaints were placed in the Board's newsletters, its web site, in various trade publications and other web sites targeted at the judicial profession.

The results of the outreach efforts were minimal and far less than expected. The Board received only four complaints falling within the study's initial authorized timeframe and overall only 20 complaints have been received between a period of time spanning from 1999-2002. Of these complaints, 9 involve allegations that the agencies have failed to pay reporters who have worked as employees or independent contractors (matters over which the board arguably has no jurisdiction); 3 allege unprofessional conduct; 6 complain of unethical billing practices; 2 involve transcript accuracy. A table is attached identifying these complaints and summarizing the allegations.

To date, the Board has received only a handful of complaints against shorthand reporting agencies, and most involve "employee"[4] disputes over payment for services. Since the Board's role is the protection of consumers of court reporting services, not arbiter of employee/employer relations, even with the licensure of court reporting agencies, the board would not have jurisdiction over the majority of the complaints currently received. Most of the remaining complaints involve billing disputes and could be resolved in small claims court. In cases involving transcript accuracy, matters which do have implications for the consumers of shorthand reporting services, the board retains authority over the CSR providing those services and could take appropriate disciplinary action against its licensee.

Further, it should be noted that of the 20 complaints referenced above, information contained in the complaints indicate that 10 of the entities against whom the complaint is made are owned or operated by Board licensed CSRs.

RECOMMENDATION:

With the limited data the Board has been able to gather it is not clear that a problem exists which additional regulation would correct. Therefore, at this time the prudent course of action would appear to be for the Board to continue to monitor the marketplace for the possible need for regulation. If at some later time there is sufficient evidence to support the need for regulation the Board should submit its findings and recommendations to the legislature as outlined under existing "Sunrise" statutes.

[4] "Employee" may also include licensed CSRs acting as an independent contractor

COURT REPORTERS BOARD OF CALIFORNIA
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
(916) 263-3660 / Fax (916) 263-3664
www.courtreportersboard.ca.gov

APPLICATION FOR EXAMINATION AS A CERTIFIED SHORTHAND REPORTER

For Office Use Only

Cash No.

Application must be submitted 30 days prior to examination.

$40 FEE must accompany this application. Remit by money order, cashier's check or personal check payable to the Court Reporters Board of C
DO NOT SEND CASH. A $10 charge will be imposed for returned checks.

Read enclosed materials carefully before completing and submitting this application. The information requested is required under Chapter 13, Article 3 of the Business and Professions Code. All items are mandatory. Failure to provide any of the requested information will result in the application being rejected as incomplete. The information provided will be used to determine eligibility for examination. The official who is responsible for information maintenance is the Executive Officer to the Board, 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833, (916) 263-3660. Disclosure of your social security number is mandatory. Section 30 of the Business and Professions Code and Pub. L.94-455 [42 U.S.C.A. 405(c) (2)(C)] authorizes collection of your social security number. Your social security number will be used exclusively for tax enforcement purposes and for purposes of compliance with any judgment or order for family support in accordance with Section 11350.6 of the Welfare and Institutions Code. Any known or foreseeable interagency or intergovernmental transfer which may be made of the information, when necessary, or other Federal, State and local law enforcement agencies. If you fail to disclose your social security number, you will be reported to the Franchise Tax Board, which may assess a $100 penalty against you. If additional space is needed to complete any section of this application, use additional sheets. You have a right to review the files on record which are maintained on you by the Board unless the records are exempted under Section 1798.40 of the Civil Code.

(PLEASE TYPE)

1. FULL NAME — Last — First — Middle

Have you ever used any other name? Yes _____ No _____
If yes, what was that name?

2. Residence Address: — Street and Number — Phone
City — State — Zip Code — (Area Code and Number)

3. Business Address: — Firm Name, Street and Number — Phone
City — State — Zip Code — (Area Code and Number)

4. Birthdate:

5. Social Security Number:

6. Education: Name of high school attended: _____

Location: (City & State) _____

Did you graduate from high school? Yes ☐ Date: _____ No ☐

GED ☐ Date: _____

7. Qualifying Method (Please mark which method you will be qualifying under)

☐ Recognized Court Reporting School

A verified certificate of satisfactory completion of a prescribed course of study from a CALIFORNIA RECOGNIZED COURT REPORTING SCHOOL, or certification from such school evidencing equivalent proficiency, and the ability to make a verbatim record of material dictated in accordance with regulations adopted by the Board contained in Title 16 of California Code of Regulations.

Continued on reverse sid

7. Qualifying Method (continued)

☐ Work Experience -- provide all necessary paperwork

☐ Possess a National Court Reporters Association Certificate of Merit/or RPR
(attach photostatic copy of original certificate)

☐ Achieved Passing grade on the California State Hearing Reporters examination
(attach photostatic copy of original pass letter)

☐ Licensed as a Shorthand Reporter in any other State
Only the following state licenses are accepted by this Board: Georgia ('A' certificate only), Nevada and Texas
(attach photostatic copy of original certificate)

8. Have you previously applied for the California CSR examination ? ☐ Yes ☐ No

If yes, date last examined? _____

9. Have you ever been licensed as a shorthand reporter in this or any other state? ☐ Yes ☐ No

If yes, what state(s)? _____ *License #:* _____ *Issue Date:* _____

Have you ever been licensed as a shorthand reporter under a different name? ☐ Yes ☐ No

If yes, what name? _____

Have you ever been disciplined by any shorthand reporting state licensing entity? ☐ Yes ☐ No

If yes, what state? _____

10. Have you ever been convicted of a crime (other than a minor traffic violation), felony or misdemeanor, or entered a plea of nolo contendere? (Convictions dismissed under Penal Code Section 1203.4 **MUST** be disclosed.) ☐ Yes ☐ No

*If answer is **YES**, please provide **ALL** the following certified documents for **each** offense:*

1. Court order showing final disposition, sanctions, and sentence imposed.
2. Court documents showing all sanctions and sentences have been satisfied.
3. A letter from you, signed "under penalty of the laws of the State of California" indicating
   a) the circumstances which led to each conviction, b) the specific terms of sentencing for each, and
   c) the current status of each term of each sentencing order.

IMPORTANT: *Falsification may result in the denial of your application.*

11. Have you ever been disciplined by **ANY** licensing entity in this or any other State? ☐ Yes ☐ No

*If answer is **YES**, what licensing entity,in what State/date?* _____

If you are convicted of any crime(s) or have entered a plea of nolo contendere in this or any other State between the time of this application and the time you pass the examination and apply for licensure, you must notify the Board of this information when applying for licensure. Failure to notify the Board of the above, may result in denial of your application or revocation of your license.

I HEREBY CERTIFY under penalty of perjury under the laws of the State of California that the foregoing application and attached documents are true and correct, under the terms of the Certified Shorthand Reporters Law, with full knowledge of the fact that FRAUD OR MISREPRESENTATION ARE GROUNDS FOR DENIAL, OR SUBSEQUENT REVOCATION, OF A CERTIFICATE.

_____ Date

_____ Signature of Applicant

IMPORTANT: Fee (certified check, personal check, or money order) and any necessary documents must accompany your application

RETURN TO: Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, California 95833

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2. Residence Address: — Street and Number — Phone
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City — State — Zip Code — (Area Code and Number)

4. Birthdate:

5. Social Security Number:

6. Have you received a passing grade on the California CSR test in:

English _____ Professional Practice _____ Transcription _____

Date: _____ Date: _____ Date: _____

Date last examined _____

7. Experience Record (name, address, and phone number of your **present** employer)

Dates		Description of Duties, Etc.	Name, address and phone number of employer
From	To		

Please attach additional paperwork if necessary.

(Continued on Reverse Side)

8. Have you previously applied for the California CSR examination? ☐ Yes ☐ No

If yes, date last examined? _____

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If yes, what state(s)? _____ *License #:* _____ *Issue Date:* _____

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(Convictions dismissed under Penal Code Section 1203.4 MUST be disclosed.)

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1. Court order showing final disposition, sanctions, and sentence imposed.
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If you are convicted of any crimes or have entered a plea of nolo contendere in this or any other State between the time of this application and the time you pass the examination and apply for licensure, you must notify the Board of this information when applying for licensure. Failure to notify the Board of the above, may result in denial of your application or revocation of your license.

I HEREBY CERTIFY under penalty of perjury under the laws of the State of California that the foregoing application and attached documents are true and correct, under the terms of the Certified Shorthand Reporters Law, with full knowledge of the fact that FRAUD OR MISREPRESENTATION ARE GROUNDS FOR DENIAL, OR SUBSEQUENT REVOCATION, OF A CERTIFICATE.

_____ _____

Date Signature of Applicant

IMPORTANT: Fee (certified check, personal check, or money order) and any necessary documents must accompany application.

RETURN TO: Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, California 95833

CRITERION-REFERENCED PASSING SCORES

Informational Series, No. 4, June 2003

A criterion-referenced passing score applies minimum standards for competent practice to all candidates regardless of the form of the examination administered.

Purpose

By adopting a criterion-referenced passing score, a board, bureau, or program applies standards for competent practice to all candidates regardless of the form of the examination administered. Adoption of a criterion-referenced passing score may ultimately result in the licensure of candidates who have sufficient knowledge and experience to ensure public health and safety.

Process

Standard setting is a *group* process. The group should be composed of practitioners who are representative of all aspects of practice or profession. To ensure that the description of the profession represents the job tasks of practitioners entering the profession, the standard-setting process should always include a number of newly licensed practitioners.

Criterion-referenced standard setting begins with the establishment of a *minimum acceptable level of competence* for safe practice that candidates must possess in order to pass the examination. The panel develops common definitions of different levels of candidate performance by identifying critical work behaviors that contrast the highly effective, the minimally competent, and the ineffective candidate.

Advantages

Because licensing examinations are known to vary in difficulty from one examination form to another, a fixed passing score or percentage such as 70% does not represent the minimally acceptable competence for all administrations of an examination.

One important advantage of applying a criterion-referenced methodology is that the passing score is lowered for an examination containing a large number of difficult items and raised for an examination containing a small number of difficult items. Candidates who take the more difficult test are placed at a disadvantage unless a criterion-referenced passing score is established. Thus, the passing score provides safeguards to both the candidate and the consumer affected by the particular profession.

Another advantage of using criterion-referenced methodology is that the passing score is independent of the performance of other candidates who take the examination at the same time. The passing score is not based upon performance with respect to the group. Rather, the passing score is based upon the difficulty of the items within the examination.

CERTIFIED SHORTHAND REPORTERS BOARD
DISCIPLINARY GUIDELINES
Adopted 2-18-89

I. INTRODUCTION

To foster uniformity of penalties and to make sure licensees understand the consequences of violating the CSR Board law and regulations, the Board has established these guidelines.

The CSR Board law specifies the offenses for which the Board may take disciplinary action. These guidelines provide a range of penalties for each section of law which is found to be violated. The Board recognizes that there are often factors of aggravation or of mitigation which may necessitate variation. The Board respectfully requests that the Administrative Law Judge take into account the factors of mitigation and aggravation listed below in Part V, when deciding the severity of the penalty within the range. However, when such circumstances are found to exist, they should be detailed in the "Findings of Fact." In determining appropriate discipline, the Administrative Law Judge should note the Board's determination of severity of various offenses as outlined in the Citation and Fine regulations, per Title 16, California Code of Regulation, section 2480. In addition, cost recovery as authorized by Business & Professions Code, section 125.3 should generally be imposed.

Should a probationary period be part of a proposed decision, the Board requests that the Administrative Law Judge impose the appropriate conditions of probation as outlined below in Part III. These conditions are intended to protect the public from the probationer without being unduly burdensome or anti-competitive.

If an order of probation is issued staying a revocation or suspension, and the order of probation is proven at hearing to have been violated, then following 10 days notice to the licensee, the Board shall lift the stay and the revocation and/or suspension shall go into effect immediately.

Whenever a revocation is ordered, the licensee shall be required to return the original and any duplicate (wall) licenses which the Board issued, to the Board office, within 15 days of the effective date of the revocation order.

II. PENALTY GUIDELINES

Business & Professions Code:	Penalty:
8016 Necessity of Certificate	This section would most generally apply to licensees who are practicing with expired licenses (see Section 8024). It may also apply to exam applicants (see 8020 and 8025(b)). Maximum: Revocation of license or Denial of admittance to exam. In the case of licensees who practice without a license, the maximum penalty would be imposed in cases where the licensee had been notified by the Board of an expired license and had failed to renew the license. In the case of the exam applicant, in addition to the refusal to admit the applicant, he/she cannot reapply to take the exam for a minimum of one year from the date of the Decision, and the appropriate fine should be part of the order. Minimum: Revocation - stayed and probation for 4 years. The 4 year period is related to 8024.5. Conditions of probation: A1,2,3,4,6,7,B,C,D,E1,4,5.
8018 Title and Abbreviation	This section would most generally apply to violators of 8024 through 8024.5, as well as unlicensed practice. Maximum: Revocation. This would apply to people who have failed to comply with previous notices from the Board. Minimum: Suspension - stayed, probation for 4 years. The 4 year period is related to 8024.5. Conditions of probation: A1,2,3,4,B,C,D,E1,4,5.
8019 Aiding or Abetting	Maximum: Revocation Minimum: Suspension - stayed, and probation 4 years. Conditions of probation: A1,2,3,4,6,7,B,C,D,E.

8025(a) Conviction of a Crime Substantially Related to the qualifications, functions & duties of a CSR.	Maximum: Revocation Minimum: Suspension plus probation for 3 years or same period as given for conviction, whichever is longer. Conditions of Probation: A through D, and E1,2,4,5.
8025(b) Fraud or Misrepresentation resorted to in obtaining a certificate hereby.	Maximum: See 8016 above. Denial of application for (entrance to) exam. Applicant prohibited from applying for the exam for 1 year from date of decision and fine. In the case where a license has already been issued: Revocation. Minimum: Revocation Conditions of Probation: None
8025(c) Fraud, Dishonesty, Corruption, Willful Violation of Duty	Maximum: Revocation Minimum: Suspension and 4 years probation. Conditions of Probation: A thru E.
8025(c) Gross Incompetence in Practice	Maximum: Revocation Minimum: Suspension - stayed, probation 4 years. Conditions of Probation: A1,2,3,4,B through E.
8025(c) Unprofessional Conduct	Maximum: Revocation Minimum: Suspension - stayed, probation 4 years. Conditions of Probation: A thru E.
8025(d) Failure to Transcribe or File Notes	Maximum: Revocation Minimum: Suspension - stayed, probation 2 years. Conditions of Probation: A1,2,3,4,6,7,B,C,D,E.

III. CONDITIONS OF PROBATION

A. Standard Conditions of Probation

During the period of probation, respondent(s) shall:

(1) Obey all laws and regulations governing shorthand reporters.

(2) Report to the Board or its designee, either in person or in writing as directed, on a schedule set by the Board, but at least once each quarter. Should the final probation report not be made as directed, the period of probation shall be extended until such time as the final report is made.

(3) Make restitution to each identified victim when the evidence has demonstrated that there are uncompensated victims.

(4) Cost recovery.

Standard terms #4 through #7 apply only to licensees who operate reporting firms:

(4) Report to the Board, in writing within 30 days of the effective date of this decision, any financial interest which the respondent has in any corporation required to be registered pursuant to Section 8040 of the Business & Professions Code. Respondent shall notify the Board thirty (30) days prior to changing their financial interest in any such corporation.

(5) Post and circulate to all employees a notice which accurately recites the terms and conditions of probation. "Employees" as used in this provision includes all full-time, part-time, temporary and relief employees, and independent contractors employed or hired at any time during probation.

(6) Provide signed and dated statements, within 30 days after the effective date of this decision, from the owners, officers, or any owner or holder of 10% or more of the interest in respondent or respondent's stock, stating said individuals have read and are familiar with state laws and regulations governing the practice of shorthand reporting.

(7) Submit any proposed advertising copy, whether revised or new, to the Board at least thirty (30) days prior to its intended use. Any such copy must be approved by the Board prior to being used.

B. Should respondent violate probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

C. Should respondent leave California to reside or practice outside this state, respondent must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state shall not apply to reduction of the probationary period.

D. Upon successful completion of probation, respondent's license will be fully restored.

E. Optional Conditions of Probation

During the period of probation, respondent(s) shall:

(1) Notify employer or reporting firm owner, of the decision in case # _____ and the terms, conditions, and restrictions imposed on respondent by said decision.

Within 30 days of the effective date of this decision, and within 15 days of respondent undertaking new employment, or associating with a different reporting agency, respondent shall cause his/her employer or firm owner, to report to the Board in writing, acknowledging the employer has read the decision in case # _____.

(2) Submit to the Board, for its prior approval, within 30 days of the effective date of this decision, the name, address, phone number, and description of a rehabilitation program, which respondent shall successfully participate in and complete. The costs for such rehabilitation program shall be borne by respondent.

(3) Submit to the Board, for its prior approval, within 30 days of the effective date of this decision, the name and qualifications of a physician or psychotherapist of respondent's choice. Upon approval, per Business & Professions Code, section 8025.1(c), respondent shall undergo and continue treatment until the Board deems that no further psychotherapy is necessary. Respondent shall have the treating psychotherapist submit quarterly status reports to the Board. The Board may require respondent to undergo psychiatric evaluations by a Board appointed psychiatrist.

The costs for the psychotherapy shall be borne by respondent. The Board will bear the costs of any psychiatric evaluations by Board appointed psychiatrists.

(4) Attend a recognized court reporting school and successfully complete a final examination in one or more specified courses.

(5) Pass the (name of examination section(s)) portion(s) of the next regularly scheduled CSR examination after the effective date of this decision. Should respondent fail said examination, respondent shall be suspended, upon written notice of failure, until he/she takes and passes the same (name of examination session(s)) portion(s) at a subsequent examination.

(6) Within 30 days of the effective date of this decision, and on a periodic basis thereafter as may be required by the Board or its designee, respondent shall undergo a medical evaluation by a Board appointed physician who shall furnish a medical report to the Board or its designee.

If respondent is required by the Board or its designee to undergo physical or mental treatment, respondent shall, within 30 days of written notice from the Board, submit to the Board, for its prior approval, the name and qualifications of a physician of respondent's choice. Upon approval of the treating physician by the Board, respondent shall undergo and continue medical treatment until further notice from the Board. Respondent shall have the treating physician submit quarterly reports to the Board.

(Optional) Upon the effective date of this decision, respondent shall not engage in the practice of shorthand reporting until notified in writing by the Board of its determination that respondent is physically and/or mentally fit to practice safely.

(Optional) If recommended by the physician and approved by the Board or its designee, respondent shall be barred from practicing shorthand reporting until the treating physician recommends, in writing and stating the basis therefore, that respondent can safely practice shorthand reporting, and the Board approves said recommendation.

IV. TERMS OF SUSPENSION

It is the position of the CSR Board that the minimum period of suspension should be 30 days and that item A should apply in most instances.

During the period of suspension, the respondent(s) shall:

A. Attend a recognized court reporting school and successfully complete the specified number of hours and final examination(s) in specified course(s), in accordance with Board regulations.

B. Pass the (name of examination section(s)) portion(s) of the next regularly scheduled Certified Shorthand Reporters Examination after the effective date of this decision. Should respondent fail said portion(s) of the examination, the period of suspension shall be extended until respondent successfully passes said (name of examination section(s)) portion(s) of the examination.

C. Notify employer(s) or reporting firm owner(s), of the decision in case # _____ and the terms, conditions, and restrictions imposed on respondent by said decision.

Within 30 days of the effective date of this decision, and within 15 days of respondent undertaking new employment, or associating with a different reporting agency, respondent shall accuse his/her employer or firm owner, to report to the Board in writing, acknowledging the employer has read the decision in case # _____.

V. FACTORS IN AGGRAVATION AND IN MITIGATION

In determining whether to impose penalties ranging from the maximum level to the minimum level, it is requested that the Administrative Law Judge consider the following factors:

A. Factors in Aggravation

(1) Prior warnings from CSRB.
(2) Prior Notice of Violations.
(3) Failure to accept CSRB's suggested resolution to consumer complaint.
(4) Attempts to intimidate consumer.
(5) Negligent or wilful delinquent preparation of transcripts.
(6) Evidence that the unlawful act was part of a pattern of practice.
(7) Currently on probation for improper acts.
(8) Failure to successfully complete prior period of probation.
(9) Violation of previous court order.
(10) Prior similar violations resulting in discipline.

B. Factors in Mitigation

(1) Evidence that respondent accepted CSRB's suggested resolution to consumer complaint.
(2) Voluntary participation in retraining.
(3) Evidence of temporary medical condition that prevented respondent from exercising supervision and control over employees or others which led to wrongdoing.
(4) No loss or harm to consumer.
(5) No previous violation of law or regulation.
(6) Evidence of voluntary resolution of consumer's complaint.

State of California Department of Consumer Affairs

COURT REPORTERS BOARD OF CALIFORNIA
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Hello. We are conducting a survey from previous complainants to gather data and report on the effectiveness of the enforcement process. No data other than the information below is collected from this survey. The statistical results of this survey will be included in a report to be filed later this year for the Joint Legislative Sunset Review Committee.

Please take a few minutes to complete the following questionnaire and return it to us in the postage paid envelope within two weeks of receipt. Thank you!

CONSUMER SATISFACTION SURVEY

QUESTIONS	RESPONSES*				
	5	4	3	2	1
1. Were you satisfied with knowing where to file a complaint and whom to contact?					
2. When you initially contacted the Board, were you satisfied with the way you were treated and how your complaint was handled?					
3. Were you satisfied with the information and advice that you received on the handling of your complaint and any further action that the Board would take?					
4. Were you satisfied with the way the Board kept you informed about the status of your complaint?					
5. Were you satisfied with the time it took to process your complaint and to investigate, settle, or prosecute your case?					
6. Were you satisfied with the final outcome of your case?					
7. Were you satisfied with the overall service provided by the Board?					

* 5 = Extremely Satisfied; 4 = Somewhat Satisfied; 3 = Satisfied; 2 = Dissatisfied; 1 = Very Dissatisfied

Comments on Ratings of 5, 2 or 1: _____