



DEPARTMENT OF CONSUMER AFFAIRS

COURT REPORTERS BOARD

OF CALIFORNIA

2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833

Phone (916) 263-3660 / Toll Free: 1-877-327-5272

Fax (916) 263-3664 / www.courtreportersboard.ca.gov



MEETING OF THE COURT REPORTERS BOARD

Friday, July 12, 2019
11:30 a.m. to conclusion

DoubleTree by Hilton Ontario Airport
222 North Vineyard Avenue, Big Bear Room
Ontario, CA 91764

AGENDA

Board Members: Davina Hurt, Chair; Toni O'Neill, Vice Chair; Elizabeth Lasensky; and Carrie Nocella

CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF A QUORUM – Davina Hurt, Chair

- | | | |
|------|--|----|
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| | Consideration of Positions on Legislation: | |
| | A. AB 5 (Gonzalez) – Worker status: employees and independent contractors. | |
| | B. AB 199 (Calderon) – California Online Notary Act of 2019. | |
| | C. AB 253 (Stone) – Remote court reporting. | |
| | D. AB 312 (Cooley) – State government: administrative regulations: review. | |
| | E. AB 424 (Gabriel) – Depositions: audio or video recordings. | |
| | F. AB 476 (Blanca Rubio) – Department of Consumer Affairs: task force: foreign-trained professionals. | |
| | G. AB 496 (Low) – Business and professions. | |
| | H. AB 544 (Brough) – Professions and vocations: inactive license fees and accrued and unpaid renewal fees. | |
| | I. AB 613 (Low) – Professions and vocations: regulatory fees. | |
| | J. AB 1385 (Santiago) – Court reporter fees. | |
| | K. SB 16 (Roth) – Courts: judgeships. | |

- L. SB 53 (Wilk) – Open meetings.
- M. SB 179 (Nielsen) – Excluded employees: arbitration.
- N. SB 601 (Morrell) – State agencies: licenses: fee waiver.
- O. SB 645 (Monning) – Civil discovery: depositions.

The Board may discuss other items of legislation not listed here in sufficient detail to determine whether such items should be on a future Board meeting agenda and/or whether to hold a special meeting of the Board to discuss such items pursuant to Government Code section 11125.4.

- VI. REGULATIONS FOR AB 2138 IMPLEMENTATION – Review and approval 51
- VII. STRATEGIC PLAN – Update on action plan..... 56
- VIII. LICENSE/CERTIFICATE RECIPROCITY – Discussion and possible action regarding granting CSR certification to holders of the RMR or CRR certifications on either a full or provisional basis..... 68
- IX. ELECTION OF OFFICERS 70
- X. FUTURE MEETING DATES 74
- XI. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA 76
 The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a)).
- XII. CLOSED SESSION..... 77
 Pursuant to Government Code Sections 11126(c)(2), 11126(c)(3), and 11126(e)(2)(C), the Board will meet in closed session as needed to discuss or act on disciplinary matters and/or pending litigation.

RETURN TO OPEN SESSION

ADJOURNMENT

Action may be taken on any item on the agenda. All times are approximate and subject to change. The meeting may be cancelled or shortened without notice. Any item may be taken out of order to accommodate speaker(s) and/or to maintain quorum. For further information or verification of the meeting, the public can contact the Court Reporters Board (CRB) via phone at (877) 327-5272, via e-mail at paula.bruning@dca.ca.gov, by writing to: Court Reporters Board, 2535 Capitol Oaks Drive, Suite 230, Sacramento CA 95833, or via internet by accessing the Board's web site at www.courtreportersboard.ca.gov and navigating to the Board's Calendar under "Quick Hits."

In accordance with the Bagley-Keene Open Meeting Act, all meetings of the CRB are open to the public. The CRB intends to webcast this meeting subject to availability of technical resources.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting may make a request by contacting Paula Bruning at (877) 327-5272, e-mailing paula.bruning@dca.ca.gov or sending a written request to 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation. Requests for further information should be directed to Yvonne Fenner at the same address and telephone number. If any member of the public wants to receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting. Otherwise, the documents, if any, will be available at the meeting.

The public can participate in the discussion of any item on this agenda. To better assist the Board in accurately transcribing the minutes of the meeting, members of the public who make a comment may be asked to disclose their name and association. **However, disclosure of that information is not required by law and is purely voluntary.** Non-disclosure of that information will not affect the public's ability to make comment(s) to the Board during the meeting. Please respect time limits; which may be imposed by the Chair on an as needed basis to accommodate all interested speakers and the full agenda. The public may comment on any issues not listed on this agenda. However, please be aware that the Board CANNOT discuss or comment on any item not listed on this agenda.

The meeting room within the hotel is subject to change. In the event of a room change, notice will be posted at the hotel.

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM I – Review and Approval of February 4, 2019, Meeting Minutes

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Agenda Description: Review and approval of minutes

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Brief Summary:

Minutes from February 4, 2019, meeting

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Support Documents:

Attachment – Draft minutes for February 4, 2019

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Fiscal Impact: None

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Report Originator: Paula Bruning, 6/26/2019

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Recommended Board Action: Staff recommends the Board approve minutes.



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Attachment
Agenda Item I

COURT REPORTERS BOARD OF CALIFORNIA
MINUTES OF OPEN SESSION
FEBRUARY 4, 2019

DRAFT

CALL TO ORDER

Ms. Davina Hurt, chair, called the meeting to order at 11:03 a.m. at the Department of Consumer Affairs, 1625 North Market Boulevard, Hearing Room, Sacramento, California.

ROLL CALL

Board Members Present: Davina Hurt, Public Member, Chair
Toni O’Neill, Licensee Member, Vice Chair
Elizabeth Lasensky, Public Member

Board Members Absent: Carrie Nocella, Public Member

Staff Members Present: Yvonne K. Fenner, Executive Officer
Rebecca Bon, Staff Counsel
Paula Bruning, Executive Analyst
Melissa Davis, TRF Coordinator

A quorum was established, and the meeting continued.

I. APPROVAL OF SEPTEMBER 17, 2018, MEETING MINUTES

Ms. Lasensky moved to approve the minutes as presented. Ms. O’Neill seconded the motion. Ms. Hurt called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Lasensky, Ms. O’Neill, and Ms. Hurt
Opposed: None
Absent: Ms. Nocella
Abstain: None
Recusal: None

MOTION CARRIED

II. REPORT OF THE EXECUTIVE OFFICER

A. CRB Budget Report

Ms. Fenner indicated that the expenditure projections were on page 21 of the Board agenda packet. She introduced Robert de los Reyes, budget manager, from the Department of Consumer Affairs (DCA) Budget Office.

Mr. de los Reyes shared that the Budget Office is still having to extract information manually from the system to provide monthly reports. He indicated that the expenditure projections provided by the Budget Office are as of fiscal month 4 and indicate a projected savings of approximately \$36,000 this year. He recognized the frustration the Board has experienced in the past in receiving timely and accurate reports. He assured the Board he would be on top of providing accurate numbers on a monthly basis. He stated that the final reports for the closing of fiscal year 2017-18 are anticipated to be issued in March 2019.

Ms. Hurt stated that she looks forward to receiving timely and true projections as the Board works to improve its budget following the recent fee increase. She inquired about the \$36,000 projected savings. Ms. Fenner responded that the projections are from fiscal month 4, which means it may change based on what expenses come into enforcement over the next several months that are left in the fiscal year. Mr. de los Reyes stated that Budgets would continue to monitor the expenses with Ms. Fenner to verify the projections are tracking the same way.

Ms. Fenner shared that the fund condition could be found on page 22 of the Board agenda packet and the TRF fund condition was on page 23.

Ms. Hurt asked Ms. Fenner to state where the overtime was being spent. Ms. Fenner answered that the overtime is for grading the dictation exams.

Ms. Hurt questioned if the analysis took into consideration the increase in license fees. Ms. Fenner confirmed that it does.

B. Transcript Reimbursement Fund

Ms. Fenner requested Melissa Davis to provide a report on the Pro Per Program of the Transcript Reimbursement Fund (TRF).

Ms. Davis reported that she has returned 112 applications since the TRF temporarily closed in April 2018 due to lack of funding. She stated that she has been working on closing old files where funds were allocated for provisionally approved applications awaiting a final invoice. She indicated that she had closed files totaling \$5,600 where the funds were no longer needed and paid \$2,200 by collecting outstanding invoices.

C. Enforcement Activities

Ms. Fenner referred to the enforcement statistics starting on page 24 of the Board agenda packet. She stated that there had been an uptick in complaints received, but there was nothing notable or unique about the complaints.

D. Exam Update

Ms. Fenner stated that the historical examination statistics were distributed at the meeting (see attachment).

Ms. Fenner shared that there was a tentative agreement for the next dictation examination on March 22, 2019, at the DoubleTree Hotel Ontario Airport. She added that the contract will be a two-year agreement covering the spring and summer examinations. The hotel and location information for all dates will be posted to the Board's website once the contract is finalized.

Ms. Fenner indicated that on February 2, 2019, a group of newly licensed CSRs was convened to pretest four dictation examinations to add to the test bank.

Ms. Hurt requested feedback on the overall pass rate dip in the past three years.

Ms. Fenner stated that there are over a hundred candidates retaking the test, many of whom came from schools that closed. This calls into question whether or not these candidates were ready. Unfortunately, they do not have schools to return to for practice, and it is unknown how effectively they are practicing. She compared trying to fix the test to trying to fix golf. In her comparison she indicated that each individual can acquire a coach, practice, improve, and bring their own set of skills to the table, but there is nothing wrong with the game that needs to be changed. She asserted that the same is true with the test and school closures are likely more responsible for the decreased pass rates than the actual test itself.

Ms. Hurt indicated that the test has been reviewed by another entity to ensure it meets the minimum standards required for the profession. Ms. Fenner added that the review was comparable to the occupational analysis that is conducted for the written tests. The results of the review verified that 200 words per minute is still the entry level skill needed to enter practice.

Ms. Hurt stated that the candidates have resources such as the associations. She emphasized the Board's mission is not to ensure everyone passes the test, but that those who gain licensure are competent and can do the job. Ms. Hurt opened the discussion for public comment.

David Striks, an attorney from Southern California, approached the Board. He started by praising staff as being competent and friendly in his interactions with them. He reminded the Board that he appeared before them in Ontario two years earlier and that his daughter is an examination candidate. He indicated that his daughter and her friends are intelligent young people who have taken the test numerous times with poor results. He asserted that there must be an issue somewhere and that putting the blame entirely on the students may not be fair. The low pass rates make the profession unappealing for those who might have considered starting a court reporting program and that continuation of a low pass rate may add to the shortage of court reporters and additional school closures. Mr. Striks suggested the Board offer the exam more often so candidates do not have to wait four months between exams. He offered to assist in any way he can and thanked the Board for their concern over the matter.

Ms. Fenner stated that the Board is open to ideas for improving pass rates but must work within its budgetary constraints. She reported that staff implemented the administration of two tests at the November 2018 test to provide students with additional testing opportunities without significantly impacting the Board's budget.

Toni Pulone, on behalf of the California Deposition Reporters Association (CaDRA), joined in the concern over the examination pass rates. Although she does not believe that the problem lies with the test itself, she suggested having a group of volunteer licensees with varying levels of experience sit in on a mock reading of the test to see how they respond. Ms. Fenner responded, saying that the Board currently provides a courtesy reading for the schools, but representatives of the associations have been welcomed as well. There was limited space in the past, but since there are fewer schools there is now more room. If the associations want to designate people to bring their machines and report the courtesy reading, the Board could accommodate them.

E. CRB Today Newsletter, Fall 2018

Ms. Fenner proudly presented the Fall 2018 CRB Today newsletter as part of the Board agenda packet. She stated that the Board receives good feedback from the publications. Ms. Hurt complimented the updates provided in the newsletter.

F. Business Modernization

Ms. Fenner stated that Board staff spent many hours meeting one-on-one with staff from DCA's SOLID Training and Planning Solutions to map out business processes and desired process improvements. She praised the SOLID staff for capturing all the details of each person's desk and remaining professional and flexible through the process. The next step is to translate the processes into business requirement specifications. Ultimately, the goal is to partner with other boards and bureaus in the proposal-writing and vendor-interviewing stage to save on costs.

The Board moved to Agenda Item VIII – Public Comment for Items Not on the Agenda, to receive an update from the Department of Consumer Affairs' Director, which is reflected on page 9.

III. FEE INCREASE REGULATION BIFURCATION AND IMPLEMENTATION

Ms. Fenner shared that the regulation to increase fees had to be bifurcated. The license fee increase was approved by the Office of Administrative Law (OAL) and became effective January 1, 2019. However, OAL narrowly interpreted Business and Professions Code (BPC) 8031(b) to indicate there are only two exams – one written and one practical – whereas there are currently two written and one practical. Ms. Fenner then described the three options presented in the Board agenda packet starting on page 43. She explained that with Option 1, the Board would need to approve amended language to the regulation to make the exam fee \$75 for dictation and \$37.50 for each of the two written examinations. Option 2 would be to withdraw the proposed examination fee increase. Option 3 would be to work with legislative staff to include language in the Board's sunset bill to clarify the BPC and reflect that there are three parts of the examination, allowing the Board to charge up to \$75 for each portion. She did not believe the change would be

controversial. The Board would then pursue the necessary regulatory amendments next year to change the exam fees as originally planned.

Ms. Fenner indicated that she had received concern from schools indicating candidates were “shopping” the test to see what it was like. It is hoped that the cost increase will deter candidates from sitting for the test before they are ready.

Ms. Hurt called for public comment. No comments were offered.

Ms. O’Neill expressed that Option 3, clarifying that there are three separate parts of the examination, would be the cleanest path. Ms. Hurt and Ms. Lasensky also supported Option 3 but were uneasy about including a fee in the sunset review bill. Ms. Fenner believed it to be a technical change to the law to clarify that there are three parts of the exam, not a change to the maximum fee allowed by the law, and did not believe it to be controversial. She added that if it did become controversial, it could be removed from the sunset bill. Ms. Hurt and Ms. Lasensky then supported Option 3.

Ms. Lasensky moved to instruct to work with legislative staff to include language in the sunset bill to clarify BPC 8031(b) to reflect three portions of the license exam, allowing the Board to charge up to \$75 per each of the three portions. Ms. O’Neill seconded the motion. Ms. Hurt called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Lasensky, Ms. O’Neill, and Ms. Hurt

Opposed: None

Absent: Ms. Nocella

Abstain: None

Recusal: None

MOTION CARRIED

IV. SUNSET REVIEW

Ms. Fenner reported that the Sunset Review Report that the Board approved was finalized and delivered on time. She related that the Board’s was scheduled for its sunset review hearing on March 5, 2019. She anticipated receiving the Legislative staff’s questions and concerns by February 27, 2019. At the hearing, the Board will provide an overview and respond to issues or problem areas, as well as answer additional questions raised by Legislative members. The public, such as stakeholders, professional individuals, group, and associations, will have an opportunity to comment. After the hearing, the Board will have 30 days to submit a written response to any issues or recommendations that arose at the hearing. An omnibus bill will then be developed, which typically includes many boards and bureaus.

V. LICENSING OF VOICE WRITERS

Ms. Hurt stated that at a previous meeting the Board discussed the subject and directed staff to pursue the necessary steps to allow voice writers to practice in California. Staff had since learned there are further options for the Board to consider.

Ms. Fenner reported that she was informed that the Board does not have the legislative authority to simply create a new license category for voice writers as was originally planned. After staff conducted an informal survey of other states, it was determined that the states who license voice writers do not distinguish them from machine writers. After multiple discussions with DCA Legal Affairs about the various scenarios, it became clear that the Board needs to make a policy decision on how they would like the recognition of voice writers to look in California.

Ms. Hurt inquired if there was anything evolving or trending in technology as it relates to voice writers versus machine shorthand writing. Ms. Fenner responded that voice writers practicing in other parts of the country and for the military have been taking advantage of updates in technology for many years just as machine writers do. It was traditionally assumed that voice writers could not work in California until legal opinion determined voice writers qualify under the practice act. What voice writers do is substantially the same as what machine writers do in terms of creating a record of a proceeding basically using their voice to create a shorthand audio file instead of using their hands to produce a stenographic file.

Ms. Fenner indicated that training time for voice writers is significantly reduced and more individuals are able to finish the program. Both technologies are effective. It is not known if it serves the consumer better to have separate licenses or not.

Ms. Hurt asked the Board members if they had any concerns with having one license category for both types of writers. Ms. O'Neill opined that the most important thing is that all those allowed to practice in California pass the California examinations, regardless of which method they will be practicing, instead of merely passing a national exam. Ms. Hurt stated that the single license approach would require all candidates to pass the state examination, but the Board should consider if they want to label the different types of writers even though they basically do the same thing.

Ms. Fenner stated that the Board does not currently have the authority to require current licensees to retest in another method to switch to voice writing. However, the Board would still have authority over the licensee to take enforcement action if warranted. Consumers would not necessarily know which test the licensee took. It's up to the Board to decide if that matters.

Ms. Lasensky stated that if the application requirements, test, and product are all held to the same standard, the technology used to capture the record does not matter. She did not believe a separate category was necessary.

Ms. O'Neill conveyed that testing a writer in the method they will be practicing in to ensure they have basic entry level ability protects the consumer. She feared that a currently licensed machine writer could make the switch to voice writing without proper training and vetting. Ms. Fenner responded that licensees will still want to protect their license, so it was her belief that they will want to be capable before switching.

The Board took a break at 12:18 p.m. and returned to open session at 12:25 p.m.

Ms. Fenner indicated that the pool of current licensees who will switch from machine shorthand to voice writing is finite and shrinking. She believed that the growing group of

individuals would be those starting out as voice writers and that group will be tested as they come in. She reported that there would be a lot of work and expense to change something to address that shrinking pool of licensees.

Ms. Hurt reiterated that the Board first needed to determine if they wanted single license or separate license approach. Then, the discussion could focus on certification and transitioning from one practice to another. She stated that this is an exciting new territory to venture into with a multitude of factors to consider. Ms. Hurt called for public comment.

Ms. Pulone shared that the CalDRA board recently discussed the matter and believe there should be a distinction between the two practices. She stated that they do not want to create a hierarchy of one practice over the other, but simply designation with an “S” or “V” so that it is clear which skill the licensee has been tested in. She shared concern that a current machine writer licensee switching to voice writing could do a lot of damage before being caught. She recommended testing all voice writers, whether they were current machine writer licensees or not, to protect California consumers.

Sandy Walden, on behalf of CCRA, asked if the Board was able to determine if the other states who license voice writers require a steno writer to retest in that state when switching to voice writing. Ms. Fenner responded that other states that license voice writers do not even designate which method they’re using; therefore, there would be no reason to test them separately. Ms. O’Neill added that many states that use both methodologies do not have a certification board at all; so the issue is moot.

Ms. O’Neill stated that she believes there are reporters out there that would switch to voice writing without any applicable training. She shared that she has counseled many new reporters who had at least had entry level certification, and they have needed a lot of guidance in becoming proficient. She asserted that entry level certification should be required for both methodologies.

Ms. Hurt contended that both practitioners use machines to create a stenographic record; therefore, it made more sense to have a single license. Ms. O’Neill stated that she did not believe there needed to be separate designations, but that everyone take the same test to become certified. Ms. Fenner indicated that the only practical way to capture which test a person had passed without a separate license was to go with the endorsement approach. Ms. O’Neill agreed an endorsement would solve her concern. Ms. Fenner reiterated that the endorsement would require a legislative change to create an entire scheme for a finite group of people. The consumer may never know the difference in which endorsement their reporter has.

Ms. Lasensky leaned toward the single license approach to move forward with voice writers without delay. Ms. O’Neill also agreed with the single license approach with the understanding that voice writers from other states would be required to take the California examinations. She stated that she now believed the prospect of machine writers moving into voice writing was somewhat miniscule in comparison.

Ms. Fenner clarified that the Board is not locked into their decision forever and this would be treated like any decision the Board makes with the information that is available at the time of the meeting. Currently, voice writers can comply with the practice act because their software has the ability to create stenographic notes. However, she stated that she would

work with legal counsel to review the practice act and recommend changes to make the act more practical and relevant for both types of writers. She will also work with legislative staff to determine if changes would be timely and not too controversial to include in the Board's sunset review bill.

Ms. Fenner indicated that the National Association of Verbatim Reporters offered technical assistance at the Board's dictation examination to train staff on what to look for and how to grade tests taken by voice writers.

Ms. Bruning asked if current licensees were now able to switch to voice writing. Ms. Bon responded that the law technically already allowed for them to do so.

Ms. O'Neill moved to not attempt any changes in current law and continue with a single-license approach and direct staff to make minor clarifications to the law as needed to go along and support that approach. Ms. Lasensky seconded the motion. Ms. Hurt called for public comment. No comments were offered.

A vote was conducted by roll call.

For: Ms. Lasensky, Ms. O'Neill, and Ms. Hurt

Opposed: None

Absent: Ms. Nocella

Abstain: None

Recusal: None

MOTION CARRIED

Ms. Hurt stated that she will closely monitor the enforcement activity moving forward.

VI. STRATEGIC PLAN

Ms. Hurt placed before the Board the review and adoption of the Board's draft strategic plan, the Board's roadmap through 2023.

Ms. Fenner stated that the document was drafted by DCA SOLID Training and Planning Solutions facilitators that assisted the Board in its strategic planning process. Once adopted, she will meet with the facilitators to draft the action plan timeline.

Ms. Lasensky requested the word "is" be changed to "are" in the second line of the second paragraph of the Message from the Board Chair. Ms. Fenner indicated that she would update "CSR Board" to "CRB" in the first line under About the Board.

Ms. Lasensky moved to approve the strategic plan as amended. Ms. O'Neill seconded the motion. Ms. Hurt called for public comment.

Ms. Walden asked if there was any foreseeable action regarding certifying CART/Captioners by the Board. Ms. Fenner noted that the plan contains higher level goals and concepts, but that the action plan would contain individual steps that can be tracked.

A vote was conducted by roll call.

For: Ms. Lasensky, Ms. O'Neill, and Ms. Hurt
Opposed: None
Absent: Ms. Nocella
Abstain: None
Recusal: None

MOTION CARRIED

VII. FUTURE MEETING DATES

Ms. Fenner indicated that she did not anticipate a need for the Board to meet until late summer 2019.

VIII. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Dean Grafilo, DCA Director, provided highlights of the numerous meetings and workgroups held in 2018. The activities promoted open dialogue among DCA and its boards and bureaus, as well as collaboration to further DCA's mission in protecting the consumers of California. He thanked the Board members and staff for participating in these meetings.

He congratulated the Board on the chaptering of the bill it sponsored, AB 2084 (Kalra). Ms. Hurt thanked the director for his assistance in the matter.

Director Grafilo encouraged the Board to visit DCA's website to review its 2018 annual report. The report contains statistical and financial records of the work accomplished by DCA and its board and bureaus.

He shared that DCA is working with staff from the transition team of the newly sworn in Governor regarding current board vacancies and pending reappointments. He also stated that DCA hosted a teleconference following the release of the Governor's budget wherein budget proposals specific to DCA and its board and bureaus were discussed with board leadership, executive officers, and bureau chiefs. The DCA Fiscal Operations Unit scheduled meetings with each program. This Board had its meeting on January 15, 2019.

Director Grafilo reported that his first quarterly meeting of the year would be held on February 25. At that time, an update would be provided regarding DCA's regulations unit, the executive office salary study, and several division updates. The quarterly meetings provide an opportunity for him to hear important issues facing the boards and bureaus.

He indicated that 2019 is a mandatory year for Sexual Harassment Prevention training. All Board members and employees are required to complete the training this year, even if it was completed last year. The training is online, interactive, and can be completed at the trainee's convenience.

As one of the ten programs undergoing sunset review this year, the director offered support and assistance with anything needed during the process.

Ms. Pulone, on behalf of CalDRA, asserted that there are now two court decisions regarding foreign professional corporations illegally providing court reporting services in California. She respectfully requested the Board work to prevent the activity from continuing.

Ms. Hurt directed that the matter be put on the agenda for the next Board meeting. She stated that she reached out to the Board's legal counsel to evaluate the case.

IX. CLOSED SESSION

Pursuant to Government Code Sections 11126(c)(2), 11126(c)(3), and 11126(e)(2)(C), the Board will meet in closed session as needed to discuss or act on disciplinary matters and/or pending litigation.

This item was deferred.

ADJOURNMENT

Ms. Hurt adjourned the meeting at 1:17 p.m.

DAVINA HURT, Board Chair

DATE

YVONNE K. FENNER, Executive Officer

DATE

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM II – Report of the Executive Officer

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Agenda Description: Report on:

- A. CRB Budget Report
- B. Transcript Reimbursement Fund
- C. Enforcement Activities
- D. Exam Update
- E. CRB Today Newsletter, Summer 2019
- F. Business Modernization

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Support Documents:

- Attachment 1, Item A – FY 2018-19 Expenditure Projection FM04
- Attachment 2, Item A – CRB Fund Condition
- Attachment 3, Item C – Enforcement Statistics
- Attachment 4, Item D – Exam Statistics

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Fiscal Impact: None.

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Report Originator: Yvonne Fenner, 7/2/2019

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Recommended Board Action: Informational only

6/22/2019 extract

**COURT REPORTERS BOARD
BUDGET REPORT
FY 2018-19 EXPENDITURE PROJECTION
FISCAL MONTH 11- ACTIVITY LOG**

	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19				
	ACTUAL	ACTUAL	ACTUAL	BUDGET	CURRENT YEAR	PERCENT	PROJECTIONS	UNENCUMBERED
OBJECT DESCRIPTION	EXPENDITURES	EXPENDITURES	EXPENDITURES	2018-19	6/1/2019	SPENT	TO YEAR END	BALANCE
	(MONTH 13)	(MONTH 13)	(MONTH 12)					
PERSONNEL SERVICES								
Civil Service-Perm	226,688	235,560	243,059	254,000	224,967	89%	245,422	8,579
Statutory Exempt (EO)	88,008	89,988	97,898	84,000	89,870	107%	98,040	(14,040)
Temp Help Reg (907)	13,614	17,538	14,195	11,000	28,485	259%	34,181	(23,181)
Bd / Commsn (901, 920)	3,800	5,300	2,800	8,000	3,200	40%	3,700	4,300
Overtime	9,480	11,461	10,532	6,000	10,791	180%	11,773	(5,773)
Staff Benefits	189,237	212,563	220,957	186,000	229,141	123%	249,974	(63,974)
TOTALS, PERSONNEL SVC	530,827	572,410	589,441	549,000	586,453	107%	643,090	(94,090)
OPERATING EXPENSE AND EQUIPMENT								
General Expense	3,401	19,534	2,293	0	10,791	0%	18,575	(18,575)
Fingerprint Reports	341	539	434	9,000	650	7%	780	8,220
Minor Equipment	1,164	155	0	1,000	0	0%	0	1,000
Printing	3,021	2,992	3,540	0	696	0%	4,079	(4,079)
Communication	4,597	4,134	3,757	1,000	3,687	369%	4,424	(3,424)
Postage	9,124	9,056	7,013	6,000	4,036	67%	4,843	1,157
Insurance	0	4	1,327	0	1,568	0%	1,882	(1,882)
Travel In State	26,437	40,939	20,300	23,000	5,658	25%	6,789	16,211
Travel, Out-of-State	0	14	0	0	0	0%	0	0
Facilities Operations	44,747	44,795	49,192	29,000	50,073	173%	60,088	(31,088)
C & P Services - Interdept.	0	0	0	84,000	47,975	57%	53,000	31,000
C & P Services - External	3,852	11,004	2,629	27,000	8,360	31%	12,000	15,000
DEPARTMENTAL SERVICES:								
OIS Pro Rata	61,970	96,382	128,010	72,000	66,000	92%	72,000	0
Administration Pro Rata	53,943	53,791	0	71,000	65,083	92%	71,000	0
OPES	0	0	0	0	47,436	0%	59,016	(59,016)
IA w/ OPES	47,938	89,444	66,240	2,000	1,833	92%	2,000	0
DOI- ISU ProRata	983	920	2,087	4,000	3,667	92%	4,000	0
Communications DIV	3,000	7,704	161	5,000	4,583	92%	5,000	0
PPRD Pro Rata	0	0	0	0	0	0%	0	0
INTERAGENCY SERVICES:								
Consolidated Data Center	41	39	1,667	3,000	25	1%	27	2,973
DP Maintenance & Supply	1,005	148	3,636	2,000	2,306	115%	2,767	(767)
EXAMS EXPENSES:								
Administrative - Ext	15,399	17,246	0	39,000	25,346	0%	32,346	6,654
C/P Svcs-External Expert Examiners	22,259	30,249	27,924	0	0	0%	0	0
ENFORCEMENT:								
Attorney General	37,156	46,706	25,452	167,000	38,509	23%	46,211	120,789
Office Admin. Hearings	4,239	11,736	720	16,000	6,700	42%	8,040	7,960
Court Reporters	625	450	1,150	0	1,594	0%	1,739	(1,739)
Evidence/Witness Fees	2,500	4,148	2,769	26,000	1,100	4%	1,320	24,680
Major Equipment	0	0	0	9,000	730	0%	796	8,204
Other Items of Expense	0	0	743	0	4,100	0%	4,473	(4,473)
TOTALS, OE&E	420,045	529,751	382,195	598,000	402,506	67%	477,195	120,805
TOTAL EXPENSE	950,872	1,102,161	971,636	1,147,000	988,959	86%	1,120,285	26,715
Sched. Reimb. - Fingerprints	(539)	(588)	(392)	(1,000)	0	0%	(490)	(510)
Sched. Reimb. - External/Private/Grant	(940)	(705)	(940)	(17,000)	0	0%	(1,645)	(15,355)
Unsched. Reimb. - Inves Cost Recovery	(778)	(8,991)	(3,372)	0	0	0%	(2,230)	2,230
NET EXPENSE	948,615	1,091,877	966,932	1,129,000	988,959	88%	1,115,920	13,080
SURPLUS/(DEFICIT):								1.2%

**0771 - Court Reporters Board of California
Analysis of Fund Condition**

Prepared on 1/25/19

(Dollars in Thousands)

GOVERNOR'S BUDGET 2018-19

	CY	BY	BY +1	BY+2	BY+3
	2017-18	2018-19	2019-20	2020-21	2021-22
BEGINNING BALANCE	\$ 604	\$ 434	\$ 85	\$ 395	\$ 700
Prior Year Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 604	\$ 434	\$ 85	\$ 395	\$ 700
REVENUES AND TRANSFERS					
Revenues:					
4121200 Delinquent fees	\$ 17	\$ 17	\$ 17	\$ 17	\$ 17
4127400 Renewal fees	\$ 826	\$ 809	\$ 1,428	\$ 1,428	\$ 1,428
4129200 Other regulatory fees	\$ 11	\$ 12	\$ 12	\$ 12	\$ 12
4129400 Other regulatory licenses and permits	\$ 29	\$ 33	\$ 50	\$ 50	\$ 50
4163000 Income from surplus money investments	\$ 6	\$ 2	\$ 6	\$ 10	\$ 15
Totals, Revenues	\$ 889	\$ 873	\$ 1,513	\$ 1,517	\$ 1,522
Transfers and Other Adjustments					
T00410					
Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2	\$ -	\$ -	\$ -	\$ -	\$ -300
Totals, Revenues and Transfers	\$ 889	\$ 873	\$ 1,513	\$ 1,517	\$ 1,222
Totals, Resources	\$ 1,493	\$ 1,307	\$ 1,598	\$ 1,912	\$ 1,922
EXPENDITURES					
Disbursements:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 981	\$ 1,129	\$ 1,116	\$ 1,138	\$ 1,161
8880 Financial Information System for California (State Operations)	\$ 2	\$ -	\$ -	\$ -	\$ -
9892 Supplementary Pension Payments (State Operations)	\$ -	\$ 12	\$ 25	\$ 12	\$ 12
9900 Statewide General Administrative Expenditures (Pro Rata) (Statewide Operations)	\$ 76	\$ 81	\$ 62	\$ 62	\$ 62
Total Disbursements	\$ 1,059	\$ 1,222	\$ 1,203	\$ 1,212	\$ 1,235
FUND BALANCE					
Reserve for economic uncertainties	\$ 434	\$ 85	\$ 395	\$ 700	\$ 687
Months in Reserve	4.3	0.8	3.9	6.8	6.6

NOTES:

D. ASSUMES NO TRANSFER TO THE TRANSCRIPT REIMBURSEMENT FUND IN CY AND ONGOING.

Consumer Protection Enforcement Initiative Fiscal Year 2018-2019 Enforcement Report July 1, 2018 - May 31, 2019

Complaint Intake

Complaints	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	8	13	11	6	7	15	14	10	8	4	15		111
Closed without Assignment for Investigation	0	0	0	0	0	0	0	0	0	0	0		0
Assigned for Investigation	8	13	11	6	7	15	14	10	8	4	15		111
Average Days to Close or Assign for Investigation	1	1	1	1	1	1	1	1	1	1	1		1
Pending	0	0	0	0	0	0	0	0	0	0	0		0 *

Convictions/Arrests Reports	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	0	1	0	0	0	1	0	0	0	0	1		3
Closed	0	1	0	0	0	0	1	0	0	0	0		2
Average Days to Close	0	270	0	0	0	0	30	0	0	0	0		150
Pending	1	1	1	1	1	2	1	1	1	1	2		1 *

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Initial Assignment for Desk Investigation **	8	14	11	6	7	16	14	10	8	4	16		114
Closed ***	5	11	5	7	4	10	4	14	9	13	10		92
Average Days to Close [Straightline] ***	198	109	32	222	17	48	89	42	62	84	80		85
Pending ***	39	42	47	46	49	54	66	62	61	52	58		52 *

Field Investigation (Sworn)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Assignment for Sworn Field Investigation	0	1	0	0	0	0	0	0	0	0	0		1
Closed	0	0	1	0	0	0	0	0	0	0	0		1
Average Days to Close	0	0	41	0	0	0	0	0	0	0	0		41
Pending *	0	1	0	0	0	0	0	0	0	0	0		0

All Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Closed **	5	12	5	7	4	10	5	14	9	13	10		94
Average Days to Close [Straightline] **	198	122	32	222	17	48	77	42	62	84	80		87
Pending **	40	43	48	47	50	56	67	62	61	52	58		53 *

*Average number of cases pending per month

** Intake complaints and convictions

*** Intake complaints only

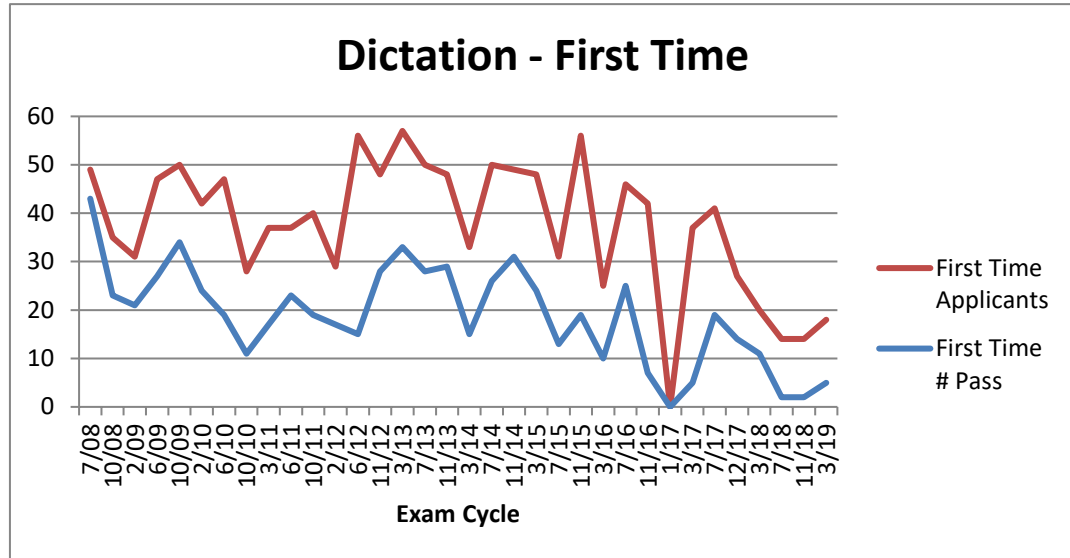
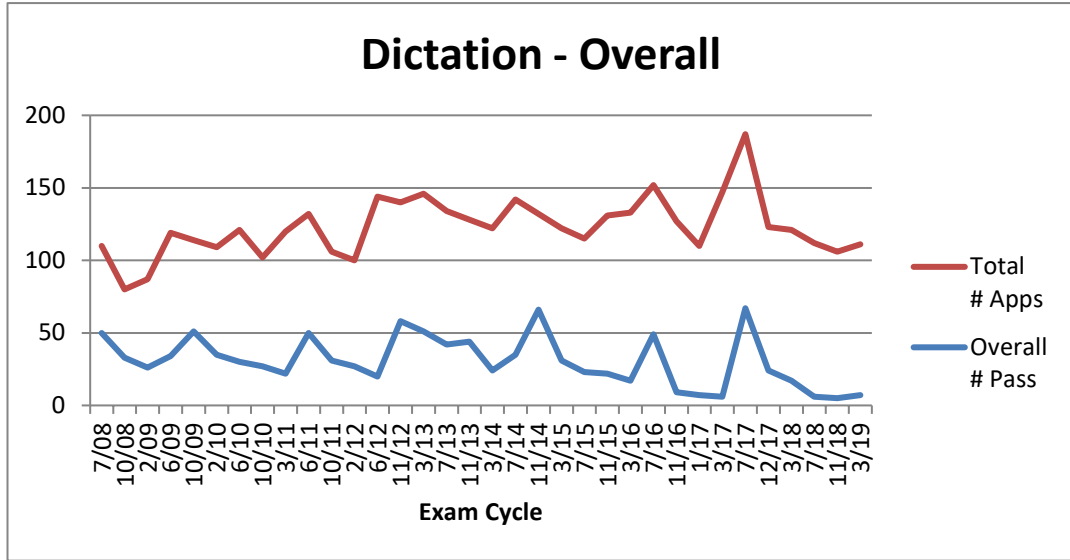
Enforcement Actions

AG Cases	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
AG Cases Initiated	1	1	0	0	0	1	0	0	0	1	0		4
AG Cases Pending	9	10	9	8	5	5	5	4	3	4	4		6 *
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	2	0	0	0	0	0	0	0	0	0	0		2
SOIs Withdrawn	0	0	0	0	0	0	0	0	0	0	0		0
SOIs Dismissed	0	0	0	0	0	0	0	0	0	0	0		0
SOIs Declined	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Complete SOIs	165	0	0	0	0	0	0	0	0	0	0		165
Accusations Filed	1	1	0	1	1	0	0	0	0	0	0		4
Accusations Withdrawn	0	0	0	0	0	0	0	0	0	0	0		0
Accusations Dismissed	0	0	0	0	0	0	0	0	0	0	0		0
Accusations Declined	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Complete Accusations	29	37	0	83	71	0	0	0	0	0	0		55
Petition to Revoke Probation (PRP)	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Complete PRP	0	0	0	0	0	0	0	0	0	0	0		0
Decisions/Stipulations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Proposed/Default Decisions	0	0	0	2	0	0	1	0	0	0	1		4
Stipulations	0	1	1	1	1	0	0	1	0	0	0		5
Disciplinary Orders	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	0	0	1	1	3	1	0	1	1	0	0		8
Average Days to Complete [Straightline]	0	0	194	200	373	318	0	238	476	0	0		318
Interim Suspension Orders	0	0	0	0	0	0	0	0	0	0	0		0
Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	1	2	3	0	0	2	0	1	4	4	0		17
Average Days to Complete [Straightline]	29	37	49	0	0	80	0	49	120	85	0		75

*Average number of cases pending per month

Dictation Exam

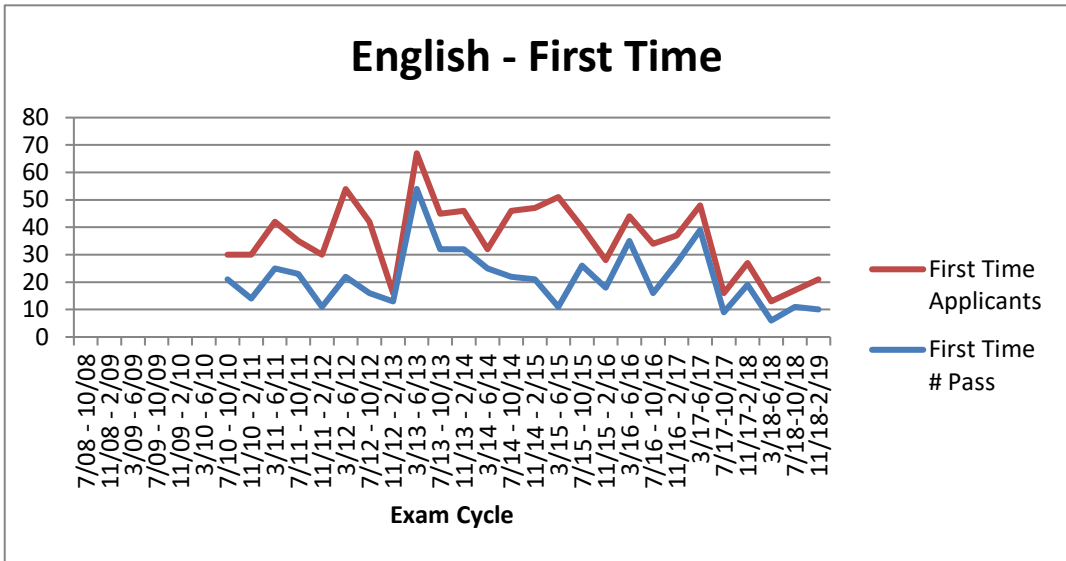
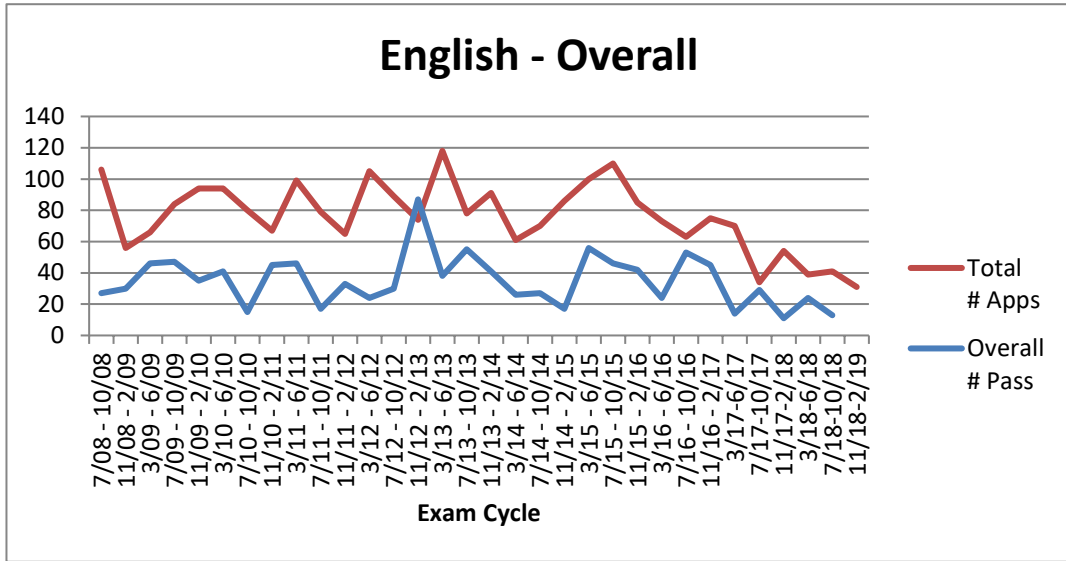
Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008	110	50	45.5%	49	43	87.8%
Oct 2008	80	33	41.3%	35	23	65.7%
Feb 2009	87	26	29.9%	31	21	67.7%
Jun 2009	119	34	28.6%	47	27	57.4%
Oct 2009	114	51	44.7%	50	34	68.0%
Feb 2010	109	35	32.1%	42	24	57.1%
Jun 2010	121	30	24.8%	47	19	40.4%
Oct 2010	102	27	26.5%	28	11	39.3%
Mar 2011	120	22	18.3%	37	17	45.9%
Jun 2011	132	50	37.9%	37	23	62.2%
Oct 2011	106	31	29.2%	40	19	47.5%
Feb 2012	100	27	27.0%	29	17	58.6%
Jun 2012	144	20	13.9%	56	15	26.8%
Nov 2012	140	58	41.4%	48	28	58.3%
Mar 2013	146	51	34.9%	57	33	57.9%
Jul 2013	134	42	31.3%	50	28	56.0%
Nov 2013	128	44	34.4%	48	29	60.4%
Mar 2014	122	24	19.7%	33	15	45.5%
Jul 2014	142	35	24.6%	50	26	52.0%
Nov 2014	132	66	50.0%	49	31	63.3%
March 2015	122	31	25.4%	48	24	50.0%
July 2015	115	23	20.0%	31	13	41.9%
Nov 2015	131	22	16.8%	56	19	33.9%
March 2016	133	17	12.8%	25	10	40.0%
July 2016	152	49	32.2%	46	25	54.3%
Nov 2016	127	9	7.1%	42	7	16.7%
Jan 2017 (Nov 2016 retest)	110	7	6.4%	n/a	n/a	n/a
Mar 2017	147	6	4.1%	37	5	13.5%
Jul 2017	187	67	35.8%	41	19	46.3%
Dec 2017	123	24	19.5%	27	14	51.9%
Mar 2018	121	17	14.0%	20	11	55.0%
Jul 2018	112	6	5.4%	14	2	14.3%
Nov 2018	106	5	4.7%	14	2	14.3%
Mar 2019	111	7	6.3%	18	5	27.8%



English Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	106	71	65.7%			
Nov 2008 - Feb 2009	56	27	48.2%			
Mar 2009 - Jun 2009	66	30	45.5%			
Jul 2009 - Oct 2009	84	46	54.8%			
Nov 2009 - Feb 2010	94	47	50.0%			
Mar 2010 - Jun 2010	94	35	37.2%			
Jul 2010 - Oct 2010	80	41	51.3%	30	21	70.0%
Nov 2010 - Feb 2011	67	15	22.4%	30	14	46.7%
Mar 2011 - Jun 2011	99	45	45.5%	42	25	59.5%
Jul 2011 - Oct 2011	79	46	58.2%	35	23	65.7%
Nov 2011 - Feb 2012	65	17	26.2%	30	11	36.7%
Mar 2012 - Jun 2012	105	33	31.4%	54	22	40.7%
Jul 2012 - Oct 2012	89	24	27.0%	42	16	38.1%
Nov 2012 - Feb 2013	74	30	40.5%	16	13	81.3%
Mar 2013 - Jun 2013	118	87	73.7%	67	54	80.6%
Jul 2013 - Oct 2013	78	38	48.7%	45	32	71.1%
Nov 2013 - Feb 2014	91	55	60.4%	46	32	69.6%
Mar 2014 - Jun 2014	61	41	67.2%	32	25	78.1%
Jul 2014 - Oct 2014	70	26	37.1%	46	22	47.8%
Nov 2014 - Feb 2015	86	27	31.4%	47	21	44.7%
Mar 2015 - June 2015	100	17	17.0%	51	11	21.6%
Jul 2015 - Oct 2015	110	56	50.9%	40	26	65.0%
Nov 2015 - Feb 2016	85	46	54.1%	28	18	64.3%
Mar 2016 - Jun 2016	73	42	57.5%	44	35	79.5%
Jul 2016 - Oct 2016	63	24	38.1%	34	16	47.1%
Nov 2016 - Feb 2017	75	53	70.7%	37	27	73.0%
Mar 2017 - Jun 2017	70	45	64.3%	48	39	81.3%
Jul 2017 - Oct 2017	34	14	41.2%	16	9	56.3%
Nov 2017 - Feb 2018	54	29	53.7%	27	19	70.4%
Mar 2018 - Jun 2018	39	11	28.2%	13	6	46.2%
Jul 2018 - Oct 2018	41	24	58.5%	17	11	64.7%
Nov 2018 - Feb 2019	31	13	41.9%	21	10	47.6%

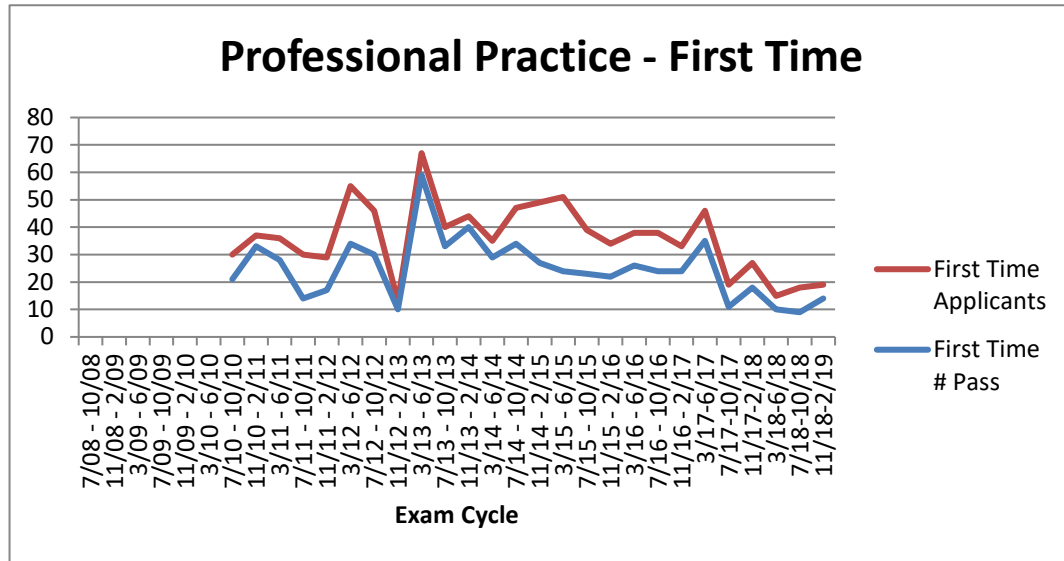
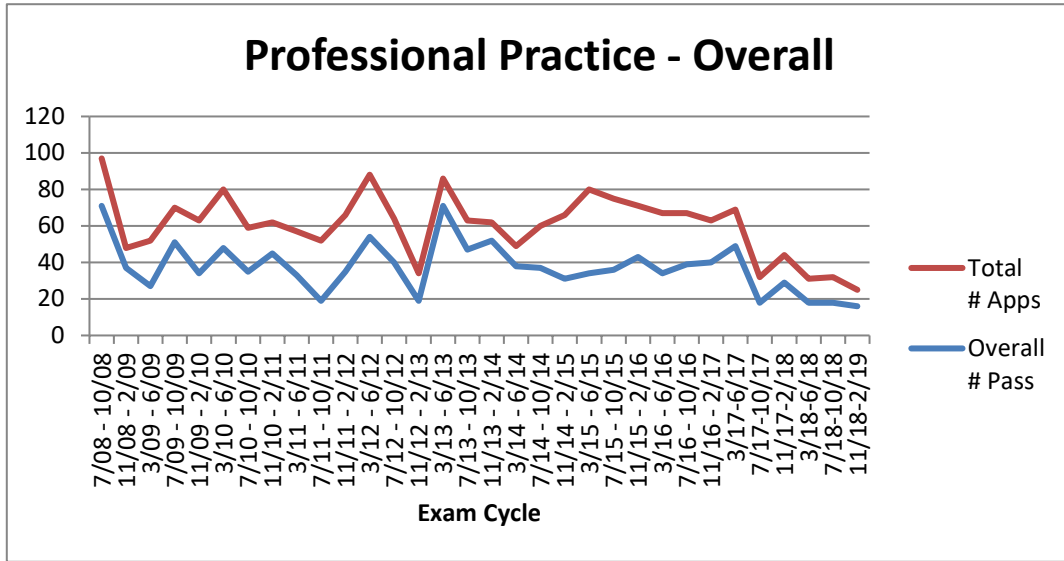
English Exam



Professional Practice Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	97	71	73.2%			
Nov 2008 - Feb 2009	48	37	77.1%			
Mar 2009 - Jun 2009	52	27	51.9%			
Jul 2009 - Oct 2009	70	51	72.9%			
Nov 2009 - Feb 2010	63	34	54.0%			
Mar 2010 - Jun 2010	80	48	60.0%			
Jul 2010 - Oct 2010	59	35	59.3%	30	21	70.0%
Nov 2010 - Feb 2011	62	45	72.6%	37	33	89.2%
Mar 2011 - Jun 2011	57	33	57.9%	36	28	77.8%
Jul 2011 - Oct 2011	52	19	36.5%	30	14	46.7%
Nov 2011 - Feb 2012	66	35	53.0%	29	17	58.6%
Mar 2012 - Jun 2012	88	54	61.4%	55	34	61.8%
Jul 2012 - Oct 2012	64	40	62.5%	46	30	65.2%
Nov 2012 - Feb 2013	34	19	55.9%	13	10	76.9%
Mar 2013 - Jun 2013	86	71	82.6%	67	59	88.1%
Jul 2013 - Oct 2013	63	47	74.6%	40	33	82.5%
Nov 2013 - Feb 2014	62	52	83.9%	44	40	90.9%
Mar 2014 - Jun 2014	49	38	77.6%	35	29	82.9%
Jul 2014 - Oct 2014	60	37	61.7%	47	34	72.3%
Nov 2014 - Feb 2015	66	31	47.0%	49	27	55.1%
Mar 2015 - June 2015	80	34	42.5%	51	24	47.1%
Jul 2015 - Oct 2015	75	36	48.0%	39	23	59.0%
Nov 2015 - Feb 2016	71	43	60.6%	34	22	64.7%
Mar 2016 - Jun 2016	67	34	50.7%	38	26	68.4%
Jul 2016 - Oct 2016	67	39	58.2%	38	24	63.2%
Nov 2016 - Feb 2017	63	40	63.5%	33	24	72.7%
Mar 2017 - Jun 2017	69	49	71.0%	46	35	76.1%
Jul 2017 - Oct 2017	32	18	56.3%	19	11	57.9%
Nov 2017 - Feb 2018	44	29	65.9%	27	18	66.7%
Mar 2018 - Jun 2018	31	18	58.1%	15	10	66.7%
Jul 2018 - Oct 2018	32	18	56.3%	18	9	50.0%
Nov 2018 - Feb 2019	25	16	64.0%	19	14	73.7%

Professional Practice Exam



COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM III – Department of Consumer Affairs Update

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Agenda Description: Report from the DCA Executive Office

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM IV – Sunset Review

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Agenda Description: Discussion and possible action to support AB 1520 (Low)
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Brief Summary:

On March 5, 2019, Board Chair Davina Hurt, Sunset Review Committee Co-Chair Elizabeth Lasensky, and Executive Office Yvonne Fenner appeared before the joint committees reviewing sunseting boards to give testimony on questions from the legislature on a variety of issues ranging from the status of the Transcript Reimbursement Fund to the viability of licensing voice writers to the need for continuing education for court reporters. The committees also heard input from interested parties including representatives from unions, pro bono law firms, and industry associations, to name a few.

AB 1520 is the resultant bill for extension of the CRB. It has passed out of the Assembly and is scheduled to be heard by Senate Committee on Business, Professions, and Economic Development on July 8, 2019.

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Support Documents: AB 1520
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Report Originator: Yvonne Fenner, 6/26/2019
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Recommended Board Action: Staff recommends review of bill language with an eye toward any amendments needed in order to take a support position.

AMENDED IN SENATE JULY 2, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

Assembly Bill No. 1520

Introduced by Assembly Member Low

February 22, 2019

An act to amend Sections 8000, 8001, 8003, 8005, 8017, 8030, 8030.2, 8030.4, 8030.6, 8030.8, 8031, and 8050 of, to add Sections 8024.8 and 8051 to, and to add and repeal Section 8030.10 of, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1520, as amended, Low. Court Reporters Board of California.

(1) Existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California, which is within the Department of Consumer Affairs, and is comprised of appointed members who hold office until the appointment and qualification of their successors or until one year has elapsed since the expiration of their term, whichever occurs first. authorizes the board to appoint an executive officer and committees and to employ other employees, as specified. Existing law also defines various terms for those purposes. Existing law repeals these provisions on January 1, 2020.

This bill would extend the operation of the board, the authorization of the board to appoint those specified personnel and committees, and the operation of those definitions until January 1, 2024. The bill would authorize the appointing authority of a member of the board to remove the member from office.

(2) Existing law defines the practice of shorthand reporting, which includes the making, by means of written symbols or abbreviations in shorthand or machine shorthand writing, of a verbatim record of specified legal proceedings. Existing law requires the board to issue a certificate to a person who meets the qualifications for a certified shorthand reporter, as specified.

This bill would include within the definition of shorthand reporting the making of a verbatim record of those proceedings by means of voice recognition technology. The bill would require the board, on or before July 1, 2020, to indicate on each certificate issued whether the applicant has met the board's examination requirements through the use of stenography, voice recognition technology, or both.

(3) Existing law requires all fees and other revenues received by the board to be deposited in the Court Reporters' Fund, which is continuously appropriated to carry out the provisions regulating shorthand reporters.

This bill would instead make funds in the Court Reporters' Fund available upon appropriation by the Legislature.

(4) Existing law, until January 1, 2020, requires certain fees and revenues collected by the board from licensees to be deposited into the Transcript Reimbursement Fund, which is established as a continuously appropriated fund, to be available to provide reimbursement for the cost of providing shorthand reporting services to low-income litigants in civil cases who are unable to otherwise afford those services. Existing law,

until January 1, 2020, prescribes how the funds are to be disbursed by the board and how an applicant is to apply for reimbursement from the board.

This bill would extend the operation of the fund and the provisions relating to reimbursement from the fund by the board until January 1, 2024. By extending the operation of the Transcript Reimbursement Fund, which is a continuously appropriated fund, the bill would make an appropriation. The bill would require the board, on or before January 1, 2022, to report certain information to the Joint Legislative Budget Committee and the appropriate policy committees of the Legislature to determine the feasibility of funding the Transcript Reimbursement Fund through a distinct assessment, as specified.

(5) Existing law requires all unencumbered funds remaining in the Transcript Reimbursement Fund as of January 1, 2019, to be transferred to the Court Reporters' Fund, which continuously appropriates moneys in that fund except for fine or penalty money.

This bill would require all encumbered funds remaining in the Transcript Reimbursement Fund as of January 1, 2024, to be transferred to the Court Reporters' Fund. By transferring these funds into a continuously appropriated fund, this bill would make an appropriation.

(6) Existing law subjects a person or entity to certain penalties if the person or entity engages in specified acts relating to shorthand reporting, including any act that constitutes shorthand reporting, except if the person or entity is a licensed shorthand reporter, a shorthand reporting corporation, or one of specified other persons or entities not subject to those provisions.

This bill, on and after July 1, 2020, would authorize an entity that is not a shorthand reporting corporation to engage in those specified acts if the entity is registered with the board as a corporate court reporter provider, subject to certain conditions and requirements, including payment of a registration fee determined by the board. The bill would require the board to make available on its internet website a directory of registered entities.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 8000 of the Business and Professions Code is amended to read:

8000. (a) There is in the Department of Consumer Affairs a Court Reporters Board of California, which consists of five members, three of whom shall be public members and two of whom shall be holders of certificates issued under this chapter who have been actively engaged as shorthand reporters within this state for at least five years immediately preceding their appointment.

(b) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

(c) Notwithstanding any other law, repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 2. Section 8001 of the Business and Professions Code is amended to read:

8001. (a) Appointment as a member of the board shall be for a term of four years. Members of the board shall hold office until the appointment and qualification of their successors or until one year shall have elapsed since the expiration of the term for which they were appointed, whichever first occurs. No person shall serve as a member of the board for more than two consecutive terms except as provided in Section 131. Vacancies occurring shall be filled by appointment for the unexpired term.

(b) The Governor shall appoint one of the public members and the two certified members qualified as provided in Section 8000. The Senate Rules Committee and the Speaker of the Assembly shall each appoint a public member.

(c) Members of the board may be removed from office by their appointing authority.

SEC. 3. Section 8003 of the Business and Professions Code is amended to read:

8003. At each yearly meeting, a chair and vice chair shall be elected from the membership of the board. Three members shall constitute a quorum for the transaction of business. The board shall keep a complete record of all its proceedings and all certificates issued, renewed, or revoked, together with a detailed statement of receipts and disbursements.

SEC. 4. Section 8005 of the Business and Professions Code is amended to read:

8005. (a) The Court Reporters Board of California is charged with the executive functions necessary for effectuating the purposes of this chapter. It may appoint committees as it deems necessary or proper. The board may appoint, prescribe the duties, and fix the salary of an executive officer. Except as provided by Section 159.5, the board may also employ other employees as may be necessary, subject to civil service and other law.

(b) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 5. Section 8017 of the Business and Professions Code is amended to read:

8017. The practice of shorthand reporting is defined as the making, by means of written symbols or abbreviations in shorthand or machine shorthand writing or voice recognition technology, of a verbatim record of any oral court proceeding, deposition, court ordered hearing or arbitration, or proceeding before any grand jury, referee, or court commissioner and the accurate transcription thereof. Nothing in this section shall require the use of a certified shorthand reporter when not otherwise required by law.

SEC. 6. Section 8024.8 is added to the Business and Professions Code, to read:

8024.8. (a) On or before January 1, 2021, the board shall indicate on each certificate issued under this chapter whether the applicant has met the board's examination requirements through the use of stenography, voice recognition technology, or both.

(b) Nothing in this section provides for any distinction in privilege or practice authority based on examination methodology. However, a certified shorthand reporter licensed after January 1, 2021, may only provide services under this chapter using a methodology indicated on their certificate.

SEC. 7. Section 8030 of the Business and Professions Code is amended to read:

8030. All fees and other revenues received by the board shall be reported promptly to the State Controller and shall be deposited with the State Treasurer to be placed in the Court Reporters' Fund, which fund is continued in existence in the State Treasury, and shall be available, upon appropriation by the Legislature, to carry out this chapter.

SEC. 8. Section 8030.2 of the Business and Professions Code is amended to read:

8030.2. (a) To provide shorthand reporting services to low-income litigants in civil cases, who are unable to otherwise afford those services, funds generated by fees received by the board pursuant to subdivision (c) of Section 8031 in excess of funds needed to support the board's operating budget for the fiscal year in which a transfer described below is made shall be used by the board for the purpose of establishing and maintaining a Transcript Reimbursement Fund. The Transcript Reimbursement Fund shall be funded by a transfer of funds from the Court Reporters' Fund in the amount of three hundred thousand dollars

(\$300,000) annually. The board is authorized to transfer funds in increments of one hundred thousand dollars (\$100,000) for a total of three hundred thousand dollars (\$300,000). Notwithstanding any other provision of this article, a transfer to the Transcript Reimbursement Fund in excess of the fund balance established at the beginning of each fiscal year shall not be made by the board if the transfer will result in the reduction of the balance of the Court Reporters' Fund to an amount less than six months' operating budget.

(b) Refunds and unexpended funds that are anticipated to remain in the Transcript Reimbursement Fund at the end of the fiscal year shall be considered by the board in establishing the fee assessment pursuant to Section 8031 so that the assessment shall maintain the level of funding for the Transcript Reimbursement Fund, as specified in subdivision (a), in the following fiscal year.

(c) The Transcript Reimbursement Fund is hereby created in the State Treasury. Notwithstanding Section 13340 of the Government Code, moneys in the Transcript Reimbursement Fund are continuously appropriated for the purposes of this chapter.

(d) (1) Applicants who have been reimbursed pursuant to this chapter for services provided to litigants and who are awarded court costs or attorney's fees by judgment or by settlement agreement shall refund the full amount of that reimbursement to the fund within 90 days of receipt of the award or settlement.

(2) An applicant appearing pro se who has been reimbursed for services provided to litigants under this chapter shall refund the full amount reimbursed if a court orders the applicant's fee waiver withdrawn or denied retroactively pursuant to Section 68636 of the Government Code, within 90 days of the court's order withdrawing or denying the fee waiver.

(e) Subject to the limitations of this chapter, the board shall maintain the fund at a level that is sufficient to pay all qualified claims. To accomplish this objective, the board shall utilize all refunds, unexpended funds, fees, and any other moneys received by the board.

(f) Notwithstanding Section 16346 of the Government Code, all unencumbered funds remaining in the Transcript Reimbursement Fund as of January 1, 2024, shall be transferred to the Court Reporters' Fund.

(g) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 9. Section 8030.4 of the Business and Professions Code is amended to read:

8030.4. As used in this chapter:

(a) "Applicant" means a qualified legal services project, qualified support center, other qualified project, or pro bono attorney applying to receive funds from the Transcript Reimbursement Fund established by this chapter. The term "applicant" includes an indigent person appearing pro se to represent themselves at any stage of the case and applying to receive funds from the Transcript Reimbursement Fund established in Section 8030.2.

(b) "Case" means a single legal proceeding from its inception, through all levels of hearing, trial, and appeal, until its ultimate conclusion and disposition.

(c) "Certified shorthand reporter" means a shorthand reporter certified pursuant to Article 3 (commencing with Section 8020) performing shorthand reporting services pursuant to Section 8017.

(d) "Developmentally Disabled Assistance Act" means the Developmentally Disabled Assistance and Bill of Rights Act of 1975 (Public Law 94-103), as amended.

(e) "Fee-generating case" means any case or matter that, if undertaken on behalf of an eligible client by an attorney in private practice, reasonably may be expected to result in payment of a fee for legal services from an award to a client, from public funds, or from an opposing party. A reasonable expectation as to payment of a legal fee exists wherever

a client enters into a contingent fee agreement with the client's lawyer. If there is no contingent fee agreement, a case is not considered fee generating if adequate representation is deemed to be unavailable because of the occurrence of any of the following circumstances:

(1) If the applicant has determined that referral is not possible because of any of the following:

(A) The case has been rejected by the local lawyer referral service, or if there is no such service, by two private attorneys who have experience in the subject matter of the case.

(B) Neither the referral service nor any lawyer will consider the case without payment of a consultation fee.

(C) The case is of the type that private attorneys in the area ordinarily do not accept, or do not accept without prepayment of a fee.

(D) Emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time.

(2) If recovery of damages is not the principal object of the case and a request for damages is merely ancillary to an action for equitable or other nonpecuniary relief or inclusion of a counterclaim requesting damages is necessary for effective defense or because of applicable rules governing joinder of counterclaims.

(3) If a court appoints an applicant or an employee of an applicant pursuant to a statute or a court rule or practice of equal applicability to all attorneys in the jurisdiction.

(4) In any case involving the rights of a claimant under a public-supported benefit program for which entitlement to benefit is based on need.

(f) (1) "Indigent person" means any of the following:

(A) A person whose income is 125 percent or less of the current poverty threshold established by the United States Office of Management and Budget.

(B) A person who is eligible for supplemental security income.

(C) A person who is eligible for, or receiving, free services under the federal Older Americans Act or the Developmentally Disabled Assistance Act.

(D) A person whose income is 75 percent or less of the maximum level of income for lower income households as defined in Section 50079.5 of the Health and Safety Code, for purposes of a program that provides legal assistance by an attorney in private practice on a pro bono basis.

(E) A person who qualifies for a waiver of fees pursuant to Section 68632 of the Government Code.

(2) For the purposes of this subdivision, the income of a person who is disabled shall be determined after deducting the costs of medical and other disability-related special expenses.

(g) "Lawyer referral service" means a lawyer referral program authorized by the State Bar of California pursuant to the rules of professional conduct.

(h) "Legal Services Corporation" means the Legal Services Corporation established under the Legal Services Corporation Act of 1974 (Public Law 93-355), as amended.

(i) "Older Americans Act" means the Older Americans Act of 1965 (Public Law 89-73), as amended.

(j) "Other qualified project" means a nonprofit organization formed for charitable or other public purposes, that does not receive funds from the Legal Services Corporation or pursuant to the federal Older Americans Act, and provides free legal services to indigent persons.

(k) "Pro bono attorney" means any attorney, law firm, or legal corporation, licensed to practice law in this state, that undertakes, without charge to the party, the representation

of an indigent person, referred by a qualified legal services project, qualified support center, or other qualified project, in a case not considered to be fee generating, as defined in this chapter.

(l) "Qualified legal services project" means a nonprofit project, incorporated and operated exclusively in California, that provides as its primary purpose and function legal services without charge to indigent persons, has a board of directors or advisory board composed of both attorneys and consumers of legal services, and provides for community participation in legal services programming. A legal services project funded, either in whole or in part, by the Legal Services Corporation or with the federal Older Americans Act funds is presumed to be a qualified legal services project for the purposes of this chapter.

(m) "Qualified support center" means an incorporated nonprofit legal services center that has an office or offices in California that provide legal services or technical assistance without charge to qualified legal services projects and their clients on a multicounty basis in California. A support center funded, either in whole or in part, by the Legal Services Corporation or with the federal Older Americans Act funds is presumed to be a qualified legal services project for the purposes of this chapter.

(n) "Rules of professional conduct" means those rules adopted by the State Bar of California pursuant to Sections 6076 and 6077.

(o) "Supplemental security income recipient" means an individual receiving or eligible to receive payments under Title XVI of the Social Security Act (Public Law 92-603), as amended, or payment under Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code.

(p) "Vexatious litigant" means a person as defined in subdivision (b) of Section 391 of the Code of Civil Procedure.

(q) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 10. Section 8030.6 of the Business and Professions Code is amended to read:

8030.6. The board shall disburse funds from the Transcript Reimbursement Fund for the costs, exclusive of per diem charges by official reporters, of preparing either an original transcript and one copy thereof, or where appropriate, a copy of the transcript, of court or deposition proceedings, or both, incurred as a contractual obligation between the shorthand reporter and the applicant, for litigation conducted in California. If there is no deposition transcript, the board may reimburse the applicant or the certified shorthand reporter designated in the application for per diem costs. The rate of per diem for depositions shall not exceed seventy-five dollars (\$75) for one-half day, or one hundred twenty-five dollars (\$125) for a full day. If a transcript is ordered within one year of the date of the deposition, but subsequent to the per diem having been reimbursed by the Transcript Reimbursement Fund, the amount of the per diem shall be deducted from the regular customary charges for a transcript. Reimbursement may be obtained through the following procedures:

(a) The applicant or certified shorthand reporter shall promptly submit to the board the certified shorthand reporter's invoice for transcripts together with the appropriate documentation as is required by this chapter.

(b) Except as provided in subdivision (c), the board shall promptly determine if the applicant or the certified shorthand reporter is entitled to reimbursement under this chapter and shall make payment as follows:

(1) Regular customary charges for preparation of original deposition transcripts and one copy thereof, or a copy of the transcripts.

(2) Regular customary charges for expedited deposition transcripts up to a maximum of two thousand five hundred dollars (\$2,500) per case.

(3) Regular customary charges for the preparation of original transcripts and one copy thereof, or a copy of transcripts of court proceedings.

(4) Regular customary charges for expedited or daily charges for preparation of original transcripts and one copy thereof or a copy of transcripts of court proceedings.

(5) The charges shall not include notary or handling fees. The charges may include actual shipping costs and exhibits, except that the cost of exhibits may not exceed thirty-five cents (\$0.35) each or a total of thirty-five dollars (\$35) per transcript.

(c) The maximum amount reimbursable by the fund under subdivision (b) shall not exceed twenty thousand dollars (\$20,000) per case per year.

(d) A vexatious litigant shall be ineligible to receive funds from the Transcript Reimbursement Fund. However, a vexatious litigant may become eligible to receive funds if the vexatious litigant is no longer subject to the provisions of Title 3A of Part 2 of the Code of Civil Procedure pursuant to Section 391.8 of Code of Civil Procedure.

(e) Total disbursements to cover the costs of providing transcripts to all applicants appearing pro se pursuant to this section shall not exceed seventy-five thousand dollars (\$75,000) annually and shall not exceed one thousand five hundred dollars (\$1,500) per case.

(f) If entitled, and funds are available, the board shall disburse the appropriate sum to the applicant or the certified shorthand reporter when the documentation described in Section 8030.8 accompanies the application. A notice shall be sent to the recipient requiring the recipient to file a notice with the court in which the action is pending stating the sum of reimbursement paid pursuant to this section. The notice filed with the court shall also state that if the sum is subsequently included in any award of costs made in the action, that the sum is to be ordered refunded by the applicant to the Transcript Reimbursement Fund whenever the sum is actually recovered as costs. The court shall not consider whether payment has been made from the Transcript Reimbursement Fund in determining the appropriateness of any award of costs to the parties. The board shall also notify the applicant that the reimbursed sum has been paid to the certified shorthand reporter and shall notify the applicant of the duty to refund any of the sum actually recovered as costs in the action.

(g) If not entitled, the board shall return a copy of the invoice to the applicant and the designated certified shorthand reporter together with a notice stating the grounds for denial.

(h) The board shall complete its actions under this section within 30 days of receipt of the invoice and all required documentation, including a completed application.

(i) Applications for reimbursements from the fund shall be filed on a first-come-first-served basis.

(j) Applications for reimbursement that cannot be paid from the fund due to insufficiency of the fund for that fiscal year shall be held over until the next fiscal year to be paid out of the renewed fund. Applications held over shall be given a priority standing in the next fiscal year.

(k) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 11. Section 8030.8 of the Business and Professions Code is amended to read:

8030.8. (a) For purposes of this chapter, documentation accompanying an invoice is sufficient to establish entitlement for reimbursement from the Transcript Reimbursement Fund if it is filed with the executive officer on an application form prescribed by the board that is complete in all respects, and that establishes all of the following:

(1) The case name and number and that the litigant or litigants requesting the reimbursement are indigent persons. If the applicant is an indigent person appearing pro

se the application shall be accompanied by a copy of the fee waiver form approved by the court in the matter for which the applicant seeks reimbursement.

(2) The applicant is qualified under the provisions of this chapter.

(3) The case is not a fee-generating case, as defined in Section 8030.4.

(4) The invoice or other documentation shall evidence that the certified shorthand reporter to be reimbursed was, at the time the services were rendered, a duly licensed certified shorthand reporter.

(5) The invoice shall be accompanied by a statement, signed by the applicant, stating that the charges are for transcripts actually provided as indicated on the invoice.

(6) The applicant has acknowledged, in writing, that as a condition of entitlement for reimbursement that the applicant agrees to refund the entire amount disbursed from the Transcript Reimbursement Fund from any costs or attorney's fees awarded to the applicant by the court or provided for in any settlement agreement in the case.

(7) The certified shorthand reporter's invoice for transcripts shall include separate itemizations of charges claimed, as follows:

(A) Total charges and rates for customary services in preparation of an original transcript and one copy or a copy of the transcript of depositions.

(B) Total charges and rates for expedited deposition transcripts.

(C) Total charges and rates in connection with transcription of court proceedings.

(b) For an applicant claiming to be eligible pursuant to subdivision (j), (l), or (m) of Section 8030.4, a letter from the director of the project or center, certifying that the project or center meets the standards set forth in one of those subdivisions and that the litigant or litigants are indigent persons, is sufficient documentation to establish eligibility.

(c) For an applicant claiming to be eligible pursuant to subdivision (k) of Section 8030.4, a letter certifying that the applicant meets the requirements of that subdivision, that the case is not a fee-generating case, as defined in subdivision (e) of Section 8030.4, and that the litigant or litigants are indigent persons, together with a letter from the director of a project or center defined in subdivision (j), (l), or (m) of Section 8030.4 certifying that the litigant or litigants had been referred by that project or center to the applicant, is sufficient documentation to establish eligibility.

(d) The applicant may receive reimbursement directly from the board if the applicant has previously paid the certified shorthand reporter for transcripts as provided in Section 8030.6. To receive payment directly, the applicant shall submit, in addition to all other required documentation, an itemized statement signed by the certified shorthand reporter performing the services that describes payment for transcripts in accordance with the requirements of Section 8030.6.

(e) The board may prescribe appropriate forms to be used by applicants and certified shorthand reporters to facilitate these requirements.

(f) This chapter does not restrict the contractual obligation or payment for services, including, but not limited to, billing the applicant directly, during the pendency of the claim.

(g) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 12. Section 8030.10 is added to the Business and Professions Code, to read:

8030.10. (a) On or before January 1, 2022, the board shall report the following information to the Joint Legislative Budget Committee and the appropriate policy committees of the Legislature to determine the feasibility of funding the Transcript Reimbursement Fund through a distinct assessment collected separately from certificate fees:

(1) The total amount of funds transferred from the Court Reporters' Fund in the previous two years.

(2) The total number of approved claims for reimbursement from the Transcript Reimbursement Fund in the previous two years.

(3) The total amount allocated from the Transcript Reimbursement Fund to reimburse applicants in the previous two years.

(4) The approximate number of certificates issued or renewed by the board in the previous two years from which the board received fees pursuant to subdivision (c) of Section 8031.

(b) The report prepared pursuant to subdivision (a) shall be submitted in accordance with Section 9795 of the Government Code.

(c) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 1, 2026.

SEC. 13. Section 8031 of the Business and Professions Code is amended to read:

8031. The amount of the fees required by this chapter is that fixed by the board in accordance with the following schedule:

(a) The fee for filing an application for each examination shall be no more than forty dollars (\$40).

(b) The fee for examination and reexamination for each of the written or practical parts of the examination shall be in an amount fixed by the board, which shall be equal to the actual cost of preparing, administering, grading, and analyzing the examination, but shall not exceed seventy-five dollars (\$75) for each separate part, for each administration.

(c) The initial certificate fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, except that, if the certificate will expire less than 180 days after its issuance, then the fee is 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, or fifty dollars (\$50), whichever is greater. The board may, by appropriate regulation, provide for the waiver or refund of the initial certificate fee where the certificate is issued less than 45 days before the date on which it will expire.

(d) By a resolution adopted by the board, a renewal fee may be established in such amounts and at such times as the board may deem appropriate to meet its operational expenses and funding responsibilities as set forth in this chapter. The renewal fee shall not be more than two hundred fifty dollars (\$250) nor less than ten dollars (\$10) annually, with the following exception:

Any person who is employed full time by the State of California as a hearing reporter and who does not otherwise render shorthand reporting services for a fee shall be exempt from licensure while in state employment and shall not be subject to the renewal fee provisions of this subdivision until 30 days after leaving state employment. The renewal fee shall, in addition to the amount fixed by this subdivision, include any unpaid fees required by this section plus any delinquency fee.

(e) The duplicate certificate fee shall be no greater than ten dollars (\$10).

(f) The penalty for failure to notify the board of a change of name or address as required by Section 8024.6 shall be no greater than fifty dollars (\$50).

SEC. 14. Section 8050 of the Business and Professions Code is amended to read:

8050. (a) It is the intent of the Legislature to enhance the regulation of licensed shorthand reporters and shorthand reporting corporations pursuant to this section, by imposing specific penalties in addition to other remedies permitted by this chapter that seek to discourage practices that are inconsistent with the integrity and impartiality required of officers of the court, to promote competition based upon the quality and price of shorthand reporting services, and to ensure consistent regulation of corporations owned by licensees and those not owned by licensees.

(b) This section shall apply to an individual or entity that does any of the following:

(1) Any act that constitutes shorthand reporting that occurs wholly or partly in this state.

(2) Employs, independently contracts with, or recruits a licensed shorthand reporter to report or transcribe deposition testimony in a court proceeding or in a deposition.

(3) Contracts with a resident of this state by mail or otherwise that requires either party to perform licensed shorthand reporting wholly or partly in this state.

(4) Independently contracts with or is employed by an entity that does any of the acts described in paragraphs (1) to (3), inclusive.

(c) (1) This section does not apply to an individual, whether acting as an individual or as an officer, director, or shareholder of a shorthand reporting corporation, as defined in Section 8040, who possesses a valid license, issued pursuant to Section 8018 or a valid registration issued pursuant to Section 8051, that may be revoked or suspended by the board, or to a shorthand reporting corporation that is in compliance with Section 8044.

(2) This section does not apply to a court, a party to litigation, an attorney of the party, or a full-time employee of the party or the attorney of the party, who provides or contracts for certified shorthand reporting for purposes related to the litigation.

(d) An individual or entity described in subdivision (b) shall not do any of the following:

(1) Seek compensation for a transcript that is in violation of the minimum transcript format standards set forth in Section 2473 of Article 8 of Division 24 of Title 16 of the California Code of Regulations.

(2) Seek compensation for a certified court transcript applying fees other than those set out in Section 69950 of the Government Code.

(3) Make a transcript available to one party in advance of other parties, as described in subdivision (d) of Section 2025.510 of the Code of Civil Procedure, or offer or provide a service to only one party as described in subdivision (b) of Section 2025.320 of the Code of Civil Procedure.

(4) Fail to promptly notify a party of a request for preparation of all or any part of a transcript, excerpts, or expedites for one party without the other parties' knowledge, as described in paragraph (5) of subdivision (b) of Section 2475 of Article 8 of Division 24 of Title 16 of the California Code of Regulations.

(e) Nothing in this section shall be construed to prohibit a licensed shorthand reporter, shorthand reporting corporation, or an individual or entity described in subdivision (b), from offering or providing long-term or multicase volume discounts or services ancillary to reporting and transcribing a deposition, arbitration, or judicial proceeding in contracts that are subject to laws related to shorthand reporting.

(f) An individual or entity that violates this section shall be subject to a civil fine not exceeding ten thousand dollars (\$10,000) per violation.

(g) The Attorney General, a district attorney, a city attorney, or the board may bring a civil action for a violation of this section, including an action for injunctive relief and any other appropriate relief, and shall be entitled if they are the prevailing party, to recover reasonable attorney's fees.

SEC. 15. Section 8051 is added to the Business and Professions Code, to read:

8051. (a) On and after July 1, 2020, an entity that is not a shorthand reporting corporation may, wherever incorporated in the United States, engage in the conduct described in subdivision (b) of Section 8050 if the following requirements are met:

(1) The entity pays a registration fee, in an amount determined by the board, to the board and is registered with the board as a corporate court reporter provider.

(2) The board has approved a licensed certified reporter in charge that is a full-time employee of the registered entity, a resident of this state, and holds a currently valid California license at all times as a certified shorthand reporter where the licensee has no restrictions on their license and is not subject to a pending board accusation or investigation. The reporter in charge shall be responsible to the board for an entity's compliance with all state laws and regulations pertaining to and within the scope of the practice of certified shorthand reporting and any acts of the entity pertaining to and within the scope of the practice of a certified shorthand reporter shall be deemed acts of the reporter in charge.

(3) The entity agrees in the registration to abide by the laws, regulations, and standards of practice applicable to businesses that render shorthand reporting services pursuant to Section 13401 of the Corporations Code, except for the requirements of Sections 8040 and 8044.

(b) The board shall revoke the registration of an entity if the board determines the entity:

(1) Engages, in whole or in part, through employees or independent contractors that are not certified shorthand reporters, in acts that are within the scope of practice of a certified shorthand reporter.

(2) Directs or authorizes the reporter in charge to violate state laws or regulations pertaining to shorthand reporting or offering financial incentives to the reporter in charge for engaging in acts that violate state law.

(c) In addition to revoking an entity's registration as required by subdivision (b), a registration issued under this section may be revoked, suspended, denied, restricted, or subjected to other disciplinary action as the board deems fit for violations of this chapter.

(d) A certified shorthand reporter shall not engage in the practice of shorthand reporting on behalf of an entity that the reporter knows or should know is not registered with the board and shall verify whether a person or entity is registered with the board as a court reporter provider before engaging in the practice of shorthand reporting on behalf of that person or entity.

(e) The board shall create and make available on its internet website a directory of registered entities.

AGENDA ITEM V – Legislation

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Agenda Description: Briefing on current legislation related to the court reporting industry and/or the Court Reporters Board with discussion and possible action.
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Brief Summary: (Bills with a notation of *** are of particular interest or impact to court reporting or the Court Reporters Board specifically)

AB 5 (Gonzalez) – Worker status: employees and independent contractors. (Senate Labor, Public Employment and Retirement Committee) - This bill would place into statute the three-part legal test formulated in *Dynamex v. Superior Court*, (2018) 4 Cal.5th 903 ('*Dynamex*') to determine whether a worker who performs services for a hirer is an employee or an independent contractor in cases related to existing Work Orders enforced through the Department of Industrial Relations and the Employment Development Department.

AB 199 (Calderon) – California Online Notary Act of 2019. (Assembly Judiciary Committee) - Among other things, this bill would authorize an online notary public to perform notarial acts, and online notarizations by means of audio-video communication.

*****AB 253 (Stone) – Remote court reporting.** (Senate Judiciary Committee) - This bill would authorize the Santa Clara Superior Court to conduct a pilot project to study the potential use of remote court reporting.

AB 312 (Cooley) – State government: administrative regulations: review. (Assembly Accountability and Administrative Review Committee) - This bill would require state agencies, including departments, boards, and bureaus, to do a one-time review of regulations and identify those that are duplicative, inconsistent, or out-of-date. The agencies would then be required to repeal, reconcile, or eliminate those regulations and report their findings and actions to the Governor and Legislature by January 1, 2022.

*****AB 424 (Gabriel) – Depositions: audio or video recordings.** (Senate Judiciary Committee) - This bill would clarify that a stenographic transcript accompanying an audio or video recording of deposition testimony offered into evidence must be prepared by a certified shorthand reporter.

AB 476 (Blanca Rubio) – Department of consumer Affairs: task force: foreign-trained professionals. (Suspense file) - This bill would require the Department of Consumer Affairs to establish a task force to study the workforce integration of foreign-trained professionals. The task force would be required to solicit input from a variety of government agencies, including in-state and out-of-state licensing entities.

AB 496 (Low) – Business and professions.

(Senate) - This bill would replace gendered terms and make various nonsubstantive changes to several sections of the Business and Professions Code, including changing the existing term “licentiate” to “licensee”. This bill would require the Director of the Department of Consumer Affairs to report audit and disciplinary findings annually to the Chairpersons of the Senate Business, Professions and Economic Development Committee and the Assembly Business and Professions Committee instead of the Chairpersons of the Senate Business and Professions Committee and the Assembly Health Committee.

AB 544 (Brough) – Professions and vocations: inactive license fees and accrued and unpaid renewal fees.

(Assembly Business, Professions and Consumer Protection Committee) - This bill would limit the maximum fee for the renewal for an inactive license to no more than 50% of the renewal fee for an active license. This bill would also prohibit a board from requiring payment of accrued and unpaid renewal fees as a condition of reinstating an expired license or registration.

AB 613 (Low) – Professions and vocations: regulatory fees.

(Assembly Appropriations Committee) - This bill would authorize each board within the Department of Consumer Affairs to increase their fees every 4 years in an amount not to exceed the increase in the Consumer Price Index in the last 4 years. Fees increased pursuant to this bill would be exempt from the Administrative Procedure Act.

*****AB 1385 (Santiago) – Court reporter fees.**

(Senate Judiciary Committee) - This bill, commencing July 1, 2020, would incrementally increase transcript fees, as specified, and would set the fees, as of January 1, 2023, at \$1.13 for each 100 words for the original printed copy, \$0.26 for each 100 words for the first copy not simultaneously purchased with the original, and \$0.20 for each 100 words for all copies after the original or first copy when multiple copies are simultaneously purchased. The bill, on or before January 1, 2022, would require the Judicial Council to report to the Legislature recommendations to increase uniformity in transcription rate expenditures in California.

SB 16 (Roth) – Courts: judgeships.

(Suspense file) - This bill would appropriate \$36,500,000 from the General Fund for the purpose of funding 25 superior court judgeships currently authorized by the Legislature and expenses associated with those positions. The bill would require the Judicial Council to determine the allocation of those positions, pursuant to that uniform criteria.

*****SB 53 (Wilk) – Open meetings.**

(Assembly Governmental Organization Committee) - This bill would revise the Bagley-Keene Open Meeting Act regarding state body-created advisory committees, by requiring two-member advisory committees to hold open and public meetings if one or more of the advisory committee members is a member of the larger board, committee, or commission, and the advisory committee is supported either wholly or partially by state funds. The purpose of this bill is to

make the Bagley-Keene Act mirror provisions of the Ralph M. Brown Act, which governs local governments' open meetings.

SB 179 (Nielsen) – Excluded employees: arbitration.

(Assembly Judiciary Committee) - This bill would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specified conditions are met. The bill would require the designation of a standing panel of arbitrators and, under specified circumstances, the provision of arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board. The bill would then require the arbitrator to be chosen in a specified manner and would prescribe the duties of that arbitrator. The bill would provide that a party to the arbitration has the right to have a certified shorthand reporter transcribe the proceeding and that the transcription would be the official record of the proceeding. The bill would require a nonprevailing party, other than an excluded employee, to bear the costs of arbitration and would prohibit the costs of arbitration from being passed on to the excluded employee.

SB 601 (Morrell) – State agencies: licenses: fee waiver.

(Assembly Governmental Organization Committee) - This bill would authorize state agencies to waive or reduce licensing fees for any individual or business displaced by a declared emergency.

SB 645 (Monning) – Civil discovery: depositions.

(Assembly) - This bill would require that, in any civil action for injury or illness that results in mesothelioma or silicosis, a deposition examination of the plaintiff by counsel other than the plaintiff's counsel of record be limited to 7 hours of total testimony if a licensed physician attests in a declaration that the deponent suffers from mesothelioma or silicosis, raising substantial medical doubt of the survival of the deponent beyond 6 months. A party would be authorized by this bill to seek up to 3 hours of additional deposition testimony for no more than 10 hours of total deposition conducted by the defendants. The bill would authorize a court to grant an extension beyond 7 hours if the court finds that an extension is in the interest of fairness, and determines that the health of the deponent does not appear to be endangered by the grant of additional time.

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Support Documents:

- Attachment 1 – AB 253 (Stone)
- Attachment 2 – AB 424 (Gabriel)
- Attachment 3 – AB 1385 (Santiago)
- Attachment 4 – SB 53 (Wilk)

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Report Originator: Yvonne Fenner, 7/2/2019

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Recommended Board Action: Staff recommends the Board review to support, oppose, or remain neutral on relevant bills. If support or opposition positions are taken, staff recommends writing a letter to the author's office as well as the appropriate committee(s) to notify of the Board's position.

AMENDED IN SENATE JUNE 21, 2019
AMENDED IN SENATE JUNE 13, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

Assembly Bill No. 253

Introduced by Assembly Member Mark Stone

January 23, 2019

An act to add and repeal Section 69959 of the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 253, as amended, Mark Stone. Remote court reporting.

Existing law authorizes a superior court to appoint official court reporters and specifies the fees for court reporting services.

This bill would authorize, only until January 1, 2022, the Santa Clara Superior Court to conduct a pilot project to study the potential use of remote court reporting, as defined, to make the verbatim record of certain court proceedings. The bill would require, if the court elects to conduct the pilot project, the remote court reporting to be performed only by official reporters of the Santa Clara Superior Court who have at least 5 years of courtroom experience and only in certain types of cases, including child support and misdemeanor cases. The bill would require the presiding judge of the Santa Clara Superior Court to appoint a committee to prepare a report to the Legislature on the results of the pilot project and would require the committee's report to be presented to the Legislature within 6 months of the conclusion of the pilot project. The bill would require the pilot project to terminate no later than December 31, 2020.

Vote: majority. Appropriation: no. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 69959 is added to the Government Code, to read:

69959. (a) For purposes of this section, "remote court reporting" means the use of a phonographic reporter who is not present in the courtroom to take down a verbatim record of court proceedings that are transmitted by audiovisual means to the reporter.

(b) The Santa Clara Superior Court is authorized to conduct a pilot project to study the potential use of remote court reporting to make the verbatim record of certain court proceedings. If the court elects to conduct this pilot project, the pilot project shall comply with all of the following requirements:

(1) The remote court reporting shall be performed only by official reporters of the Santa Clara Superior Court who have at least five years of courtroom experience.

(2) The official reporters shall be physically located in Santa Clara Superior Court facilities while performing the remote court reporting. After 180 days of meaningful remote court reporting testing, the Santa Clara Superior Court and the exclusive representative of the official reporters of the Santa Clara Superior Court may, by mutual agreement, agree to include an additional offsite location to test remote court reporting.

(3) A maximum of two courtrooms may be equipped to participate in the pilot project.

(4) Remote court reporting may be used only to report proceedings in limited civil cases and child support, misdemeanor, and infraction cases.

(5) Transcripts created through remote court reporting as part of the pilot project may be used whenever a transcript of court proceedings is required. The fees of the official reporter and costs of transcript preparation for remote court reporting shall be the same as when an official reporter is present in the courtroom.

(6) The presiding judge of the Santa Clara Superior Court shall appoint a committee to prepare a report to the Legislature on the results of the pilot project. The committee shall include at least two judicial officers who participated in the pilot project, at least two official reporters chosen by the exclusive bargaining representative of the official reporters of the Santa Clara Superior Court, and at least two attorneys who regularly practice in the Santa Clara Superior Court. The committee's report shall be presented to the Legislature, in accordance with Section 9795, within six months of the conclusion of the pilot project.

(7) The pilot project shall terminate by no later than December 31, 2020. The Santa Clara Superior Court shall terminate the pilot project earlier if the court determines that the use of remote court reporting is prejudicing the rights of litigants or the interests of justice.

(c) Except as authorized by this section, remote court reporting shall not be used by courts to make the record of any court proceedings, and courts shall not expend any funds to purchase equipment or software to facilitate the use of remote court reporting.

(d) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

AMENDED IN SENATE JUNE 14, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

Assembly Bill No. 424

Introduced by Assembly Member Gabriel

February 7, 2019

An act to amend Section 2025.340 of the Code of Civil Procedure, relating to depositions.

LEGISLATIVE COUNSEL'S DIGEST

Existing law, the Civil Discovery Act, provides procedures for parties to obtain discovery by various methods, including by taking oral and written depositions, and authorizes parties to modify these procedures by written stipulation, unless otherwise ordered by the court. The act also provides procedures for the recording of depositions by means of audio or video technology. A party who intends to offer an audio or video recording of the deposition in evidence must accompany the offer with a stenographic transcript prepared from the recording, unless a stenographic record was previously prepared.

This bill would clarify that a stenographic transcript accompanying an audio or video recording of deposition testimony offered into evidence must be prepared by a certified shorthand reporter. It would also restate the ability of parties to modify the act's procedures for the recording of oral depositions by means of audio or video technology.

Vote: majority. Appropriation: no. Fiscal committee: no. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 2025.340 of the Code of Civil Procedure is amended to read:

2025.340. If a deposition is being recorded by means of audio or video technology by, or at the direction of, any party, the following procedure shall be observed:

(a) The area used for recording the deponent's oral testimony shall be suitably large, adequately lighted, and reasonably quiet.

(b) The operator of the recording equipment shall be competent to set up, operate, and monitor the equipment in the manner prescribed in this section. Except as provided in subdivision (c), the operator may be an employee of the attorney taking the deposition unless the operator is also the deposition officer.

(c) If a video recording of deposition testimony is to be used under subdivision (d) of Section 2025.620, the operator of the recording equipment shall be a person who is authorized to administer an oath, and shall not be financially interested in the action or be a relative or employee of any attorney of any of the parties, unless all parties attending the deposition agree on the record to waive these qualifications and restrictions.

(d) Services and products offered or provided by the deposition officer or the entity providing the services of the deposition officer to any party or to any party's attorney or third party who is financing all or part of the action shall be offered or provided to all parties or their attorneys attending the deposition. No service or product may be offered or provided by the deposition officer or by the entity providing the services of the deposition

officer to any party or any party's attorney or third party who is financing all or part of the action unless the service or product is offered or provided to all parties or their attorneys attending the deposition. All services and products offered or provided shall be made available at the same time to all parties or their attorneys.

(e) The deposition officer or the entity providing the services of the deposition officer shall not provide to any party or any other person or entity any service or product consisting of the deposition officer's notations or comments regarding the demeanor of any witness, attorney, or party present at the deposition. The deposition officer or the entity providing the services of the deposition officer shall not collect any personal identifying information about the witness as a service or product to be provided to any party or third party who is financing all or part of the action.

(f) Upon the request of any party or any party's attorney attending a deposition, any party or any party's attorney attending the deposition shall enter in the record of the deposition all services and products made available to that party or party's attorney or third party who is financing all or part of the action by the deposition officer or by the entity providing the services of the deposition officer. A party in the action who is not represented by an attorney shall be informed by the noticing party that the unrepresented party may request this statement.

(g) The operator shall not distort the appearance or the demeanor of participants in the deposition by the use of camera or sound recording techniques.

(h) The deposition shall begin with an oral or written statement on camera or on the audio recording that includes the operator's name and business address, the name and business address of the operator's employer, the date, time, and place of the deposition, the caption of the case, the name of the deponent, a specification of the party on whose behalf the deposition is being taken, and any stipulations by the parties.

(i) Counsel for the parties shall identify themselves on camera or on the audio recording.

(j) The oath shall be administered to the deponent on camera or on the audio recording.

(k) If the length of a deposition requires the use of more than one unit of tape or electronic storage, the end of each unit and the beginning of each succeeding unit shall be announced on camera or on the audio recording.

(l) At the conclusion of a deposition, a statement shall be made on camera or on the audio recording that the deposition is ended and shall set forth any stipulations made by counsel concerning the custody of the audio or video recording and the exhibits, or concerning other pertinent matters.

(m) A party intending to offer an audio or video recording of a deposition in evidence under Section 2025.620 shall notify the court and all parties in writing of that intent and of the parts of the deposition to be offered. That notice shall be given within sufficient time for objections to be made and ruled on by the judge to whom the case is assigned for trial or hearing, and for any editing of the recording. Objections to all or part of the deposition shall be made in writing. The court may permit further designations of testimony and objections as justice may require. With respect to those portions of an audio or video record of deposition testimony that are not designated by any party or that are ruled to be objectionable, the court may order that the party offering the recording of the deposition at the trial or hearing suppress those portions, or that an edited version of the deposition recording be prepared for use at the trial or hearing. The original audio or video record of the deposition shall be preserved unaltered. If no stenographic record of the deposition testimony was made during the deposition, the party offering an audio or video recording of that testimony under Section 2025.620 shall accompany that offer with a stenographic transcript prepared from that recording by a person certified pursuant to Article 3

(commencing with Section 8020) of Chapter 13 of Division 3 of the Business and Professions Code.

(n) Unless the court orders otherwise, the parties may by written stipulation modify the procedures provided by this article.

AMENDED IN SENATE JUNE 21, 2019
AMENDED IN ASSEMBLY MARCH 25, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

Assembly Bill No. 1385

Introduced by Assembly Member Santiago

February 22, 2019

An act to amend Sections 69950 and 69951 of, and to add and repeal Section 69950.5 of the Government Code, relating to court reporting.

LEGISLATIVE COUNSEL'S DIGEST

AB 1385, as amended, Santiago. Court reporter fees.

Existing law requires a fee for the transcription for an original ribbon or printed copy of a court transcript to be \$0.85 for each 100 words, and for each copy purchased at the same time by the court, party, or other person purchasing the original to be \$0.15 for each 100 words. Existing law also requires a fee for the first copy to any court, party, or other person who does not simultaneously purchase the original to be \$0.20 for each 100 words, and for each additional copy, purchased at the same time, to be \$0.15 for each 100 words.

This bill, commencing July 1, 2020, would increase those fees to \$1.13 for each 100 words for the original printed copy, \$0.26 for each 100 words for the first copy not simultaneously purchased with the original, and \$0.20 for each 100 words for all copies after the original or first copy when multiple copies are simultaneously purchased. The bill, on or before January 1, 2022, would require the Judicial Council to report to the Legislature recommendations to increase uniformity in transcription rate expenditures in California.

Existing law authorizes the reporter to charge an additional 50% for special daily service for transcription in civil cases.

This bill would authorize the reporter to charge an additional 50% for special daily service for transcription in all cases.

Vote: majority. Appropriation: no. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Official court reporters and court reporters pro tempore employed by the courts are currently paid under a dual compensation structure in which the base salary of the court reporter is supplemented by income from preparing required transcripts and providing other required transcription services.

(b) The dual compensation structure protects the state from bearing the full cost of transcript preparation and other transcription services and avoids the resulting consequences of overtime liability related to those services.

(c) The fees for original transcripts prepared by official court reporters and court reporters pro tempore have not been adjusted in 28 years, and fees for copies purchased at the same time as the original transcript have only increased once in 105 years.

(d) In order to ensure full and fair compensation of official court reporters and court reporters pro tempore employed by the court, and in order to attract and retain official court reporters and court reporters pro tempore employed by the courts that have sufficient skills and competence to serve the needs of the justice system, it is imperative that the system of dual compensation provide sufficient payment for transcription services.

(e) Therefore, it is necessary to revise the fees for transcripts prepared by official court reporters and court reporters pro tempore.

SEC. 2. Section 69950 of the Government Code is amended to read:

69950. (a) Until July 1, 2020, the following fees shall apply:

(1) The fee for transcription for original ribbon or printed copy is eighty-five cents (\$0.85) for each 100 words, and for each copy purchased at the same time by the court, party, or other person purchasing the original, fifteen cents (\$0.15) for each 100 words.

(2) The fee for a first copy to any court, party, or other person who does not simultaneously purchase the original shall be twenty cents (\$0.20) for each 100 words, and for each additional copy, purchased at the same time, fifteen cents (\$0.15) for each 100 words.

(b) On and after July 1, 2020, the following fees shall apply:

(1) The fee for transcription for original ribbon or printed copy is one dollar and thirteen cents (\$1.13) for each 100 words, and for each copy purchased at the same time by the court, party, or other person purchasing the original, twenty cents (\$0.20) for each 100 words.

(2) The fee for a first copy to any court, party, or other person who does not simultaneously purchase the original shall be twenty-six cents (\$0.26) for each 100 words, and for each additional copy, purchased at the same time, twenty cents (\$0.20) for each 100 words.

(c) Notwithstanding subdivision (a), if a trial court had established transcription fees that were in effect on January 1, 2012, based on an estimate or assumption as to the number of words or folios on a typical transcript page, those transcription fees shall be the transcription fees for proceedings in those trial courts, and the policy or practice for determining transcription fees in those trial courts shall not be unilaterally changed.

SEC. 3. Section 69950.5 is added to the Government Code, to read:

69950.5. (a) On or before January 1, 2022, the Judicial Council shall report to the Legislature recommendations to increase uniformity in transcription rate expenditures in California. The intent of the report shall be to not reduce the rate of pay or overall compensation to reporters or jeopardize collective bargaining agreements. The Judicial Council shall work in collaboration with key stakeholder groups, including the California Court Reporters Association, the Court Reporters Board of California, and relevant labor unions.

(b) (1) A report to be submitted pursuant to this section shall be submitted in compliance with Section 9795.

(2) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

SEC. 4. Section 69951 of the Government Code is amended to read:

69951. For transcription, the reporter may charge an additional 50 percent for special daily copy service.

AMENDED IN SENATE MARCH 5, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

Senate Bill No. 53

Introduced by Senator Wilk
(Coauthors: Senators Bates, Glazer, Jones, and Portantino)
(Coauthors: Assembly Members Choi, Gallagher, Lackey, Mathis, and Patterson)

December 10, 2018

An act to amend Section 11121 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 53, as amended, Wilk. Open meetings.

The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public and that all persons be permitted to attend and participate in a meeting of a state body, subject to certain conditions and exceptions.

This bill would specify that the definition of "state body" includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of 3 or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in their official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 11121 of the Government Code is amended to read:

11121. As used in this article, "state body" means each of the following:

(a) Every state board, or commission, or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order.

(b) A board, commission, committee, or similar multimember body that exercises any authority of a state body delegated to it by that state body.

(c) An advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body, if created by formal action of the state body or of any member of the state body, and if the advisory body so created consists of three or more persons, except as provided in subdivision (d).

(d) A board, commission, committee, or similar multimember body on which a member of a body that is a state body pursuant to this section serves in their official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

(e) Notwithstanding subdivision (a) of Section 11121.1, the State Bar of California, as described in Section 6001 of the Business and Professions Code. This subdivision shall become operative on April 1, 2016.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to avoid unnecessary litigation and ensure the people's right to access the meetings of public bodies pursuant to Section 3 of Article 1 of the California Constitution, it is necessary that this act take effect immediately.

AGENDA ITEM VI – Regulations for AB 2138 Implementation

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Agenda Description: Discussion and possible action
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Brief Summary:

The Court Reporters Board is proposing amendments to the California Code of Regulations sections 2070 and 2071 to implement new requirements from Assembly Bill 2138 (Chiu, Chapter 995, Statutes of 2018) by establishing substantial relationship and rehabilitation criteria when considering the denial, revocation, or suspension of a license.

Under existing law, boards may deny or discipline a licensee based upon discipline imposed by another state, an agency of the federal government, or another country for any act substantially related to the licensed profession. Effective July 1, 2020, boards will be required to amend their existing regulations governing substantially related crimes or acts as well as rehabilitation criteria.

Three criteria that boards must consider when evaluating whether a crime is substantially related to the regulated profession include:

- 1 The nature and gravity of the offense,
- 2 The number of years elapsed since the date of the offense, and
- 3 The nature and duties of the profession in which the applicant seeks licensure or in which the licensee is licensed.

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Support Documents:

Attachment: Originally Proposed Language
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Fiscal Impact:
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Report Originator: Yvonne Fenner, 7/1/2019
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Recommended Board Action: Staff recommends the Board move to approve the proposed (or modified) text for a 45-day comment period and delegate to the executive officer the authority to adopt the proposed regulatory changes as modified if there are no adverse comments received during the public comment period and also delegate to the executive officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file.

TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 24. CERTIFIED SHORTHAND REPORTERS BOARD
ARTICLE 8. DENIAL, SUSPENSION AND REVOCATION OF CERTIFICATES

ORIGINALLY PROPOSED LANGUAGE

Amend Section 2470 as follows:

§ 2470. Substantial Relationship Criteria.

(a) For the purpose of denial, suspension, or revocation of the certificate of a shorthand reporter pursuant to section 141 or Division 1.5 (commencing with Section 475) of the Code, a crime, professional misconduct, or act shall be considered substantially related to the qualifications, functions, and duties of a shorthand reporter if to a substantial degree it evidences present or potential unfitness of a shorthand reporter to perform the functions authorized by his~~the~~ certification in a manner consistent with the public health, safety, or welfare. Such crimes or acts shall include, but are not limited to, the following:

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board shall consider the following criteria:

(1) The nature and gravity of the offense;

(2) The number of years elapsed since the date of the offense; and

(3) The nature and duties of a shorthand reporter.

(c) For the purposes of subdivision (a), substantially related crimes, professional misconduct, or acts shall include, but are not limited to, the following:

~~(a)~~ (1) Any violation of the provisions of Chapter 13 of Division 3 of the Code.

~~(b)~~ (2) Violation of any rule or code provision specifically governing shorthand reporters.

~~(c)~~ (3) Conviction of any crime involving dishonesty or fraud.

Note: Authority cited: Sections 481, 482, 488, and 8007, Business and Professions Code. Reference: Sections 475, 480, 481, 482, 488, 490, 493, 8025, and 8026, Business and Professions Code.

Amend Section 2471 as follows:

§ 2471. Criteria for Rehabilitation

(a) When considering the denial of a shorthand reporter's certificate under Section 480 of the Code, on the ground that the applicant was convicted of a crime, the board shall consider whether the applicant made a showing of rehabilitation and is presently eligible for a license, if the applicant completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the board shall consider the following criteria: ~~the board, in evaluating the rehabilitation of the applicant and his present eligibility for certification, shall consider the following criteria:~~

(1) The nature and gravity of the crime(s).

(2) The length(s) of the applicable parole or probation period(s).

(3) The extent to which the applicable parole or probation period was shortened or lengthened, and the reason(s) the period was modified.

(4) The terms or conditions of parole or probation and the extent to which they bear on the applicant's rehabilitation.

(5) The extent to which the terms or conditions of parole or probation were modified, and the reason(s) for modification.

(b) If subdivision (a) is inapplicable, or the board determines that the applicant did not make the showing of rehabilitation based on the criteria in subdivision (a), the board shall apply the following criteria in evaluating an applicant's rehabilitation. The board shall find that the applicant made a showing of rehabilitation and is presently eligible for a license if, after considering the following criteria, the board finds that the applicant is rehabilitated:

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) or crimes(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) The criteria in subdivision(a)(1-5), as applicable.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(b) When considering the suspension or revocation of the certificate of a shorthand reporter on the grounds that the person certified has been convicted of a crime, the Board shall consider whether the person certified made a showing of rehabilitation and is presently eligible for a certificate, if the person certified completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the board shall consider the following criteria: ~~in evaluating the rehabilitation of such person and his present eligibility for certification will consider the following criteria:~~

(1) The nature and gravity of the crime(s).

(2) The length(s) of the applicable parole or probation period(s).

(3) The extent to which the applicable parole or probation period was shortened or lengthened, and the reason(s) the period was modified.

(4) The terms or conditions of parole or probation and the extent to which they bear on the licensee or company's rehabilitation.

(5) The extent to which the terms or conditions of parole or probation were modified, and the reason(s) for the modification.

(d) If subdivision (c) is inapplicable, or the board determines that the person certified did not make the showing of rehabilitation based on the criteria in subdivision (c), the board shall apply the following criteria in evaluating the certified person's rehabilitation. The board shall find that the person certified made a showing of rehabilitation and is presently eligible for a certification if, after considering the following criteria, the board finds that the applicant is rehabilitated:

(1) Nature and severity of the act(s) or offensecrime(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offensecrime(s).

(4) Whether the licenseeperson certified has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licenseeperson certified

(5) The criteria in subdivision (c)(1-5), as applicable.

(56) If applicable, evidence of ~~expungement~~ dismissal proceedings pursuant to Section 1203.4 of the Penal Code.

(67) Evidence, if any, of rehabilitation submitted by the ~~licensee~~ person certified.

(e) When considering a petition for reinstatement of the certification of a shorthand reporter, the Bboard shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (ba).

Note: Authority cited: Sections 482, 488, and 8007, Business and Professions Code. Reference: Sections 475, 480, 481, 482, 488, 490, 493, and 8025, Business and Professions Code.

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM VII – Strategic Plan

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Agenda Description: Update on Action Plan
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Brief Summary:

At the February 4, 2019 Board meeting, the 2019-2023 Strategic Plan was adopted. Staff worked with facilitators from SOLID to develop an action plan to be used to update the Board on the progress of achieving the strategic plan goals.

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Support Documents:

- Attachment 1 – Action Plan
- Attachment 2 – Action Plan Timeline

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Fiscal Impact: None
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Report Originator: Yvonne Fenner, 6/26/2019
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Recommended Board Action: Staff recommends the Board review Action Plan and provide feedback as needed.

COURT REPORTERS BOARD

Action Plan 2019 – 2023



COURT REPORTERS BOARD
OF CALIFORNIA

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Court Reporters Board of California Members

Davina Hurt, Esq., Public Member, Board Chair

Toni O’Neill, Licensed Member, Vice Chair

Elizabeth Lasensky, Public Member

Carrie Nocella, Esq., Public Member

Vacancy – Licensed Member

Gavin Newsom, Governor

Alexis Podesta, Secretary, Business, Consumer Services, and Housing Agency

Dean R. Grafilo, Director, Department of Consumer Affairs

Yvonne Fenner, Executive Officer, Court Reporters Board

Acronym List

CRB – Court Reporters Board
EO – Executive Officer
OIS – Office of Information Services
OPA – Office of Public Affairs
OPES – Office of Professional Examination Services

About the Board

The Court Reporters Board was established in 1951 by an act of the Legislature. The Board's mandate is to protect the consumers of the state. It does that by: 1) administering a minimum level competency test to determine entry level abilities, 2) regulating the minimum curriculum which court reporting schools and programs must offer, and 3) disciplining licensees when necessary. In addition, the Board administers the Transcript Reimbursement Fund (TRF) which reimburses CSRs for providing transcripts to indigent civil litigants. All the Board's activities, including the TRF, are funded from licensing and examination fees. Thus, the Board is considered a "special fund" or self-funded agency, because no tax dollars from the General Fund support the Board.

The Board is composed of three public members and two licensees. The Governor appoints one public member and two licensees to the Board. The Speaker of the Assembly and the Senate Rules Committee each appoint one public member. All Board members serve staggered, four-year terms.

Since its inception, the Board has licensed 14,308 people. Of those, approximately 6,500 have current licenses. In the profession, licensees are known as either "officials" who work in court, or "freelance" who work through court reporting agencies and report mostly depositions.

Our only office exists in Sacramento. There is an Executive Officer and a staff of three full-time employees and two part-time. There is an enforcement analyst, an exam/licensing analyst, a TRF Pro Bono Program/school compliance analyst, a TRF Pro Per Program analyst, and a receptionist for the Board.

Mission, Vision, and Values

Mission

To protect the public by ensuring the integrity of the judicial record and maintaining the standard of competency through oversight of the court reporting profession.

Vision

Consumers hiring a California licensed court reporter engage the highest quality, most knowledgeable, and ethical professional.

Values

CONSUMER PROTECTION

We make effective and informed decisions in the best interest and for the safety of Californians.

EXCELLENCE

We have a passion for quality and strive for continuous improvement of our programs, services, and processes through employee empowerment and professional development.

INTEGRITY

We are committed to honesty, ethical conduct, and responsibility.

SERVICE

We are professional and responsive to the needs of our stakeholders.

COLLABORATION

We value partnerships. We foster the public's trust through open communication and work in a cooperative, respectful, and courteous manner.

Strategic Goal Areas

Goal 1: Professional Qualifications

The Board promotes the professional qualifications of those practicing court reporting by establishing examination standards and requirements.

Goal 2: Enforcement

The Board protects consumers by preventing violations and effectively enforcing laws, codes, and standards when violations occur.

Goal 3: Educational Oversight

The Board advances higher education standards through educational oversight to increase the quality of education and safeguard consumer protection.

Goal 4: Consumer Information

The Board increases public and professional awareness of its mission, activities, and services, with a focus on practice standards.

Goal 5: Organizational Effectiveness

The Board enhances organizational effectiveness and strives to improve the quality of customer service.

Goal 1: Professional Qualifications

1.1 Maintain fair testing to provide consumers with competent entry-level reporters.

Start Date: February 2019		End Date: December 2023
Success Measure: Major tasks completed.		
Major Tasks	Responsible Party	Completion Date
Monitor pass rates.	Licensing Analyst & Board Members	Ongoing
Offer skills section online.	EO	July 2019
Conduct exam development workshops with OPES.	Licensing Analyst	Ongoing
Conduct skills test development workshops.	EO	Ongoing

1.2 Expand Best Practice Pointers to keep licenses up-to-date with industry standards.

Start Date: March 2019		End Date: January 2020
Success Measure: Best Practice Pointers published.		
Major Tasks	Responsible Party	Completion Date
Reappoint the task force.	Executive Analyst	May 2019
Hold workshops to develop best practice pointers.	EO	September 2019
Publish and distribute	Executive Analyst	January 2020

1.3 Facilitate expansion of verbatim reporting methods to provide sufficient workforce.

Start Date: February 2019		End Date: January 2022
Success Measure: Licensure of voice writers.		
Major Tasks	Responsible Party	Completion Date
Offer the license exam to voice writers.	Licensing Analyst	March 2019
Work with legislature and stakeholders to amend statutes and regulations regarding scope of practice.	EO	January 2020
Work with legislature and stakeholders to amend statutes and regulations regarding curriculum and exam requirements.	EO	January 2022

1.4 Investigate real-time captioning standards and assess industry practices for consumer protection.

Start Date: July 2019		End Date: December 2020	
Success Measure: Issue paper provided to the Board.			
Major Tasks	Responsible Party	Completion Date	
Research the need for oversight.	TRF Analyst	Dec 2020	

Goal 2: Enforcement

2.1 Monitor compliance by non-licensee-owned firms to ensure integrity of the record.

Start Date: February 2019		End Date: December 2023	
Success Measure: Regular reports to the Board.			
Major Tasks	Responsible Party	Completion Date	
Track complaints regarding out-of-state firms	Enforcement Analyst	Ongoing	

2.2 Inform licensees regarding the role of the Board’s enforcement to dispel common misconceptions.

Start Date: July 2020		End Date: December 2020	
Success Measure: Dissemination of relevant information.			
Major Tasks	Responsible Party	Completion Date	
Write article for newsletter addressing the topic.	EO	fall 2020	
Develop appropriate social media presence.	Executive Analyst	December 2020	

2.3 Educate consumers about the Board’s complaint process to have a place for recourse in cases of violation.

Start Date: January 2022		End Date: December 2023	
Success Measure: Completion of outreach campaign.			
Major Tasks	Responsible Party	Completion Date	
Reach out to OPA to help develop outreach campaign.	EO & Executive Analyst	December 2023	

Goal 3: Educational Oversight

3.1 Support schools’ recruitment efforts to preserve the integrity and continuity of the workforce.

Start Date: April 2020		End Date: January 2021	
Success Measure: Maintain or increase the number of schools.			
Major Tasks	Responsible Party	Completion Date	
Update the Student Career brochure.	EO	January 2021	
Attend job fairs and career days as requested.	EO	Ongoing	

3.2 Increase Court Reporters Board school visits to more effectively monitor compliance with applicable laws and regulations.

Start Date: April 2019		End Date: December 2023	
Success Measure: Written report of audit results.			
Major Tasks	Responsible Party	Completion Date	
Conduct two school visits per year.	Executive Analyst	December 2023	

Goal 4: Consumer Information

4.1 Launch a strategic awareness campaign in collaboration with external stakeholders to educate consumers about the court reporting roles and CRB responsibilities and services.

Start Date: July 2020		End Date: December 2023	
Success Measure: Campaign implemented.			
Major Tasks	Responsible Party	Completion Date	
Collaborate with OPA.	EO & Executive Analyst	December 2023	

Goal 5: Organizational Effectiveness

5.1 Improve the CRB website to improve service and efficiency for consumers.

Start Date: February 2019		End Date: June 2019
Success Measure: Updated website available.		
Major Tasks	Responsible Party	Completion Date
Collaborate with OIS.	Executive Analyst	June 2019

5.2 Implement business modernization to allow online renewals and applications.

Start Date: February 2019		End Date: December 2023
Success Measure: Implementation of an efficient database.		
Major Tasks	Responsible Party	Completion Date
Collaborate with OIS to select a vendor.	EO	December 2023

5.3 Continue to cross-train staff to be effective and efficient, as well as to prepare for succession planning.

Start Date: February 2019		End Date: December 2022
Success Measure: Staffing level does not affect day-to-day business processes.		
Major Tasks	Responsible Party	Completion Date
Cross-train staff on application reviews.	Executive Analyst & Licensing Analyst	December 2022
Develop desk manual for enforcement	Licensing Analyst	September 2020
Cross-train complaint processing.	EO & Enforcement Analyst	September 2020
Cross-train on listserv	Executive Analyst & Licensing Analyst	June 2019

Court Reporters Board of California
2019 – 2023 Action Plan Timeline

Action Items	Target Date	Status
Maintain fair testing to provide consumers with competent entry-level reporters	Dec 2023	
Expand Best Practice Pointers to keep licensees up to date with industry standards	Jan 2020	
Facilitate expansion of verbatim reporting methods to provide sufficient workforce	Jan 2022	
Investigate real-time captioning standards and assess industry practices for consumer protection	Dec 2020	
Monitor compliance by non-licensee-owned firms to ensure integrity of the record	Dec 2023	
Inform licensees regarding the role of the Board's enforcement to dispel common misconceptions	Dec 2020	
Educate consumers about the Board's complaint process to have a place for recourse in cases of violation	Dec 2023	
Support schools' recruitment efforts to preserve the integrity and continuity of the workforce	Jan 2021	
Increase Board school visits to more effectively monitor compliance with applicable laws and regulations	Dec 2023	
Launch a strategic awareness campaign in collaboration with external stakeholders to educate consumers about the court reporting roles and CRB responsibilities and services	Dec 2023	
Improve the CRB website to improve service and efficiency for consumers	June 2019	
Implement business modernization to allow online renewals and applications	Dec 2023	
Continue to cross-train staff to be effective and efficient, as well as to prepare for succession planning	Dec 2022	

AGENDA ITEM VIII – License/Certification Reciprocity

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Agenda Description: Discussion and possible action regarding granting CSR certification to holders of the RMR or CRR certifications on either a full or provisional basis.
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Brief Summary:

The California Court Reporters Association (CCRA) is requesting that the Board take action to allow license reciprocity for holders of the Registered Merit Reporter (RMR) and Certified Realtime Reporter (CRR) certifications from the National Court Reporters Association (NCRA). CCRA is requesting reciprocity of the skills portion, requiring RMRs and CRRs to only take the two written tests in order to gain full licensure in California.

The Board currently allows Registered Professional Reporters (RPRs) to be eligible to take the license exam.

The skills portion of the California license exam is four-voice testimony at 200 words per minute (wpm) for 15 minutes, ten of which must be transcribed at 97.5% accuracy. The RPR consists of five minutes of literary dictation at 180 wpm, five minutes of jury charge dictation at 200 wpm, and five minutes of two-voice testimony at 225, all transcribed at 95% accuracy. The RMR consists of five minutes of literary dictation at 200 wpm, five minutes of jury charge at 240 wpm, and five minutes of two-voice testimony at 260 wpm, again transcribed at 95% accuracy. The CRR consists of five minutes of two-voice testimony written at 96% accuracy. As the CRR is a realtime test, no editing is allowed after the dictation concludes.

There are currently 1,809 reporters with RMR certificates and 2,474 reporters with CRR certificates. Of those, 168 RMRs and 287 CRRs currently reside in California. CCRA believes California would benefit from having these high-caliber reporters in our state and that offering reciprocity to these reporters will have an immediate effect on the number of active licensees and help address concerns for supply and demand of available professionals.

Changes to the licensing requirements, including any type of provisional licensing, would require a regulatory change.

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Support Documents:

Attachment – California Code of Regulations, Title 16, Division 24, Article 3, § 2420
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Report Originator: Yvonne Fenner, 7/2/2019
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Recommended Board Action: If the Board decides to pursue a change to the examination requirements for licensing, it should instruct staff to prepare regulatory language consistent with the Board's decision.

Barclays Official California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 24. Court Reporters Board of California
Article 3. Examination Requirements, Applications and Procedures
§ 2420. Examination Required, Passing Grades and Conditional Examination Credit.

(a) The examination shall consist of three divisible parts:

- (1) English,
- (2) Professional Practice, and
- (3) Dictation/Transcription (Machine/Skill).

The passing grades for the Dictation/Transcription part of the examination is 97.5%. The passing grades for the two written knowledge parts of the examination (English and Professional Practice) shall be determined by the Angoff criterion-referenced method. Such passing scores may vary moderately with changes in test composition. Any examinee who obtains a grade which equals or exceeds the passing score determined by the Angoff method will be deemed to have passed the applicable portion of the examination, assuming the other requirements of this section are met.

(b) An applicant must take and pass all three parts of the examination within three (3) consecutive years to have passed the examination. The three (3) year period shall begin from the date of the examination or any part of the examination for which the applicant is first scheduled.

(c) After a period of three months has elapsed, an applicant may repeat any part of the examination. However, no applicant may repeat any part of the examination unless or until a new version of the examination has been introduced.

(d) Notwithstanding subsection (b), an applicant who passes a part of the examination shall receive conditional credit for passing that part and may retake the remaining part(s).

(e) The period of time designated in subsection (b) maybe extended by the board for a period of time not to exceed one (1) year upon the showing of extraordinary extenuating circumstances.

Note: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 135, 8020 and 8023, Business and Professions Code.

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM IX – Election of Officers

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Agenda Description: Election of Chair and Vice-Chair.
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Brief Summary:

The election of Board officers shall occur on an annual basis at the first regular meeting of the Board after June 1 of each year. The purpose of this item is to conform to this policy.

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Support Documents:

Attachment 1 – Board policy on election of officers.

Attachment 2 – Chairperson duties.

Attachment 3 – Board member duties.

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Report Originator: Paula Bruning, 6/26/2019
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Recommended Board Action: Hold elections.

ANNUAL MEETINGS

The CSR Board shall hold an annual meeting for the purpose of electing a chairperson and a vice-chairperson in accordance with Business and Professions Code, Section 8003. Said annual meeting shall be held at the first regular meeting held after June 1 of each year.

Adopted: August 1987

CERTIFIED SHORTHAND COURT REPORTERS BOARD

Chairperson of the Board

Definition: The Chairperson is responsible for the effective functioning of the Board, the integrity of the Board process, and assuring that the Board fulfills its responsibilities for governance. The Chairperson instills vision, values, and strategic planning in Board policy making. The Chairperson sets an example reflecting the Board's mission as a State licensing and law enforcement agency. The Chairperson optimizes the Board's relationship with its executive officer and the public.

Specific Duties and Responsibilities:

- Chairs meetings to ensure fairness, public input, and due process;
- Prepares Board meeting notices and agendas;
- Appoints Board committees;
- Supports the development and assists performance of Board colleagues;
- Obtains the best thinking and involvement of each Board member. Stimulates each Board member to give their best effort;
- Implements the evaluation of the executive officer to the Board;
- Continually focuses the Board's attention on policy making, governance, and monitoring of staff adherence to and implementation of written Board policies;
- Facilitates the Board's development and monitoring of sound policies that are sufficiently discussed and considered and that have majority Board support;
- Serves as a spokesperson; and
- Is open and available to all Board members, staff and governmental agencies, remaining careful to support and uphold proper management and administrative procedure.

CERTIFIED SHORTHAND COURT REPORTERS BOARD

Board Members

Definition: As Board members, the Board is responsible for good governance of the Board. Appointed as representatives of the public, the Board presses for realization of opportunities for service and fulfillment of its obligations to all constituencies. The Board meets fiduciary responsibility, guards against the taking of undue risks, determines priorities, and generally directs organizational activity. The Board delegates certain administrative duties and responsibilities to its executive officer, but remains involved through oversight and policy making. The Board members are ultimately accountable for all Board actions.

Specific Duties and Responsibilities:

- Develops and sets policy and procedures as a State licensing and law enforcement agency;
- Supports and articulates the Board's mission, values and policies and procedures;
- Serves as spokespersons;
- Reviews and assures the executive officer's performance in managing the implementation of Board policies and procedures;
- Ensures that staff implementation is prudent, ethical, effective and timely;
- Assures that management and staff training and succession is being properly provided;
- Assures the ongoing (quarterly) performance review of the executive officer by the Chairperson, with an annual written evaluation by the Board which is to be conducted at a public Board meeting;
- Assures that the executive officer effectively administers appropriate staff policies;
- Maximizes accountability to the public; and
- Ensures staff compliance with all laws applicable to the Board.

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM X – Future Meeting Dates

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Agenda Description: Proposed Meeting Dates

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Support Documents:

Attachment – 2019 Board Calendar

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Current scheduled activities:

Exam Workshop:

- July 26 – 27, 2019 – Sacramento
- August 23 – 24, 2019 – Sacramento
- October 4 – 5, 2019 – Sacramento
- October 18 – 19, 2019 – Sacramento
- November 1 – 2, 2019 – Sacramento
- December 13 – 14, 2019 – Sacramento

CSR Dictation Exam:

- July 12, 2019 – Ontario
- November 15, 2019 – Sacramento

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Recommended Board Action: Information exchange

**A YEAR-AT-A-GLANCE CALENDAR 2019
COURT REPORTERS BOARD OF CALIFORNIA**

Attachment
Agenda Item X

JANUARY 2019

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		22	23	24	25
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FEBRUARY 2019

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APRIL 2019

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MAY 2019

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JUNE 2019

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JULY 2019

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AUGUST 2019

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SEPTEMBER 2019

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OCTOBER 2019

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




NOVEMBER 2019

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DECEMBER 2019

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ACTIVITY

	BD - Board Meeting or Activity
	Exam - Dictation Exam
	Workshop - Exam Workshop
	TF - Task Force Meeting
	TH - Town Hall Meeting
	OA - Occupational Analysis
	Shaded Dates - Board Office is Closed

CITY

LA -LOS ANGELES	SAC -SACRAMENTO
SD -SAN DIEGO	SF -SAN FRANCISCO
ONT - ONTARIO	

GENERAL LOCATION

NC -NORTHERN CALIFORNIA
SC - SOUTHERN CALIFORNIA

AGENDA ITEM XI – Public Comment for Items Not on the Agenda

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Public members are encouraged to provide their name and organization (if any).

The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting.

COURT REPORTERS BOARD MEETING – JULY 12, 2019

AGENDA ITEM XII – Closed Session

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Agenda Description:

Pursuant to Government Code Sections 11126(c)(2), 11126(c)(3), and 11126(e)(2)(C), the Board will meet in closed session as needed to discuss or act on disciplinary matters and/or pending litigation

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Fiscal Impact: None

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Report Originator: Yvonne Fenner, 6/26/2019