



DEPARTMENT OF CONSUMER AFFAIRS

COURT REPORTERS BOARD

OF CALIFORNIA

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

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MEETING OF THE COURT REPORTERS BOARD

**Friday, July 15, 2022
9:30 a.m. to conclusion**

The Court Reporters Board will hold a public meeting in-person and via a teleconference platform.

**Department of Consumer Affairs, HQ2
Hearing Room
1747 North Market Boulevard
Sacramento, CA 95834**

If Joining by Computer:

dca-meetings.webex.com/dca-meetings/j.php?MTID=m5646ee659a0b82b951a79b259a4894c8

Event number: 2488 783 2252

Event passcode: CRB07152022

If Joining by Phone:

Audio conference: US Toll +1-415-655-0001

Access code: 248 878 32252

Event passcode: 27207152

To observe the meeting without making public comment (provided no unforeseen technical difficulties): thedcapage.blog/webcasts/

AGENDA

Board Members: Robin Sunkees, Chair; Davina Hurt, Vice Chair; Laura Brewer; Arteen Mnayan; and Denise Tugade.

Action may be taken on any item on the agenda.

CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF A QUORUM – Robin Sunkees, Chair

- 1. WELCOME NEW BOARD MEMBER – ARTEEN MNAYAN 4
- 2. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA 5
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)).
- 3. REVIEW AND APPROVAL OF JANUARY 26, 2022, MEETING MINUTES 6
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	6.1 AB 225 (Gray) – Department of Consumer Affairs: boards: veterans: military spouses: licenses.	
	6.2 AB 646 (Low) – Department of Consumer Affairs: boards: expunged convictions.	
	6.3 AB 1662 (Gipson) – Licensing boards: disqualification from licensure: criminal conviction.	
	6.4 AB 1733 (Quirk) – State bodies: open meetings.	
	6.5 SB 189 (Committee on Budget and Fiscal Review) – Firm registration and open meeting act requirements	
	6.6 SB 848 (Umberg) – Civil actions: parties and postponements.	
	6.7 SB 1237 (Newman) – Licenses: military service.	
	6.8 SB 1365 (Jones) – Licensing boards: procedures.	
	6.9 SB 1424 (Nielsen) – Consumer affairs: the Department of Consumer Affairs.	
	6.10 SB 1443 (Roth) – Consumer affairs: the Department of Consumer Affairs.	
	 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.	
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	Title 16, Section 2450 – Fee Schedule	
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ADJOURNMENT

Action may be taken on any item on the agenda. Items may be taken out of order or held over to a subsequent meeting, for convenience, to accommodate speakers, or to maintain a quorum. Meetings are open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act. Members of the public are not required to submit their name or other information to attend the meeting.

Please note the Board may ask members of the public to limit their comments to three minutes, unless, at the discretion of the Board, circumstances require a shorter period; the Board will advise when the three-minute time limit is approaching.

The meeting is accessible to the physically disabled. To request disability-related accommodations, contact the board using the information listed below. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

To receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting or visit the Board's Calendar under "Quick Hits" at www.courtreportersboard.ca.gov.

Contact Person: Paula Bruning
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AGENDA ITEM 1 – WELCOME NEW BOARD MEMBER – ARTEEN MNAYAN

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Arteen Mnayan of Los Angeles was appointed to the Court Reporters Board in 2022 by President pro tempore of the California State Senate Toni G. Atkins. Mr. Mnayan is an attorney in the Land Use and Public Policy, Regulatory & Political Law practice of Mayer Brown LLP’s Los Angeles office. He primarily represents investors and developers in all aspects of the real estate entitlement and development process, focusing on land use entitlement matters, helping developers navigate state and local regulations and authorities, government outreach, and California Environmental Quality Act compliance.

As an active member of the policy and land use community, Mr. Mnayan serves on the Los Angeles Business Council’s Legislative Affairs Committee and the Valley Industry and Commerce Association’s Land Use Committee and serves on the boards and committees of several non-profit organizations.

During law school, Mr. Mnayan externed for the Central District of California Bankruptcy Court for the Honorable Victoria S. Kaufman. He earned his law degree from Loyola Law School, Los Angeles, and his undergraduate degree from the University of Southern California.

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 2 – 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 15, 2022

AGENDA ITEM 3 – Review and Approval of Meeting Minutes

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Agenda Description:

Review and approval of January 26, 2022, minutes

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Brief Summary:

Minutes from Board meetings

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Support Documents:

Attachment – Draft minutes for January 26, 2022

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board approve minutes.



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Attachment
Agenda Item 3

COURT REPORTERS BOARD OF CALIFORNIA MINUTES OF OPEN SESSION JANUARY 26, 2022

DRAFT

CALL TO ORDER

Ms. Robin Sunkees, Chair, called the meeting to order at 9:00 a.m. The public meeting was held via a teleconference platform and a physical meeting location was not provided.

ROLL CALL

Board Members Present: Robin Sunkees, Licensee Member, Chair
Davina Hurt, Public Member, Vice Chair
Laura Brewer, Licensee Member
Denise Tugade, Public Member

Staff Members Present: Yvonne K. Fenner, Executive Officer
Rebecca Bon, Board Counsel
Grace Arupo Rodriguez, Legal Affairs Assistant Deputy Director
Paula Bruning, Executive Analyst

Board staff established the presence of a quorum.

Ms. Sunkees welcomed new Board member Laura Brewer to her first meeting.

1. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

No comments were offered.

2. REVIEW AND APPROVAL AUGUST 20, 2021 MEETING MINUTES

Ms. Hurt moved to approve the minutes. Ms. Tugade seconded the motion. Ms. Sunkees called for public comment.

Ana Fatima Costa clarified her request in the last sentence of the second paragraph on page four of the minutes. She stated that she intended to request an audit of the Board's entire testing process from receipt of application through completion, as well as RealtimeCoach (RTC) and ProctorU.

A vote was conducted by roll call.

For: Ms. Hurt, Ms. Tugade, and Ms. Sunkees
Opposed: None
Absent: None
Abstain: Ms. Brewer
Recusal: None

3. RESOLUTION FOR BOARD MEMBER TONI O'NEILL

Ms. Sunkees read aloud the resolution prepared for Ms. O'Neill found on page 22 of the Board agenda packet.

Ms. Sunkees expressed her appreciation for Ms. O'Neill's years of work with the California Court Reporters Association (CCRA) and National Court Reporters Association (NCRA) to grow and support the profession of court reporting. She stated that the Board and consumers have greatly benefited from her contributions.

Ms. Hurt stated that Ms. O'Neill has been a great advocate for CA consumers. She thanked her for her grace, thoughtfulness, and invaluable input formed from years of service as a certified shorthand reporter. She added that Ms. O'Neill would be very much missed.

Ms. Tugade commented that although their service on the Board together was brief, it was clear how knowledgeable Ms. O'Neill is. She stated that she would leave a lasting imprint on the Board as a leader.

Ms. Brewer shared that Ms. O'Neill has been a star in representing reporters and disseminating information for many years. She expressed her gratefulness for her years of service to the public.

Ms. Fenner shared that she and Ms. O'Neill served as members of the Board together until Ms. Fenner transitioned to executive officer. She stated that Ms. O'Neill has been such an involved board member and has always been available to staff. She thanked her for freely sharing her expertise to enable the Board and staff to do their very best. She expressed that it had been an honor to have served with Ms. O'Neill in protecting the consumers of California and wished her success in the next portion of her life's adventure.

Carolyn Dasher thanked Ms. O'Neill for her service and wished her well in her retirement.

Ms. Brewer moved to adopt the resolution. Ms. Hurt seconded the motion. Ms. Sunkees called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Ms. Hurt, Ms. Tugade, and Ms. Sunkees
Opposed: None
Absent: None
Abstain: None
Recusal: None

4. DEPARTMENT OF CONSUMER AFFAIRS UPDATE

Carrie Holmes, Deputy Director, Department of Consumer Affairs (Department/DCA), provided a Department update

Ms. Holmes welcomed new Board member, Ms. Brewer, and thanked her for her willingness to serve. She also thanked Ms. O'Neill for her dedication to the Board and California consumers.

COVID-19

Ms. Holmes thanked staff for continuing to work during the pandemic. She stated that California had implemented enhanced safety measures to combat the spread of COVID-19 including proof of vaccination or weekly testing and mandatory mask requirements for indoor settings.

Board Meetings

She shared that on January 5, 2022, Governor Newsom signed an executive order that extends through March 31, 2022, the permission for Board to hold public meetings via WebEx without listing member locations. She added that Sacramento County also issued local order directing public board, committees, and similar public bodies to suspend in-person meetings that might otherwise be held in the county and hold them remotely. After March 31, 2022, it is expected that meetings will resume in person in accordance with all aspects of the Open Meetings Act. Before attending in-person meetings, Board members must verify full vaccination status with the DCA Human Resources Unit or participate in COVID-19 testing. Verification was requested to be completed by January 31, 2022, to allow enough time for testing for those that need it. She expressed her appreciation for continual flexibility of Board and staff as it is unknown what additional changes to the law will be coming.

Board Member Requirements

Ms. Holmes reminded the Board about the requirement to file their Form 700 before April 1 to avoid penalties from the Fair Political Practices Commission (FPPC). DCA requests members file by March 18. If assistance is needed, members may reach out to the DCA filing officer or legal counsel.

Training

Ms. Holmes stated that newly appointed and reappointed Board members must complete the Board Member Orientation Training (BMOT) within one year of appointment. Registration is completed through the Learning Management System (LMS). The live virtual trainings will be held March 9, June 15, and October 12.

5. REPORT OF THE EXECUTIVE OFFICER

5.1 CRB Budget Report

Ms. Fenner provided a review of the Board's budget and referred the Board to page 25 of the Board agenda packet for the final numbers for fiscal year 2020/21. She highlighted the end of year surplus of 19 percent, which was reverted back to the Board's main fund.

Ms. Hurt commented that the Board and staff had been very disciplined in spending. She added that moving the exam to the online platform made a huge difference. She asked if more employees were needed to support existing staff. Ms. Fenner responded that the Board had been operating without the half-time receptionist for many of the months since July 2019. Additionally, the half-time analyst who worked on the pro per portion of the Transcript Reimbursement Fund (TRF) vacated the position in December 2020. She thanked staff for picking up the additional duties. She shared that a new receptionist would be onboarded in the near future. Additional staffing needs would then be reevaluated. Ms. Hurt inquired about the status of cross-training staff. Ms. Fenner responded that existing staff are currently cross-trained.

Ms. Fenner referred to the Board's expenditure projections on page 26 of the Board agenda packet, which reflected statistics through fiscal month five. She emphasized the projection of over 14 percent surplus but noted that the filling of the receptionist position was not reflected in the report. She then provided a summary of the overall fund condition on page 27 of the Board agenda packet.

5.2 Transcript Reimbursement Fund

Ms. Bruning provided statistics for the end of fiscal year 2020/21, reporting that the TRF paid out more than \$96,000 for pro bono applications and approved more than \$18,000 for pro per applicants. Thus far for fiscal year 2021/22, more than \$46,000 had been authorized for payment for pro bono applicants, and \$26,000 had been approved for pro per applicants.

Ms. Bruning shared that the Legislature allocated an additional one-time \$500,000 for the TRF from the General Fund.

Ms. Hurt thanked the legislators and Governor's Office for the additional allocation for the consumers and pro bono entities.

5.3 Enforcement Activities

Ms. Fenner referred to the enforcement statistics starting on page 29 of the Board agenda packet. She indicated that the most common complaints received continue to be for timeliness of production and accuracy of the transcript. There are no new trends as to type of complaint.

5.4 Exam Update

Ms. Fenner indicated that the exam statistics began on page 31 of the Board agenda packet. She stated that the last onsite skills exam was given in March 2020 and the pass rates seem to have stabilized since moving to the remote platform. All tests go through the same development process and are carefully counted by word and syllable, so she was unable to offer a reason for prior fluctuations or the current stabilization of pass rates on the skills exam. She added that there were no alarming trends with respect to the two written portions of the license exam – English and Professional Practice.

Ms. Hurt noted that the overall number applications for the skills exam has continued to diminish causing her great concern over lack of new licensees. She urged the Board and industry to discuss options for recruiting new candidates.

Ms. Fenner commented that the Board has done a good job at exploring options for new licensees such as licensing voice writers and reciprocity agreements. She welcomed additional ideas from the resourceful Board.

Ms. Brewer echoed the concerns shared by Ms. Hurt. She stated that industry-wide practices have been initiated to try to recruit reporters, but there is a huge cohort of reporters nearing age of retirement. There is a need to figure out ways to meet the demand and serve consumers without dropping the quality of the product produced.

Michelle Carter, CSR, stated that more exam applicants are needed. She expressed that licensure of voice writers would be preferred over digital recorders.

Ms. Costa requested the exam accommodation process be made easier for candidates and not require candidates to submit a new request with each new application. She questioned whether the Board shares information regarding accommodations with RTC or ProctorU. Ms. Fenner stated that candidates' circumstances sometimes change, requiring a new request for each examination. She added that the reason for accommodation is not shared with RTC or ProctorU.

Ms. Dasher suggested the Board allow for online qualifiers and out-of-state schools to be recognized. Ms. Fenner stated that the recognized schools may offer online qualifiers.

5.5 Business Modernization

Ms. Fenner shared that the Board's databases currently operate on a legacy system with DCA. Although the staff previously participated in the groundwork for the next phase of business modernization, the decision was made to allocate funding to reopen the TRF instead of funding business modernization. With cost savings realized from the past two years plus the \$500,000 transfer from the General Fund to the TRF, the Board is now in a position to be able to restart the business modernization process.

Ms. Fenner stated that the Board is in discussions with the DCA Office of Information Services to explore options for online services in addition to the online renewal payment system. OIS is working to provide high-level options based on recent market research. It is hoped that the short-term workload will lead to long-term efficiencies.

Ms. Tugade commended staff for investing the time and effort in working toward workload efficiencies.

Ms. Hurt inquired if the DCA pro rata payments covered any of the business modernization costs. Ms. Fenner stated that there are some costs absorbed by DCA in providing OIS staff and support, however, each program bears the cost of its individual system. The benefit of having waited is that other boards have paved the way in finding what works, which will streamline the process for the Board.

6. LEGISLATION

Ms. Fenner stated that information regarding the bills the Board tracked during the last legislative session could be found beginning on page 37 of the Board agenda packet. She noted that a number of bills are two-year bills for which more details would be available at the next meeting.

6.1 AB 29 (Cooper) – No discussion.

6.2 AB 107 (Salas) – No discussion.

6.3 AB 163 (Committee on Budget) – Ms. Fenner reported that the bill made changes to reimbursement amounts for the TRF. The changes included an increase in the limit for pro per cases from \$1,500 to \$2,500 and eliminated the \$75,000 cap for pro per cases in each fiscal year.

6.4 AB 177 (Committee on Budget) – Ms. Fenner reported that the bill provided for a transcript rate increase for court transcripts.

6.5 AB 225 (Gray, Gallagher, and Patterson) – No discussion.

6.6 AB 305 (Maienschein) – No discussion.

6.7 AB 646 (Low) – No discussion.

6.8 AB 885 (Quirk) – No discussion.

6.9 AB 1386 (Cunningham) – No discussion

6.10 SB 170 (Skinner) – Ms. Fenner reported that the bill allocated \$30 million by the Judicial Council to increase the number of court reporters in family and civil law cases.

Ms. Hurt inquired who would monitor the system and what would happen if they are not able to find court reporters to fill the positions.

Ms. Sunkees noted that the Judicial Council met on January 21, 2022. It was her understanding that they developed a formula on how to distribute the funding to the individual courts. She did not have information on how the money would be used if there were no court reporters to hire. She shared that the Supreme Court ruling on Jamison vs. Desta required that indigent parties be provided “an official reporter, or other valid means to create an official verbatim record...”, which potentially leaves the door open for electronic recording. She believed the Board was working to increase licensees by exploring voice writers and reciprocity and hoped for a remedy soon.

Ms. Brewer stated that many officials have left the court and now work as freelance pro tem reporters who specialize in covering court. Unfortunately, there are often four or five reporters lined up to cover one courtroom, each for different counsel, instead of one official reporter for that courtroom. She opined that this is not the most efficient way to handle the pool of reporters while there is a shortage. She added that

recruitment of skilled individuals to the profession is crucial. Adding funding is a move in the right direction, but not fruitful without a substantial licensee base.

Ms. Tugade echoed the concerns regarding the long-term sustainability for public access to court reporters. She requested additional information be sought regarding the formula developed by Judicial Council and if there will be any prioritization of those funds in terms of courts with higher needs, backlogs, or serving a population who needs more access.

Ms. Sunkees stated that the courts created a quasi-private system when they laid off officials from civil court. Those court reporters formed firms that are very lucrative and are no longer interested in working as officials.

Ms. Hurt requested the Board also research the Jamison vs. Desta ruling with regard to what “or other valid means” intends and how that affects the allocation.

Ms. Dasher invited the Board to view the Judicial Council’s website to view the report from the January 21, 2022, meeting where decisions were made on how to allocate the funding. She stated that some courts are creating incentives to attract officials. She suggested that the Board and stakeholders work with the Legislature to make modifications to how the money is spent in the future.

Ms. Costa inquired if the Board operated strictly from licensing fees. Ms. Fenner confirmed that it is, with the exception of the additional \$500,000 recently allocated to the TRF. Ms. Hurt added that the Board was formed to protect California consumers and its funding may change in the future based upon the circumstances.

6.11 SB 241 (Umberg) – Ms. Fenner reported that the bill is the Board’s firm registration bill. She stated staff has been working with OIS to update the Board’s legacy database as well as creating an application form for firms. Additionally, proposed regulatory language to set the fee for registration is being brought to the Board under Agenda Item 7. Staff has been working diligently to meet the July 1, 2022, implementation deadline.

Ms. Hurt asked how the Board arrived at the \$500 firm registration fee. Ms. Fenner stated that Board staff worked with fiscal staff to determine how much staff time is required to process applications to determine the costs. She stated that the desk review revealed that the cost to the Board is slightly higher than the statutory cap of \$500.

Ms. Hurt thanked Senator Umberg for carrying the bill. She also thanked DRA and CCRA for working toward the goal of firm registration. Ms. Brewer echoed her sentiments.

Ms. Sunkees highlighted Section 367.75(d)(2)(A) of the bill found on page 53 of the Board agenda packet, wherein it states that if the trial is held by remote technology, “the official reporter or official reporter pro tempore shall be physically present in the courtroom.”

Ms. Dasher congratulated the Board on the passing of the firm registration bill. She added that the remote appearance language, although related to court reporting, was an offshoot and hard road to cross for officials. She shared that Los Angeles County is currently negotiating with courts on how to facilitate remote reporting within the confines within Code of Civil Procedure 367.75, and she is confident other counties would follow suit. She looked forward to working on legislation in future to help improve the environment for court users and reporters.

Cindy Vega, CSR, shared that she often appears as a pro tem for one or two hearings. She stated that it is unfortunate for pro per litigants who cannot afford a pro tem reporter based on the fees that they need to charge to make an appearance. She added that San Diego County is not allowing remote reporting as of January 1, 2022.

6.12 SB 731 (Durazo and Bradford) – No discussion

6.13 SB 772 (Ochoa Bogh) – No discussion

The Board took a break at 10:40 a.m. and returned to open session at 10:55 a.m.

7. REGULATIONS

7.1 Minimum Transcript Format Standards (MTFS): Public hearing regarding petition to amend regulations. (Gov. Code, § 11340.6.) – Discussion and Possible Action to Initiate a Rulemaking to Amend Title 16, California Code of Regulations section 2473

Ms. Fenner reported that draft language was presented at the August 20, 2021, Board meeting and input was received from the public. She referred to the updated proposed language found on pages 43 and 44 of the Board agenda packet. She highlighted the addition of subsection 12, which will require that transcripts be made available in electronic format if requested.

Ms. Hurt moved to approve the proposed regulatory text for section 2473; direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review; and, if no adverse comments are received, authorize the executive officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the executive officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at section 2473 as noticed. Ms. Brewer seconded the motion. Ms. Sunkees called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Ms. Hurt, Ms. Tugade, and Ms. Sunkees
Opposed: None
Absent: None
Abstain: None
Recusal: None

7.2 SB 241 Implementation – Firm Registration: Discussion and Possible Action to Initiate a Rulemaking and Possibly Amend Section 2450, Repeal Section 2464, and Adopt Section 2468.1 of Title 116 of the California Code of Regulations, to Implement Firm Registration per Business and Professions Code section 8050.

Ms. Fenner explained that the proposed regulatory package was required to set the fee for the firm registration initial and renewal applications. Additionally, it was found that two sections were no longer needed since Business and Profession Code 8041 was repealed in 1992. Therefore, sections 2463 and 2464 should be repealed. She referred to the proposed language found on pages 45 and 46 of the Board agenda packet.

In response to Ms. Tugade, Ms. Fenner explained that the firm registration law does not set the fee at \$500, but caps it as the maximum fee allowed to be set. The regulatory package is needed to actually set the fee at that amount. She reiterated that Board staff worked with fiscal staff to determine how much staff time is required to process applications to determine the costs.

Kim Kuziora, CSR, requested the Board make it clear how licensed shorthand reporter corporations or licensed shorthand reporter sole proprietor agencies will be able to register with the Board and will be put on the Board's website directory of registered entities that the Board is required to create for SB 241, section 8051(k). She emphasized the importance of this because section 8051(j) specifically states that the certificate holder cannot work for an entity or person unless the entity is registered with the Board.

Ms. Arupo Rodriquez, on behalf of the DCA Legal Affairs, stated that modifications to the language of the BPC enacted by SB 241 were being worked out to include all business types and entities. The amendments to the regulation before the Board specifically focuses solely on the fees.

Ms. Tugade moved to approve the proposed regulatory text for amendment to section 2450 and repeal of sections 2463 and 2464; direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review; and, if no adverse comments are received, authorize the executive officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the executive officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at section 2450 and the proposed repeal of 2463 and 2464 as noticed. Ms. Brewer seconded the motion. Ms. Sunkees called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Ms. Hurt, Ms. Tugade, and Ms. Sunkees

Opposed: None

Absent: None

Abstain: None

Recusal: None

8. LICENSURE OF VOICE WRITERS

Ms. Fenner reported that, at the direction of the Board, she met with staff from the Senate Business Professions and Economic Development Committee and the Assembly Business and Professions Committee to advance the licensure of voice writers. She added that she and Ms. Sunkees met with representatives of SEIU to answer questions pertaining to voice writers. Staff is awaiting direction from the Legislature for the next step.

Ms. Brewer inquired as to the timeline for hearing back from the Legislature. Ms. Fenner responded that she usually reaches out every couple of weeks just to see if they have any additional information they can offer or to see if there is anything she can do to help, such as set up stakeholder meetings. Currently, she is just waiting for the Board's turn in the Legislature's busy agenda.

Ms. Hurt requested information related to any questions or concerns she heard from the Legislature or SEIU. Ms. Fenner shared that most commonly people wanted to know why this was coming to the forefront now. She stated her response was that the declining number of students and the potential shortage in the field are driving the Board's interest in making sure there is a robust workforce going forward. She educated them on the difference in training methods and times for voice writers and machine writers. She was also asked about whether the Board anticipated a separate license for voice writers and machine writers. She responded that the other states who license both do not differentiate between the two. She added that the Board did not differentiate between pen writers and machine writers when licensure began in 1951. Ms. Fenner shared that the Legislature contended that individuals should be tested in whichever method they will use to practice.

Athena Ponce, CSR, president of the Sacramento Official Court Reporters Association (SOCRA), asserted that there is not a shortage of court reporters, but that many officials have left the court in pursuit of higher wages in the freelance arena. She added that newer reporters are not interested in committing to a fulltime officialship position. She questioned how licensing voice writers would address the shortage of official reporters. She shared her belief that if more courts offered part time pro tem positions or allow retired annuitant to cover court hearings, the shortage of reporters that some courts are experiencing may be alleviated. She stated that SOCRA recently formed a task force to recruit new hires and form a student outreach committee. The task force is working to collect data from California court reporting schools with regard to enrollment. One school shared that their enrollment is up 100 students wherein they only had 75 students three years ago. SOCRA is formulating a plan to reach out to high school career centers to market the profession. Lastly, she stated that many California students attend court reporting school online from various states and qualify for the California license exam by obtaining the RPR certificate. She noted that there was a 67 percent pass rate for those who qualified via RPR certificate for the November 2021 dictation exam.

Michelle Carter, CSR, opined that there is currently a reporter shortage. She stated that there needs to be 300 new court reporters each year to address the shortage. She agreed that there should only be one license type for both voice writers and machine writers, and anyone who can pass the Board's exam should be eligible for licensure. She shared her opposition to digital recorders.

Ms. Dasher shared that she recently learned that students of Mark Kislingbury graduate in 18 months, which is why she suggested the Board allow out-of-state schools to qualify exam candidates. She recommended the Board form a public relations piece directed to current licensees to combat any misinformation regarding voice writers. She stated that there is not a court reporter shortage today but she realizes the number of licensees is declining and there is a need to backfill those retiring.

Stephanie Whitehead, CSR, indicated that she is an official reporter for San Diego County Superior Court and an instructor for a school who teaches Kislingbury's theory. She shared that from a class of 24 students who started in September 2020, only three are now in high speed. She disputed the idea that there are enough students graduating to address the shortage. She believed a differentiation between voice writers and steno writers would cause a salary hierarchy for different license types.

Ms. Costa stated that many court reporters erroneously believe that voice writers are the same as digital recording personnel. She said that some reporters who were previously machine writers transferred to voice writing. She shared that voice writers start school at approximately 140 words per minute compared to machine writers who start at zero words per minute, making the training process much faster for voice writers. She agreed that more education about voice writers was needed for current licensees.

Linda Lawson, court reporting teacher with 40 years of experience, asserted that most new court reporting students drop out and statistically only 2 out of the 20 new students starting theory in the fall will make it to high speed classes. She shared that she began investigating voice writing 12 years earlier and has seen an incredible increase in computer processing power and speech recognition technology. She has been teaching a voice writing class for a year and has seen a few students pass qualifiers in less than a year. She believed voice writing would help meet the need for court reporters including realtime services.

Ms. Carter noted that the examination statistics reveal that many of those taking the California license exam are out of state. She questioned how an out-of-state licensee base would be helpful to the California shortage. She added that voice writers and machine writers receive equal pay in other states.

Ms. Whitehead stated that she is in favor of voice writers and believes they should receive equal pay for reporting. A common objection to voice writers among machine writers is that voice writers might charge less and take away jobs from machine writers.

Ms. O'Neill shared her perspective of having worked as a pro tem in court alongside pen writers. Some of the pen writers did not believe that machine writers would be as good. Later, machine writers started using computers to prepare their transcripts, which was again questioned as to accuracy. She stated that there was never a designation on the license as to which way the reporter took the record. She offered her support in licensing voice writers.

Ms. Hurt acknowledged that technology would play a part in the future of court reporting, and licensing voice writers is another evolution in getting an accurate and unbiased record.

Ms. Tugade suggested the Board work to avoid potential unintended consequences if choosing two license types, such as causing a stratification in pay. There is a need to retain public access and long-term sustainability of licensees. Ms. Brewer agreed, adding that pay to the licensee is not the primary concern of the Board but is a consideration in how it affects the consumer and meeting their needs by providing enough qualified reporters.

9. SUNSET REVIEW

Ms. Fenner stated that the Board is scheduled to sunset in January 2024 and, therefore, would be entering the sunset review process later in the current year. The statistical and narrative reports will be due in 2022 and a bill to extend the Board's sunset date would be needed in 2023. She indicated that the sunset review process provides an opportunity for the Board to ask the Legislature for statutory changes required to move its strategic plan forward. Noncontroversial changes are typically included within the legislation proposed to extend the sunset date for the Board.

Although the questions have not yet been received from the Legislature to begin the report, staff wanted to ensure there was plenty of time to develop a robust report including what the Board has accomplished since the last sunset review as well as identifying new areas of concern for the Board or the industry. She recommended the Board create a Sunset Review Task Force to work on the draft of the report for review and approval by the full Board before it is presented to the Legislature. She added that stakeholder meetings are typically held to glean input from the industry and public.

Ms. Hurt and Ms. Tugade volunteered to chair the Sunset Review Committee. Ms. Sunkees appointed these two members to co-chair the committee.

10. STRATEGIC PLAN

Ms. Fenner pointed to the update action plan for the Board's strategic goals on page 64 of the Board agenda packet. She invited input on new prioritization of the goals.

Ms. Brewer requested that staff concentrate on the goal of investigating real-time captioning standards and assess industry practices for consumer protection. She shared that it had been a long-term goal of hers to accomplish this accessibility issue.

11. FUTURE MEETING DATES

Ms. Sunkees estimated the next Board meeting would be needed around March or April and again in the fall. She stated staff would poll the Board members on calendar availability as we get nearer the time.

The Board convened into closed session from 12:03 p.m. to 12:31 p.m.

12. CLOSED SESSION

Pursuant to Government Code Sections 11126(a)(1), the Board met in closed session to conduct the annual evaluation of its executive officer.

ADJOURNMENT

Ms. Sunkees adjourned the meeting at 12:31 p.m.

ROBIN SUNKEES, Board Chair

DATE

YVONNE K. FENNER, Executive Officer

DATE

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 4 – Department of Consumer Affairs Update

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Agenda Description: Report from the DCA Executive Office

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Support Documents: None

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Fiscal Impact: None

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Recommended Board Action: Informational.

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 5 – Report of the Executive Officer

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Agenda Description: Report on:

- 5.1 CRB Budget Report
- 5.2 Transcript Reimbursement Fund
- 5.3 Enforcement Activities
- 5.4 Exam Update
- 5.5 Business Modernization

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Support Documents:

- Attachment 1, Item 5.1 – FM11 Expenditure Projections FY2021-22
- Attachment 2, Item 5.1 – CRB Fund Condition
- Attachment 3, Item 5.2 – TRF Fund Condition
- Attachment 4, Item 5.3 – Enforcement Statistics
- Attachment 5, Item 5.4 – Exam Statistics

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Fiscal Impact: None

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Recommended Board Action: None

Department of Consumer Affairs
Expenditure Projection Report
Court Reporters Board of California
Reporting Structure(s): 11113110 Support
Fiscal Month: 11
Fiscal Year: 2021 - 2022
Run Date: 06/17/2022

PERSONAL SERVICES

Fiscal Code	Line Item	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$320,514	\$382,000	\$32,146	\$343,129	\$0	\$343,129	\$370,920	\$11,081
5100	TEMPORARY POSITIONS	\$14,996	\$11,000	\$0	\$0	\$0	\$0	\$0	\$11,000
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$6,748	\$13,000	\$0	\$9,285	\$0	\$9,285	\$9,285	\$3,715
5150	STAFF BENEFITS	\$220,132	\$213,000	\$19,727	\$210,004	\$0	\$210,004	\$234,000	-\$21,000
	PERSONAL SERVICES	\$562,390	\$619,000	\$51,873	\$562,418	\$0	\$562,418	\$614,205	\$4,795

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$3,998	\$9,000	\$0	\$3,127	\$1,628	\$4,754	\$4,705	\$4,295
5302	PRINTING	\$5,384	\$1,000	\$774	\$7,518	\$2,528	\$10,046	\$10,046	-\$10,046
5304	COMMUNICATIONS	\$4,299	\$2,000	\$133	\$7,044	\$0	\$7,044	\$7,293	-\$7,293
5306	POSTAGE	\$516	\$0	\$174	\$911	\$0	\$911	\$2,364	-\$2,364
5308	INSURANCE	\$61	\$0	\$8	\$8	\$0	\$8	\$9	-\$9
53202-204	IN STATE TRAVEL	\$1,233	\$18,000	\$0	\$841	\$0	\$841	\$2,000	\$16,000
5322	TRAINING	\$12,820	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5324	FACILITIES	\$47,594	\$49,000	\$4,342	\$48,768	\$4,263	\$53,031	\$53,102	-\$4,102
53402-53403	C/P SERVICES (INTERNAL)	\$41,736	\$278,000	\$892	\$20,422	\$0	\$20,422	\$22,235	\$255,765
53404-53405	C/P SERVICES (EXTERNAL)	\$50,524	\$89,000	\$797	\$21,624	\$4,562	\$26,186	\$27,437	\$61,563
5342	DEPARTMENT PRORATA	\$141,790	\$161,000	\$0	\$161,000	\$0	\$161,000	\$161,000	\$0
5342	DEPARTMENTAL SERVICES	\$77,882	\$0	\$0	\$24,894	\$0	\$24,894	\$59,662	-\$59,662
5344	CONSOLIDATED DATA CENTERS	\$2,848	\$3,000	\$2	\$21	\$0	\$21	\$3,000	\$0
5346	INFORMATION TECHNOLOGY	\$763	\$2,000	\$0	\$0	\$0	\$0	\$0	\$2,000
5362-5368	EQUIPMENT	\$941	\$11,000	\$0	\$7,050	\$0	\$7,050	\$7,050	\$3,950
5390	OTHER ITEMS OF EXPENSE	\$0	\$0	\$4,519	\$12,726	\$18,474	\$31,200	\$31,200	-\$31,200
54	SPECIAL ITEMS OF EXPENSE	\$196	\$0	\$422	\$422	\$0	\$422	\$422	-\$422
	OPERATING EXPENSES & EQUIPMENT	\$392,586	\$623,000	\$12,061	\$316,375	\$31,454	\$347,830	\$391,525	\$228,475
	OVERALL TOTALS	\$954,976	\$1,242,000	\$63,934	\$878,793	\$31,454	\$910,247	\$1,004,679	\$234,321
									18.87%

0771 - Court Reporter's Board Fund Analysis of Fund Condition
(Dollars in Thousands)
2022-23 Governor's Budget with 2021-22 FM 11 Projections

Fiscal Year	PY 2020-21	CY 2021-22	BY 2022-23	BY +1 2023-24	BY +2 2024-25
BEGINNING BALANCE	\$ 610	\$ 769	\$ 998	\$ 1,028	\$ 1,000
Prior Year Adjustment	\$ -5	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 605	\$ 769	\$ 998	\$ 1,028	\$ 1,000
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 20	\$ 22	\$ 18	\$ 18	\$ 18
4127400 - Renewal fees	\$ 1,332	\$ 1,311	\$ 1,294	\$ 1,294	\$ 1,294
4129200 - Other regulatory fees	\$ 10	\$ 13	\$ 0	\$ 0	\$ 0
4129400 - Other regulatory licenses and permits	\$ 23	\$ 19	\$ 21	\$ 21	\$ 21
4163000 - Income from surplus money investments	\$ 5	\$ 2	\$ 11	\$ 15	\$ 14
4171400-Canceled Warrants Expenditures	\$ 1	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Revenues	\$ 1,391	\$ 1,367	\$ 1,344	\$ 1,348	\$ 1,347
Revenue Transfer to Transcript Reimbursement Fund per B&P Code S	\$ -200	\$ 0	\$ 0	\$ -26	\$ -200
Totals, Transfers and Other Adjustments	\$ -200	\$ 0	\$ 0	\$ -26	\$ -200
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 1,191	\$ 1,367	\$ 1,344	\$ 1,322	\$ 1,147
TOTAL RESOURCES	\$ 1,796	\$ 2,136	\$ 2,342	\$ 2,350	\$ 2,147
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 947	\$ 1,003	\$ 1,211	\$ 1,247	\$ 1,285
Chapter 16, Statutes of 2020 (AB 84)	\$ 0	\$ 39	\$ 0	\$ 0	\$ 0
9892 Supplemental Pension Payments (State Operations)	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 55	\$ 71	\$ 78	\$ 78	\$ 78
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 1,027	\$ 1,138	\$ 1,314	\$ 1,350	\$ 1,388
FUND BALANCE					
Reserve for economic uncertainties	\$ 769	\$ 998	\$ 1,028	\$ 1,000	\$ 759
Months in Reserve	8.1	9.1	9.1	8.6	6.6

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.
Expenditures General Salary 4.55% increase.

0410 - Transcript Reimbursement Fund Analysis of Fund Condition
(Dollars in Thousands)
2022-23 Governor's Budget with 2021-22 FM 11 Projections

Fiscal Year	PY 2020-21	CY 2021-22	BY 2022-23	BY +1 2023-24	BY +2 2024-25
BEGINNING BALANCE	\$ 35	\$ 174	\$ 574	\$ 274	\$ 0
Prior Year Adjustment	\$ 1	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 36	\$ 174	\$ 574	\$ 274	\$ 0
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4163000 - Income from surplus money investments	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Revenues	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Revenue Transfer from Court Reporters Fund per B&P Code Section 8030.2(d)	\$ 200	\$ 0	\$ 0	\$ 26	\$ 200
Totals, Transfers and Other Adjustments	\$ 200	\$ 0	\$ 0	\$ 26	\$ 200
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 200	\$ 0	\$ 0	\$ 26	\$ 200
TOTAL RESOURCES	\$ 236	\$ 174	\$ 574	\$ 300	\$ 200
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 62	\$ 100	\$ 300	\$ 300	\$ 200
Less Funding Provided by the GF	\$ 0	\$ -500	\$ 0	\$ 0	\$ 0
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 62	\$ -400	\$ 300	\$ 300	\$ 200
FUND BALANCE					
Reserve for economic uncertainties	\$ 174	\$ 574	\$ 274	\$ 0	\$ 0

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.
Expenditures General Salary 4.55% increase.

Consumer Protection Enforcement Initiative Fiscal Year 2021-2022 Enforcement Report July 1, 2021 -May 31, 2022

Complaint Intake

Complaints	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	8	9	12	13	5	4	7	15	5	7	12		97
Closed without Assignment for Investigation	0	0	0	0	0	0	0	0	0	0	0		0
Assigned for Investigation	8	9	12	13	5	4	7	15	5	7	12		97
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	0	0	0	0	0	0	0	0	0	0		0
Closed	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Close	0	0	0	0	0	0	0	0	0	0	0		0
Pending	0	0	0	0	0	0	0	0	0	0	0		0*

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Initial Assignment for Desk Investigation **	8	9	12	13	5	4	7	15	5	7	12		97
Closed ***	6	11	5	16	9	4	4	11	13	11	4		94
Average Days to Close [Straightline] ***	44	24	21	46	40	57	27	32	22	46	66		37
Pending ***	10	8	15	12	8	8	11	15	7	3	11		10*

Field Investigation (Sworn)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Assignment for Sworn Field Investigation	0	0	0	0	0	0	0	0	0	0	0		0
Closed	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Close	0	0	0	0	0	0	0	0	0	0	0		0
Pending *	0	0	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 **	6	11	5	16	9	4	4	11	13	11	4		97
Average Days to Close [Straightline]**	44	24	21	46	40	57	27	32	22	46	66		37
Pending **	10	8	15	12	8	8	11	15	7	3	11		10*

* 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	0	0	0	1	1	0	1	0	0	0	0		3
AG Cases Pending	1	1	1	2	3	2	3	2	2	2	1		2*
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	0	0	0	0	0	0	0	0	0	0	0		0
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	0	0	0	0	0	0	0	0	0	0	0		0
Accusations Filed	0	0	0	0	1	0	0	0	2	0	0		3
Accusations Withdrawn	0	0	0	0	0	0	0	0	0	0	1		1
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	0	0	0	0	76	0	0	0	100	0	0		92
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	0	0	0	1	0	0	0	0		1
Stipulations	0	0	0	0	1	0	0	0	0	0	0		1

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	0	0	0	1	0	1	0	0	0		2
Average Days to Complete [straightline]	0	0	0	0	0	670	0	160	0	0	0		415
Interim Suspension Orders	0	0	0	0	0	0	0	0	0	0	0		0

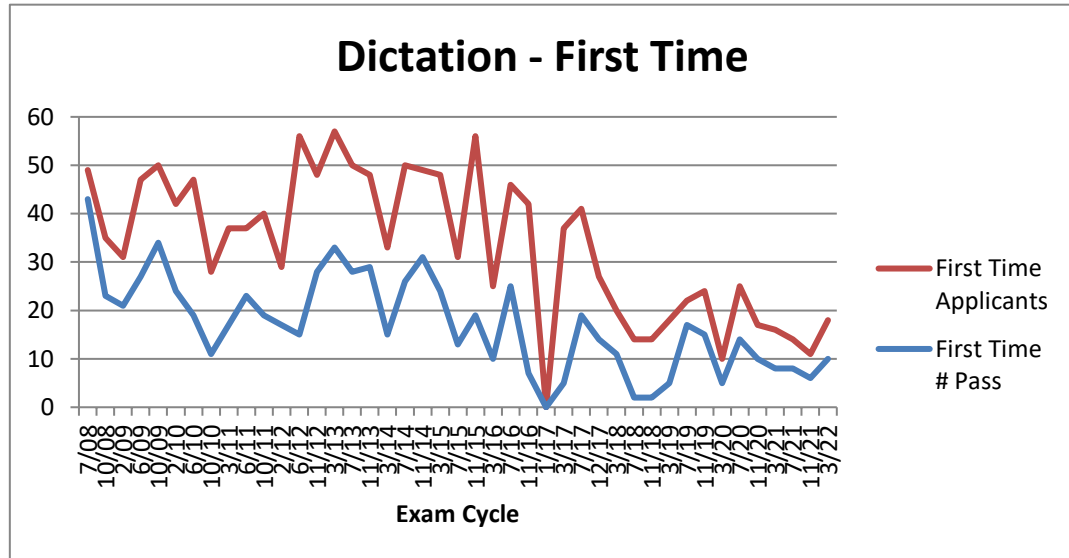
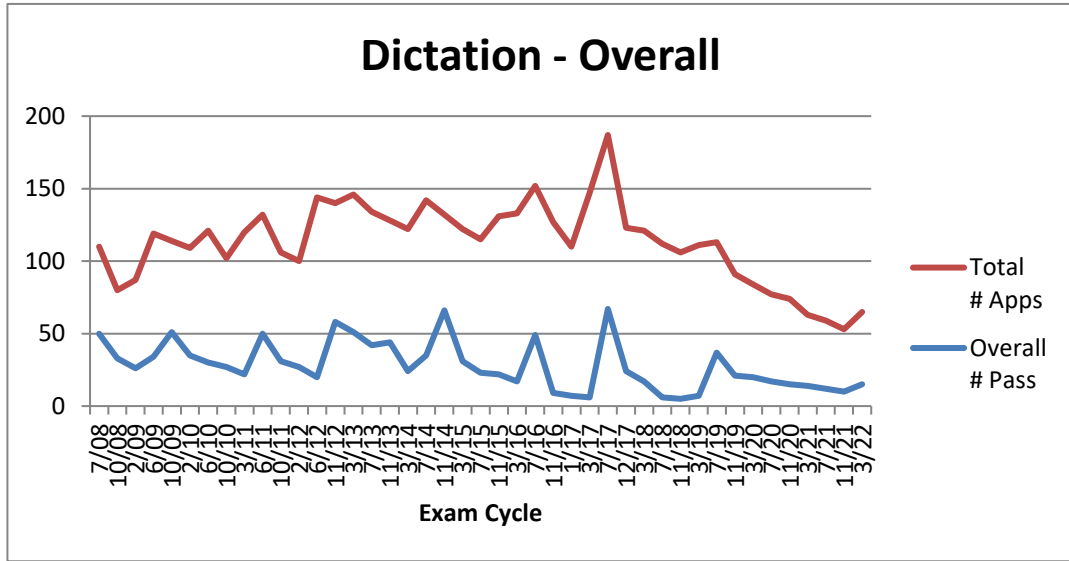
Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	1	4	1	1	2	1	0	1	1	3	1		16
Average Days to Complete [straightline]	69	26	33	77	49	30	0	26	22	33	31		37

* 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%
Jul 2019	113	37	32.7%	22	17	77.3%
Nov 2019	91	21	23.1%	24	15	62.5%
Mar 2020	84	20	23.8%	10	5	50.0%
Jul 2020	77	17	22.1%	25	14	56.0%
Nov 2020	74	15	20.3%	17	10	58.8%
Mar 2021	63	14	22.2%	16	8	50.0%
Jul 2021	59	12	20.3%	14	8	57.1%
Nov 2021	53	10	18.9%	11	6	54.5%
Mar 2022	65	15	23.1%	18	10	55.6%

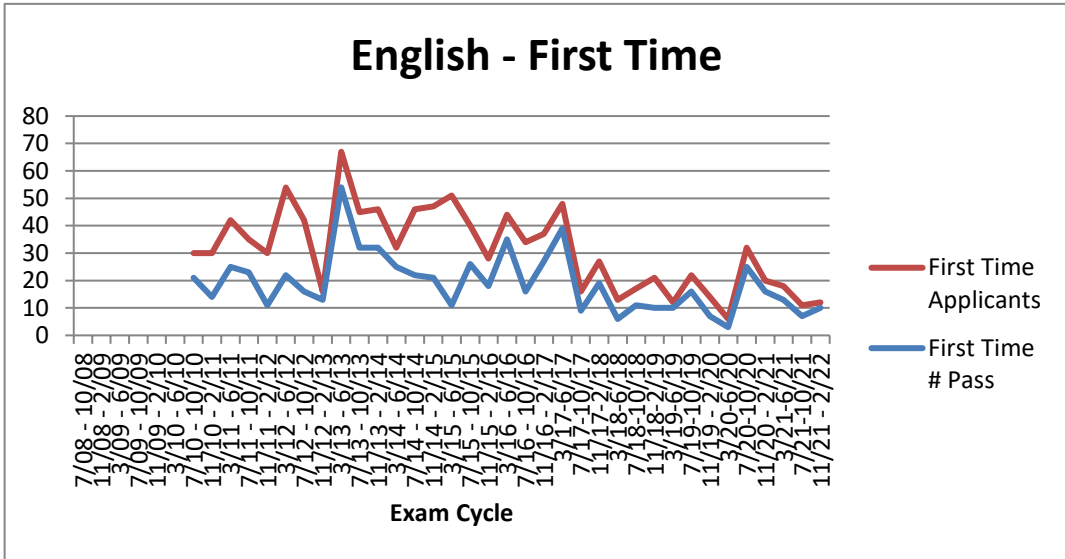
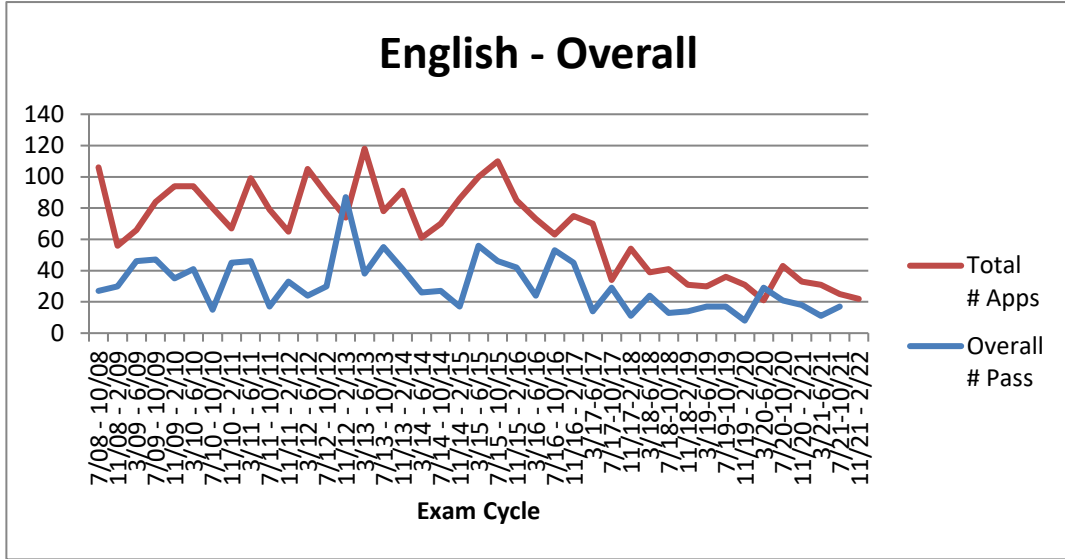
Dictation Exam



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%
Mar 2019 - Jun 2019	30	14	46.7%	12	10	83.3%
Jul 2019 - Oct 2019	36	17	47.2%	22	16	72.7%
Nov 2019 - Feb 2020	31	17	54.8%	14	7	50.0%
Mar 2020 - Jun 2020	21	8	38.1%	6	3	50.0%
Jul 2020 - Oct 2020	43	29	67.4%	32	25	78.1%
Nov 2020 - Feb 2021	33	21	63.6%	20	16	80.0%
Mar 2021 - Jun 2021	31	18	58.1%	18	13	72.2%
Jul 2021 - Oct 2021	25	11	44.0%	11	7	63.6%
Nov 2021 - Feb 2022	22	17	77.3%	12	10	83.3%

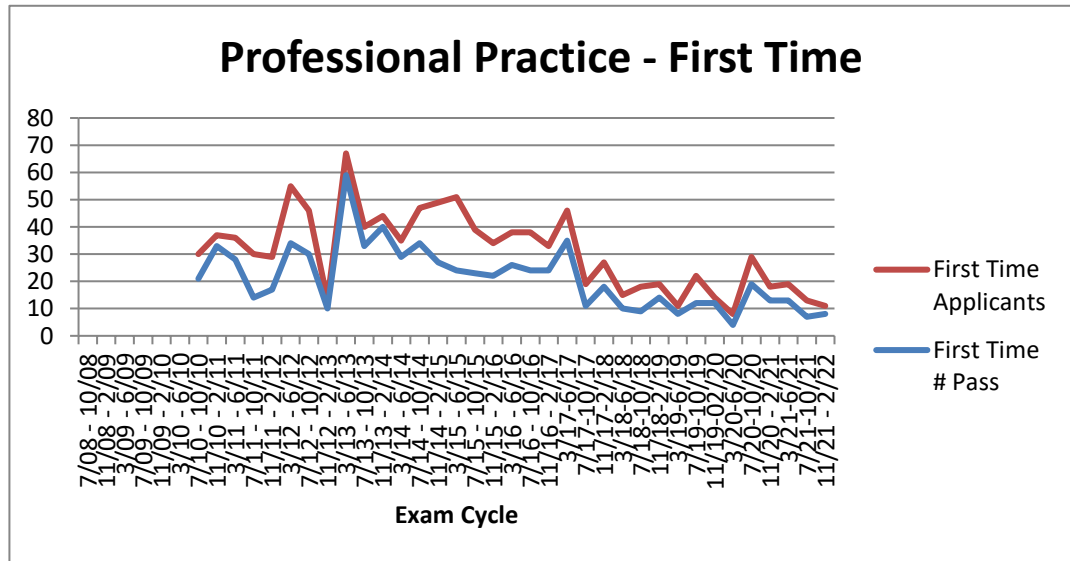
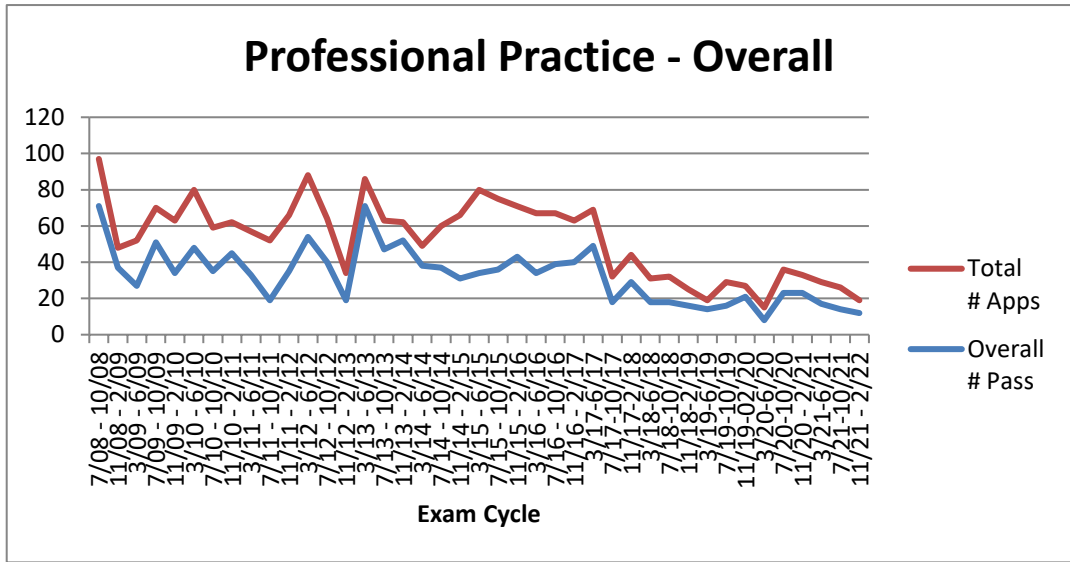
English Exam



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%
Mar 2019 - Jun 2019	19	14	73.7%	11	8	72.7%
Jul 2019 - Oct 2019	29	16	55.2%	22	12	54.5%
Nov 2019 - Feb 2020	27	21	77.8%	14	12	85.7%
Mar 2020 - Jun 2020	15	8	53.3%	8	4	50.0%
Jul 2020 - Oct 2020	36	23	63.9%	29	19	65.5%
Nov 2020 - Feb 2021	33	23	69.7%	18	13	72.2%
Mar 2021 - Jun 2021	29	17	58.6%	19	13	68.4%
Jul 2021 - Oct 2021	26	14	53.8%	13	7	53.8%
Nov 2021 - Feb 2022	19	12	63.2%	11	8	72.7%

Professional Practice Exam



AGENDA ITEM 6 – Legislation

=====
Agenda Description: Briefing on current legislation related to the court reporting industry and/or the Court Reporters Board with discussion and possible action.
=====

Brief Summary: (Bills with a notation of *** are of particular interest or impact to court reporting or the Court Reporters Board specifically)

6.1 [AB 225 \(Gray\)](#) – Department of Consumer Affairs: boards: veterans: military spouses: licenses.

(Two-year bill located in the Senate) – This bill would expand the provisions of the military spouse temporary licensure program to apply to military veterans who have been other-than-dishonorably discharged and active duty military members with orders for separation in 90 days.

6.2 [AB 646 \(Low\)](#) – Department of Consumer Affairs: boards: expunged convictions.

(Senate Appropriations Committee) – This bill would require boards and bureaus (boards) under the Department of Consumer Affairs that post information on their online license search system about a revoked license, when the revocation is due to a criminal conviction, to update or remove information about the revoked license should the board receive an expungement order related to the conviction. This bill would require a board to charge a fee of \$25 to perform these activities, unless the board has no costs to perform these activities.

6.3 [AB 1662 \(Gipson\)](#) – Licensing boards: disqualification from licensure: criminal conviction.

(Senate Appropriations Committee) – This bill would allow a prospective applicant that has been convicted of a crime to submit a request to a board for a preapplication determination on whether they would be disqualified for licensure. Boards may charge a fee of up to \$50 for this process.

6.4 [AB 1733 \(Quirk\)](#) – State bodies: open meetings.

(Assembly Committee on Governmental Organization) – This urgency bill would specify that a “meeting” held under the Bagley-Keene Open Meeting Act includes a meeting held entirely by teleconference, as defined, so long as the state body adheres to certain specified requirements such as: ensuring the public has the means to hear, observe, and address the state body during the meeting; providing the public with at least one physical location where they can participate; posting the meeting agendas online and at the physical meeting location with information indicating how the meeting can be accessed; and ensuring that if a means of remote participation fails, the meeting must adjourn.

6.5 * [SB 189 \(Committee on Budget and Fiscal Review\)](#) – Firm registration and open meeting act requirements.**

(Ordered to engrossing and enrolling) – Among other things this bill sets the fee for firm registration at \$500 until January 1, 2025, after which time that becomes the capped amount. Additionally, bill would allow meeting held under the Bagley-

Keene Open Meeting Act to be held entirely by teleconference, as defined, so long as the state body adheres to certain specified.

6.6 [SB 848 \(Umberg\)](#) – Civil actions: parties and postponements.

(Assembly Judiciary Committee) – This bill would eliminate a sunset provision, allowing a party to appear and a court to conduct, conferences, hearings, proceedings, and trials in civil cases remotely. It would also eliminate the sunset provision allowing a continuance or postponement of a trial or arbitration date, extend any deadlines applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions, thereby allowing these provisions to continue indefinitely.

6.7 [SB 1237 \(Newman\)](#) – Licenses: military service.

(Assembly Committee on Military and Veterans Affairs) – This bill would require boards and bureaus to waive license renewal fees for active-duty military members stationed outside of California.

6.8 [SB 1365 \(Jones\)](#) – Licensing boards: procedures.

(Held on Senate Appropriations Suspense File - dead) – This bill would require all boards to post a list of criteria used to evaluate applicants with criminal convictions on their websites. DCA would have to develop a process for each board to use in verifying applicant information and performing background checks of applicants, as well as develop a procedure to provide for an informal appeals process.

6.9 [SB 1424 \(Nielsen\)](#) – Consumer affairs: the Department of Consumer Affairs.

(Senate Rules Committee) – This was a spot bill relating to the Department of Consumer Affairs.

6.10 * [SB 1443 \(Roth\)](#) – Consumer affairs: the Department of Consumer Affairs.**

(Assembly Committee on Business and Professions) – This bill extends the sunset date from 2024 to 2025 for the following boards and bureaus: Dental Board of California; California Board of Accountancy; California Architects Board; Landscape Architects Technical Committee, Board for Professional Engineers, Land Surveyors, and Geologists; Contractors State License Board; Bureau of Security and Investigative Services; Cemetery and Funeral Bureau; Court Reporters Board of California; Bureau of Household Goods and Services; and the California State Athletic Commission.

=====
Support Documents: None.
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Recommended Board Action: Staff recommends the Board discuss pertinent bills and vote to support, oppose, or take a neutral position. In the case of a support or oppose position, the Board should instruct staff to prepare a letter to the author stating the reason(s) for the Board’s position.

AGENDA ITEM 7 – Regulations

=====
Agenda Description: Discussion and possible action on response to public comment received on proposed regulations amending Title 16, section 2450 of the California Code of Regulations, setting the fee for registering firms:
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Brief Summary:

The Board held a public hearing regarding proposed section 2450 of Title 16 of the California Code of Regulations to set the fee for firm registration on May 31, 2022. While no one appeared to offer comments, Board staff did receive one letter containing several comments. The Board must approve the proposed responses to the comments before the final regulations package is submitted to the Office of Administrative Law.

=====
Support Documents:

- Attachment 1 – Public Comment, annotated
- Attachment 2 – Final Statement of Reasons

=====
Recommended Board Action: Staff recommends the Board approve the proposed response by using the following proposed motion:

Approve the responses drafted to address public comments received during the 45-day comment period on the Board’s proposed text, and direct staff to take all steps necessary to complete the rulemaking process, including authorizing the Executive Officer to make any non-substantive changes to the proposed regulation before completing the rulemaking process, and adopt the proposed text of 16 CCR section 2450 as noticed.

May 31, 2022

Paul Bruning
Yvonne Fenner
California Court Reporters Board
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833

via email: paula.bruning@dca.ca.gov
yvonne.fenner@dca.ca.gov

Re: Questions regarding documents emailed to stakeholders regarding fee schedule §2450.

Dear Ms. Fenner and Ms. Bruning,

I have questions regarding the following paragraphs in the “Initial Statement of Reasons” emailed to stakeholders on April 13, 2022.

On page 3, under “Business Impact,” the document states:

“This determination is based on the fact that the proposal will not create or eliminate jobs, will not create new business or eliminate existing businesses, and will not affect the expansion of businesses currently doing business within the California because the proposed regulations require businesses currently operating in the state to register with the Board and pay an annual \$500 registration fee.”

I believe this statement is not accurate as there are currently wholly-owned, out-of-state Certified Shorthand Reporting firms from other states that have NOT conducted business in California as those firms were not licensees of California, and could have had a complaint filed against them in their states if they had been providing services in California without a license. These wholly-owned, out-of-state CSR firms, will now be able to register and provide court reporting services in California, thereby increasing the number of out-of-state firms conducting court reporting services in California.

A-1

Also on page 3, under the “Business Impact,” the document states:

“The Board estimates **10 entities** will register in year one and year two of implementation and estimates **5 registrants** per year thereafter.”
(Emphasis added.)

I question where the author came up with this number. I have compiled a list from multiple sources (Secretary of State, CCRA, DRA, email blasts, Facebook, Stenosearch.com, and internet searches), and have compiled a list of 172 firms that are currently advertising or providing court reporting services in California (see attached

A-2

list). Now, it is possible some of those 172 are actually wholly-owned CA licensee firms, but it's not easy to ascertain from their name.

If indeed these 172 firms need to register, then the table entitled "Court Reporters Board, Corporate Registration (SB 241) - Economic Impact" would be off substantially in its calculation. Instead of \$5,000 for year one, the costs would be \$86,000.

On page 4, under "Fiscal Impact Assessment," the document totals are based on 10 firms registering with the CRB. Again, I question where this number came from. If the actual number of firms is closer to the 172 number that I have found that are actually advertising and/or emailing for coverage in California, the board would be losing \$13 per registration. While the cost above the registration fee for 10 registrants would be \$130, if, in fact, there are 172 firms, then the expense of 172 firms would be \$2,236 more than the CRB would be receiving in fees for the registration.

On page 4, the document states it will take 310 minutes to do the initial registration at a cost of \$513 (\$1.65/minute). Then the document states two paragraphs later that renewals will take 110 minutes plus a \$532 estimated enforcement fee which totals \$632. If the same rate is charge for the office technician and the program analyst, then the fees should be \$181.50 plus \$532 and total \$713.50, not \$632.

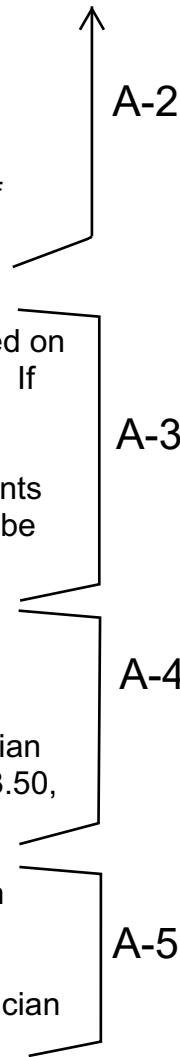
On page 5, the table entitled "Court Reporters Board, Corporate Registration (SB 241) - Fiscal Impact (Expenditures)" states in the column entitled "Costs" for "renewals" the amount of \$642, but the amount should be the \$632 from two paragraphs above, or the possible alternative amount of \$713.50 if the office technician and program analysts minute rates are consistent.

On page 5, the document states:

"BPC 8051(k) requires the Board to create and make available on its internet website a directory of registered entities. The Board will also need to update its information technology systems with estimated one-time costs of \$55,000."

At the November 15, 2019, CRB meeting, at time stamp 1:45:11, Yvonne Fenner responded to a question I posed as follows:

"Under firm registration, there would be a published list on the website of corporations that are in good standing, so to speak, that **would**



include licensee-owned firms who are already set up under 8040. They don't have to re-register. They're already included. They're like grandfathered in. If you've already set your corporation up correctly as a **licensee-owned firm, then you start that list of people that are properly registered with the board.**

"But in addition to those licensee-owned firms, people like Happy Days Court Reporting that's owned by a venture capitalist, what have you, they can also, with a reporter-in-charge, apply for and become registered. That list of firms would be your ticket to practice in California.

"In here, it says that you, **as a licensee, may not work for somebody that's NOT on that list.** So you immediately dry up the labor source for anybody that's not here. Anybody that's on that list and decides, oh, no, I don't want to follow whatever law as you say, they're running the stoplights, then we take them off the list and then nobody can work for them." (Emphasis added.)

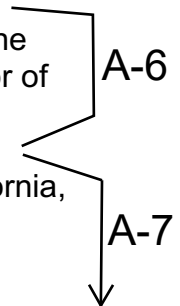
The discussion at the November 15, 2019 meeting was with regard to AB 1469. The language in AB 1469 and SB 241 with regard to sections (j) and (k) are identical as follows:

"(j) A certificate holder 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 before engaging in the practice of shorthand reporting on behalf of that person or entity.

"(k) The board shall create and make available on its internet website a directory of registered entities. The board shall not take action against a certificate holder solely for a violation of subdivision (j) if the certificate holder reasonably relied on the board's directory stating that the entity was registered at the time."

As the two bills are the same, which is why Yvonne Fenner was able to tell the State Legislature the CRB was in favor of SB 241 before they actually voted in favor of SB 241, I believe the licensee-owned firms should be on this list immediately.

The document entitled "Title 16 Division 24. Court Reporters Board of California, Notice of Proposed Regulatory Action Concerning Fee Schedule, §2450 California Code of Regulations (CCR)" states at the bottom of page 1, "The Board certifies



individual court reporters, and **beginning July 1, 2022**, it is **REQUIRED** to register firms that offer court reporting services. (Emphasis added.) Will this list be up and ready for licensees to easily find ALL firms offering court reporting services, including wholly-owned CSR licensee firms and firms that are required to register as REQUIRED under this new law, which takes effect on **July 1, 2022?**

A-7

Very truly yours,



Charlotte A. Mathias, CSR 9792, RPR

Attachment

Firms Currently Providing Court Reporting Services in California either by email blasts or advertising on Facebook or the Internet.

1. A-Word's Reporting Service
2. A&B Reporting, LLC
3. A&E Court Reporters, Inc.
4. AAA Steno Court Reporters
5. Abrial & Associates
6. Absolute Court Reporters, LP
7. Affinity Court Reporters
8. Aiken & Welch
9. Al Cala & Associates
10. Alderson Court Reporters, Inc.
11. American Reporting Services, LLC
12. Aplus Court Reporters
13. Aptus Court Reporters
14. ASAP Court Reporting, Inc.
15. Atkinson-Baker
16. Ayote & Shackelford
17. Barkley Court Reporters
18. Barrett Reporting
19. Barristers' Reporting Services
20. Bay City Reporting
21. Bayside Reporting Company
22. BCN Depositions Services, LLC
23. Beach Court Reporting
24. Ben Hyatt
25. Biehl, et al, Certified Shorthand Reporters, Inc.
26. Bonanza Court Reporters, LLC (Nevada)
27. Brooks and Brown Reporters
28. Burgess Court Reporting, LLC
29. Busy Fingers Court Reporters, Inc.
30. Cal-Reporting
31. California Deposition Reporters, Inc.
32. CalNorth Reporting Service
33. Capital Reporting
34. CCI Court Reporting
35. Central Valley Reporters
36. Century Court Reporters
37. Certified Reporting Services
38. CH Court Reporters
39. Challe, Fisher and Morfin, Certified Shorthand Reporters, Inc.
40. Chase Deposition Services
41. CM Court Reporter, Inc.
42. Coastal Reporting Service
43. Cost Containment (CCRR??)
44. Coveted Steno Reporting, LLC
45. CRS Court Reporters and Video
46. D.K. Court Reporters, Inc.
47. Delta Deposition Reporting
48. DepoBook Reporting Services
49. Depos N Focus, Inc.
50. Depos to Court, Inc.
51. Deposition Solutions, LLC (Texas)
52. Discount Deposition, LLC
53. Dokich Court Reporters, Inc.
54. Dominguez Court Reporters
55. Dropulic Court Reporters, LLC
56. Durrant Court Reporters, Inc.
57. DW Court Reporting
58. Eames Court Reporters, Inc.
59. Eckert Court Reporters, Inc.
60. Elite Court Reporting
61. E Litigation Services
62. Emerald Deposition Reporters, Inc.
63. Empire Court Reporting
64. Encinitas Court Reporting
65. Esquire Deposition Solutions, LLC
66. Express Network
67. First Legal Deposition Services, LLC

68. Foothill Court Reporters, Inc.
69. Focus Litigation, LLC
70. Fresno Court Reporters
71. Fresno Deposition Reporters, Inc.
72. Global Access Litigation Services
73. Gold Country Reporting
74. Golden State Reporting & Video
75. Gradillas Court Reporters, Inc.
76. Hahn & Bowersock, Inc.
77. Harrington & Associates
78. HG Litigation Services
79. Huntington Court Reporters and Transcription, Inc.
80. Huseby
81. Hutchings Court Reporters, LLC
82. Imber Court Reporting (Veritext)
83. International Court Reporters
84. Intrepid Depositions (San Diego)
85. Jan Brown & Associates
86. Jane Grossman
87. Jane Rose (New York)
88. JD Court reporter (paralegal Laura Jernigan)
89. KCW Court Reporters
90. Kennedy Court Reporters, Inc.
91. Kim Y. Rotherham, Court Reporter, LLC
92. Kramm Court Reporting (Veritext)
93. Kusar Court Reporters
94. Kwonchang Court Reporter, Inc.
95. LA Reporters
96. Landi Court Reporters
97. Ledesma Court Reporters, Inc.
98. Liticourt
99. London Court Reporters, Inc.
100. Lynden J and Associates
101. M&M Court Reporters
102. Malibu Court Reporters
103. Maxene Weinberg Agency
104. MB Reporting
105. Merit Reporting and Video
106. Merrill Corporation
107. Miranda Court Reporters, Inc.
108. Naegeli Deposition
109. Network Deposition Services, Inc.
110. NNRC (National Network Reporting Company)
111. Nogara Reporting Service
112. Northern California Court Reporters
113. Olympic Reporting and Video, Inc.
114. Oregon Court & Depositions Services, LLC
115. Pacific Coast Court Reporters
116. Park Avenue Deposition Services
117. Personal Reporting (Veritext)
118. Phillips Legal Services
119. PI Depos. Agency
120. Pizzotti & Jarnagin, Certified Shorthand Reporters, professional corporation
121. Planet Depos, LLC
122. Platinum Steno, LLC
123. Porto Steno Reporting, Inc.
124. Premier Court Reporters
125. Professional Court Reporters, Inc.
126. Professional Reporting Services
127. Pulone & Stromberg
128. Realtime Shorthand Reporters
129. Redwood Reporting
130. Reid & Associates
131. Reliable Court Reporting
132. Reporters Connection
133. RHS Court Reporters
134. Ross Reporting Services
135. Royal Reporting
136. Ryan Court Reporters, Inc.
137. Sacramento Deposition Reporters
138. San Diego Captioning and Court Reporting

Court Reporters Board of California
Fee Schedule §2450
May 31, 2022
Page 7

139. San Diego Courtroom Reporters Coalition, Inc.
140. San Francisco Bay Area Court Reporters
141. Sarnoff Court Reporters
142. Sassy Steno, LLC
143. Shelburne Sherr Court Reporters, Inc. (San Diego)
144. Sky Court Reporters, Inc.
145. Socal Court Reporters, Inc.
146. Sonoma Court Reporters, Inc.
147. Sound Deposition Services, Inc.
148. Steno Services, LLC
149. Steno Agency, Inc.
150. Superior Court Reporters, LLC
151. Superior Court Reporters, Inc.
152. Swivel Legal Services, LLC
153. Talty Court Reporters, Inc.
154. The Quilting Court Reporters, Inc.
155. The Souza Group
156. Tooker & Antz
157. Transperfect Legal Solutions
158. Tri-County Court Reporters
159. Trustpoint One
160. US Legal
161. Verbatim Deposition Services, Inc.
162. Veritext Court Reporters LLC
163. Vine McKinnon & Hall
164. Vintage Reporting Services
165. Vista Certified Shorthand Reporters
166. Vista Court Reporting
167. Wall Street Reporting, Inc.
168. Weinstein Court Reporters, LLC
169. West Coast Court Reporters, Inc.
170. West Coast Reporters, Inc.
171. Worldwide Litigation
172. Younger Reporting Services

**Court Reporters Board
Department of Consumer Affairs**

FINAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations: Firm Registration Fee Schedule

Section(s) Affected: Title 16, Section 2450

Updated Information

The Informative Digest and Initial Statement of Reasons are included in the rulemaking file and incorporated as though set forth herein.

The information contained therein is updated as follows: No changes have been made to warrant a change to the initial statement of reasons as contained in the original notice for section 2450.

No public hearing was originally set for this proposal. One was requested on and held on May 31, 2022. Board staff noticed the proposed rulemaking on April 13, 2022, with a 45-day comment period ending on May 31, 2022. The Board received -x comments on x date and is summarized below]

Local Mandate

A mandate is not imposed on local agencies or school districts.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective and less burdensome to affected private persons than the adopted regulations or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board incorporates by reference the alternatives identified in its Initial Statement of Reasons and did not receive any comments that altered its findings

Objections or Recommendations/Responses

On May 31, 2022, the Board received an email from Charlotte A. Mathias, CSR 9792, RPR, on the Board's proposed amendments to section 2450. Below are the Board's

responses to the comments made therein.

Comment A-1

Comment Summary

This comment disputes the Board's determination in the initial statement of reasons (ISOR) that this proposal will not have a significant statewide adverse economic impact affecting business because the proposal will not create or eliminate jobs, will not create new business or eliminate existing businesses, and will not affect the expansion of businesses currently doing business within the California because the proposed regulations require businesses currently operating in the state to register with the Board and pay an annual \$500 registration fee. Commenter claims wholly-owned out-of-state CSR firms will now be able to register and provide court reporting services in California.

Response

The Board has considered the comment and makes no revisions to the text based thereon.

Because there have been no prohibitions on out-of-state firms operating in California, the Board believes businesses that want to do business in California are already here offering services. Accordingly, the Board does not anticipate there will be an increase in out-of-state firms offering court reporting services in California.

Accordingly, the Board is making no changes to the proposed regulation in response to this comment.

Comment A-2

Comment Summary

This comment questions the basis for the Board's estimate that ten entities will register in year one and year two, and additionally five entities per year thereafter. Commenter offers a list of 172 entities who would need to register, and therefore disputes the Board's calculation of the number of entities who would register.

Response

The Board has considered the comment and makes no revisions to the text based thereon.

The Board has no way of ascertaining how many court reporting firms are currently

doing business in California. Ms. Mathias provides 172 names of firms offering court reporting services in California but admits there is no way to know which of those firms are licensee-owned. The Board agrees that if more than the estimated ten firms register, the economic impacts would accordingly increase.

Accordingly, the Board is making no changes to the proposed regulation in response to this comment.

Comment A-3

Comment Summary

This comment challenges the Board's conclusions regarding fiscal impact to the extent they are based on its estimate that 10 entities will register in year one and year two of implementation and estimates 5 registrants per year thereafter.

Response

The Board has considered the comment and makes no revisions to the text based thereon.

The Board has no way of ascertaining how many court reporting firms are currently doing business in California. The Board agrees that if more than the estimated ten firms register, the fiscal impact to the Board would accordingly increase. The fee the Board may charge for registration is capped at \$500. (Bus. & Prof. Code, § 8051, subd. (a)(1).)

Accordingly, the Board is making no changes to the proposed regulation in response to this comment.

Comment A-4

Comment Summary

This comment questions the methodology used for arriving at the cost of \$513 to process an initial registration and \$632 to process a renewal registration, specifically alleging that if the same rate is charged for the time of an office technician and a program analyst, the fees should be \$713.50, not \$632 for a renewal.

Response

The Board has considered the comment and makes no revisions to the text based thereon.

The Board erred in the first paragraph at page 5 of the ISOR in stating the cost of reviewing a renewal is \$632. The amount is in fact \$642, and this amount is stated correctly in the first chart at page 5. Additionally, Business and Professions Code section 8051(a)(1) caps the fee at \$500.00, so the Board cannot charge a fee in excess of this amount. Therefore, the amount by which the cost exceeds this amount is irrelevant for purposes of setting the fee.

Accordingly, the Board is making no changes to the proposed regulation in response to this comment.

Comment A-5

Comment Summary

This comment questions the accuracy of costs reflected in the first table on page 5 of the ISOR, asserting the amounts for renewals should be \$632 or \$713.50.

Response

The Board incorporates by reference its response to Comment A-4.

Comment A-6

Comment Summary

This comment asserts that licensee-owned firms should be placed on the list of registered firms immediately.

Response

The Board has considered the comment and makes no revisions to the text based thereon.

It is the Board's intention to offer firms that are wholly owned by licensees to be included on the list of registered firms.

Accordingly, the Board is making no changes to the proposed regulation in response to this comment.

Comment A-7

Comment Summary

This comment asks if the list of registered firms will be up and ready for licensees to find all firms offering court reporting services by July 1, 2022.

Response

The Board has considered the comment and makes no revisions to the text based thereon.

BPS section 8051 does not require the directory required by section 8051(k) to be operational on July 1, 2022. As the Board considers and approves registrants' applications for approval, their information will be placed in the directory.

Accordingly, the Board is making no changes to the proposed regulation in response to this comment.

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 8 – Licensure of Voice Writers

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Agenda Description: Discussion and possible action
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Brief Summary:

Board staff has been working to formulate legislative language for licensing voice writers.

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Support Documents: None
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Fiscal Impact: None
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Recommended Board Action: Discuss general considerations of licensing and appoint task to review legislation in between meetings.

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 9 – Strategic Plan

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Agenda Description: Update to the Board on action plan

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Brief Summary:

At the July 12, 2019, Board meeting, the Board approved an action plan for the 2019-2023 Strategic Plan. The Action Plan Timeline is used as a tool to update the Board on the progress of achieving the strategic plan goals.

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Support Documents:

Attachment – Action Plan Timeline

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board review the Action Plan Timeline and provide feedback as needed.

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	On-going
Expand Best Practice Pointers to keep licensees up to date with industry standards	Jan 2020	No. 11 – 5/21
Facilitate expansion of verbatim reporting methods to provide sufficient workforce	Jan 2022	On-going
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	On-going
Inform licensees regarding the role of the Board’s enforcement to dispel common misconceptions	Dec 2020	Feb 2022 – DRA Mar 2022 – PYRP Sept 2022 - CCRA
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	On-going
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	April 2021 & on-going
Improve the CRB website to improve service and efficiency for consumers	June 2019	June 2019
Implement business modernization to allow online renewals and applications	Dec 2023	August 2020
Continue to cross-train staff to be effective and efficient, as well as to prepare for succession planning	Dec 2022	On-going

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 10 – Election of Officers

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Agenda Description: Election of Chair and Vice-Chair.

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Brief Summary:

Per the Board policy annotated below, 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.

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

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Support Documents:

Attachment – Chairperson duties.

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Recommended Board Action: Hold elections.

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.

COURT REPORTERS BOARD MEETING – JULY 15, 2022

AGENDA ITEM 11 – Future Meeting Dates

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Agenda Description: Proposed Meeting Dates

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Support Documents:

Attachment – 2022 Board Calendar

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Current scheduled activities:

Exam Workshop:

- July 1 – 2, 2022 – Sacramento
- September 16 – 17, 2022 – Remote
- October 14 – 15, 2022 – Remote
- January 13 – 14, 2023 – Remote
- February 10 – 11, 2023 – Sacramento

Occupational Analysis Workshop:

- July 29 – 30, 2022 – Remote
- September 9 – 10, 2022 – Remote
- December 9 – 10, 2022 – Remote
- January 13 – 14, 2023 – Remote
- January 27 – 28, 2023 - Remote

CSR Dictation Exam:

- July 5, 2022 – July 26, 2022 – Realtime Coach (Online Vendor)
- =====

Recommended Board Action: Informational only. Staff will poll Board member availability for next meeting.

A YEAR-AT-A-GLANCE CALENDAR 2022
COURT REPORTERS BOARD OF CALIFORNIA

JANUARY 2022

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31		BD- Tele			

FEBRUARY 2022

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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

MARCH 2022

S	M	T	W	Th	F	S
		1	2	3	4	
		Dictation	Exam Starts		Workshop	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
					Workshop	
27	28	29	30	31		

APRIL 2022

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24	25	26	27	28	29	30

MAY 2022

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22	23	24	25	26	27	28
29	30	31				
						RH

JUNE 2022

S	M	T	W	Th	F	S
			1	2	3	
5	6	7	8	9	10	11
					Workshop	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JULY 2022

S	M	T	W	Th	F	S
					1	2
					Workshop	
3	4	5	6	7	8	9
		Dictati	Exam Starts			
10	11	12	13	14	15	16
					BD- NC/SC/Tele	
17	18	19	20	21	22	23
24	25	26	27	28	29	30
						Workshop
31						

AUGUST 2022

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21	22	23	24	25	26	27
28	29	30	31			

SEPTEMBER 2022

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					Workshop	
11	12	13	14	15	16	17
					Workshop	
18	19	20	21	22	23	24
25	26	27	28	29	30	

OCTOBER 2022

S	M	T	W	Th	F	S
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9	10	11	12	13	14	15
					Workshop	
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					









NOVEMBER 2022

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20	21	22	23	24	25	26
27	28	29	30			

DECEMBER 2022

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
					Workshop	
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

ACTIVITY

	BD - Board Meeting or Activity
	Exam - Dictation Exam
	Workshop - Exam Workshop
	TF - Task Force Meeting
	TH - Town Hall Meeting
	OA - Occupational Analysis
	RH - Regulatory Hearing
	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
Tele - TELECONFERENCE/VIDEOCONFERENCE