

# CRB\* TODAY

COURT REPORTERS  
BOARD NEWSLETTER

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## Message from the Chair *Gregory Finch*

### *Focus On School Curriculum*

Despite these challenging economic and political times, the CRB would like to take a moment to acknowledge that we have a full board for the first time in several years. At our April Board meeting, we welcomed Reagan Evans onboard as a licensee member. We also recently welcomed back former Board member Toni O'Neill who was re-appointed by the Governor. We look forward to having their industry experience to help in guiding our work in the upcoming months.

Just as the rest of the State is struggling with limited resources, so too are we. However, our vision remains strong and we are continuing to move forward on our strategic plan.

We are currently evaluating proposed changes to the regulations governing court reporting school curriculum. This has been a huge undertaking, as the regulations that set out the requirements for the schools have not been looked at in depth for over ten years. Obviously much has changed in the practice of court reporting over the last decade. To the uninformed observer, it appears that the court reporter is still typing away on the same funny little machine that first appeared in courtrooms over a century ago. While the position of the keys has remained the same, that funny little machine is now outfitted with the latest technology, making the court reporter the "driver" of a very sophisticated computer system, instantaneously converting the spoken word to written text.

The Board is grateful to court reporting schools for their participation in the regulation review process. Knowing how great the demands are on their time, we are especially appreciative of their contributions at task force meetings as well as in providing additional comments on the proposed modifications. As with any change, there are many viewpoints to consider. Therefore, every effort is being made to gather as much input from stakeholders as possible in order to ensure the optimum result.

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### *Board Members*

GREGORY FINCH, *Chair*  
ELIZABETH LASENSKY, *Vice Chair*  
REAGAN EVANS, *CSR*  
LORI GUALCO  
TONI O'NEILL, *CSR*

## Student Spotlight



Known as a winner through and through, Jamie Tonis is quickly finishing the certified shorthand reporter (CSR) program that she began in September 2009 at Golden State College's Court Reporting and Captioning school in Dublin, California. Already at a speed of 180 – 200 words per minute, she has only two tests left. "Making it through the program quickly is a goal of mine, which is why I practice for a couple of hours each day after school. I hope to finish by the end of the year. I'm excited and anxious to get going with my career," said Jamie.

After obtaining her AA in business while at school in Utah on a softball scholarship, she realized her true interests lay in the judiciary process. "When my mom heard that I was thinking about switching my career path, she suggested that I look into court reporting. I researched the field and went to an orientation at Golden State College, and I've been hooked ever since," said Jamie. She enjoys school and her peers and feels her instructors are very receptive to student needs and feedback. Her favorite class is jury charge dictation because of its repetitive nature and because it is information she will need to know for every trial.

Jamie is currently interested in working for the courts once she is out of school. She also plans on pursuing her registered professional reporter certification and her Merit certification. "My goal is to rise to the top of the industry and work for the higher level courts. To do that, I need to have as many qualifications as I can. In today's economy, you have to make yourself as desirable as possible," she said.

## School Compliance Review Phase 2 Complete

The School Compliance Review Team successfully completed the second phase of a two-part compliance review process in June. During this final phase, school site visits provided the review team with an opportunity to update and confirm enrollment statistics and faculty qualifications, along with other requirements. Tours of each facility were also conducted, as were interviews with students, faculty, and facility administrators.

Thank you to the court reporting programs at Westec's Taft College, Cypress College, Argonaut, Tri-Community, and Downey for the warm welcome and assistance in providing the files, syllabi, and space necessary for the review. It was a pleasure to experience each of the campuses and to fully engage those on site in an open dialogue.

## Proposed School Curriculum Regulation Updates

A comprehensive review of the regulations that govern court reporting school curriculum has resulted in a number of proposed changes approved by the Board at its April 30, 2010 meeting. The proposed changes to the regulations include:

- Realigning the number of hours required within academic areas to reflect current industry knowledge and skill requirements;
- Allowing for remote, online training, including qualifiers;
- Updating terminology to reflect current practices; and
- Updating terminology for consistency.

Public comments were taken from August 13 through September 27, 2010. Oral and written comments were also accepted at the Board's public hearing on September 27th. Staff will respond in writing to all comments and will prepare a presentation based on feedback received for the Board's consideration at the October 15, 2010 meeting.

To review the full language of the proposed changes, go to [www.courtreportersboard.ca.gov/lawsregs/index.shtml](http://www.courtreportersboard.ca.gov/lawsregs/index.shtml) and access "Proposed School Curriculum Regulation Changes."

## Cerritos College Grant Opens Way for Closed Captioning Classes

Thanks to \$95,000 of Congressionally directed funds, Cerritos College is now offering realtime and off-line closed captioning classes. The grant is the result of the hard work of Cerritos College's Court Reporting and Captioning Careers Department Chairs, Vykki Morgan and Mary Balmages. The National Court Reporters Association successfully joined with schools and state associations to lobby Congress to provide funds for captioning training programs. State Representative Grace Napolitano was able to secure funds to start the captioning program at Cerritos College. The funds are being used to develop curriculum, support courses, hire captioning instructors, acquire training resources and equipment, and advertise the program. "We are very excited to add these two new tracks to our schedule. There is a need for high-quality captioning, and who better to do that than our outstanding court reporting students? These new courses are the perfect complement to our certified shorthand reporter program," said Vykki.

The realtime captioning classes are a series of five online courses and ultimately require a speed of over 200 words per minute. The off-line captioning courses (on media that has been produced and is not live) are a series of four hybrid classes that ultimately earn a department certificate upon completion.

As part of the grant, three scholarships of \$500 apiece will be awarded each semester through spring 2013 to encourage students interested in captioning to participate. Each semester one grant will be awarded to one off-line captioning student, one realtime captioning student, and one court reporting student interested in learning more about the captioning field.

"By offering these courses at Cerritos in conjunction with court reporting classes, students are able to explore more of the options that are available to those with court reporting skills," continued Vykki. "While the grant does end in 2011, we are committed to continuing to offer captioning classes as long as the demand is there and the budget allows us to do so."

## Steno Immersion Pilot Program Update

In March 2009, the National Court Reporters Association (NCRA) began a pilot program to determine if the time for steno machine competency and course completion could be reduced through a "total immersion" program. The pilot began with 15 students, four of which had to drop out for various reasons.

The fourth and final quarter of the pilot program ended on March 26, 2010. One student finished the quarter at 180 words per minute, one at 160/180, three at 160, three at 140, two at 120/140, and one at 120. Consequently, the NCRA Board of Directors and the National Court Reporters Foundation Board of Trustees decided to extend the pilot for six additional months to give the students more time to complete their speed goals.

Formal analysis of the statistics has not yet been published.

## *Increasing Court Access*

The Transcript Reimbursement Fund (TRF) has provided \$7.4 million in legal aid to indigent litigants since the program was implemented in 1981, allowing numerous people in need the opportunity to have their day in court. "Because the funds are sustained through a portion of the court reporter license fees, this valuable consumer asset is self-supporting. We take great pride as a Board in being able to provide the staff for this wonderful resource," said Yvonne Fenner, CRB Executive Officer.

For additional information about the TRF, go to [www.courtreportersboard.ca.gov](http://www.courtreportersboard.ca.gov) or contact Julia Miranda-Bursell at (916) 263-3660.

### CSRs Needed for Exam Workshops

If you currently work as a certified shorthand reporter (CSR) and your license is in good standing, *we need you*. The CSR exam development process involves a series of workshops that requires active CSR participation. Without valuable subject matter expert input, the workshops cannot take place, and without a good supply of test questions in the test bank, the CRB will not be able to continue to offer the written exam three times per year.

For the health and growth of the industry, please consider accessing the CRB calendar at [www.courtreportersboard.ca.gov](http://www.courtreportersboard.ca.gov) to see if any of the upcoming exam workshop dates might work for you. Each two-day workshop is held from Friday to Saturday in Sacramento. All travel accommodations are arranged by CRB staff. All workshop participants will be provided with a per diem rate of \$150 per day and travel expenses. Those living farther than 50 miles will also be reimbursed for hotel accommodations at the State approved rate.

Please pass this important message on to reporters you know. The future success of the CSR industry lies with you. For more information on participating in an exam workshop, contact Kim Kale at [Kim.Kale@dca.ca.gov](mailto:Kim.Kale@dca.ca.gov).

### Examination Statistics

Written Exam			
March 1, 2010 - June 30, 2010	Total	Pass	Overall %
English	94	35	37.2%
Professional Practice	80	48	60.0%
November 1, 2009 - February 28, 2010			
Total	Pass	Overall %	
English	77	38	49.4%
Professional Practice	57	32	56.1%

### Dictation Exam

June 2010	Total	Pass	Overall %
Overall	121	30	24.8%
First Timers	47	19	40.4%
February 2010	Total	Pass	Overall %
Overall	109	35	32.1%
First Timers	42	24	57.1%

### Waiting for the Budget Woes

The current State budget impasse is creating a challenging economic climate for all Californians. For the CRB it means not having access to funds, so vendors have to wait for payment and boards are having to borrow supplies from each other. Reimbursements for staff as well as the subject matter experts that assist with exam development workshops and note reviews are also on hold, and furloughs are challenging CRB staff to fit 40 hours of work a week into 32. However, we are committed to continuing to meet our essential mandates of licensure, enforcement, school oversight, and Transcript Reimbursement Fund administration, and we look forward to being able to fulfill strategic plan projects once funding is resumed.

## Two New Board Members Appointed to CRB

Reagan Evans and Toni O'Neill were recently appointed to the CRB by Governor Schwarzenegger. With the addition of these two members, *the CRB has a full Board for the first time since 2007.*



Reagan Evans, a Certified Realtime Reporter and Registered Merit Reporter from Ontario, is President of Olympic Reporting and Video, Inc. She has been working as a freelance deposition reporter in California since January 1988, and specializes in technical work and interactive realtime reporting. Over the course of her career, she has been active in numerous industry associations,

including the now defunct local Inland Counties Court Reporters Association, the Deposition Reporters Association, the California Court Reporters Association, and the National Court Reporters Association. "As a licensee member of the CRB, I see my role as bringing the freelance industry expertise I have to the table, providing my fellow board members with the information they need so that we can collectively make the best decisions possible for our consumers: judges, attorneys, and litigants," Reagan offered.

Toni O'Neill, a Registered Professional Reporter and a Fellow of the Academy of Professional Reporters, has been an official with the Riverside Superior Court since 1990. She is committed to the integration of technology into the judicial process, and was one of the first official court reporters in California



to provide realtime services for judges during courtroom proceedings. Toni has also been active in local, state, and national associations, and previously served one term with the CRB from September 2006 to June 2009. "I'm very excited to be back on the Board again," commented Toni. "I look forward to serving with Reagan, and believe having both of us on the Board will provide a broad industry knowledge base from which we can pull when the Board deliberates over issues."

## Frequently Asked Questions

**Q. I'm applying to take the next CSR examination. On the application, question 10 asks for prior convictions, except minor traffic violations. I had a DUI over ten years ago that did not include an accident. Can I check "no" as my answer?**

**A.** If you have been convicted of anything other than an infraction such as a parking ticket, you should disclose it to the Board. If you check "no" and a subsequent report from the Department of Justice shows the conviction, the Board would consider the application to be dishonestly answered. While you may still be allowed to sit for the examination, since honesty is related to the practice of court reporting, your application for licensure would likely be denied, pursuant to Business and Professions Code Section 8026.

**Q. I'm working with a paperless writer, and my court stores my electronic notes. Recently I received a transcript order, and when I received my file back from the court, the notes were corrupted. I informed the parties involved that no transcript was available. One of them complained to the Board, and now I'm facing a large fine. How can that be when it's not my fault?**

**A.** When a transcript is unable to be produced, the Board looks at such a situation very carefully. It is a serious accusation and a serious offense if the reporter is found negligent. When looking at such a complaint, the Board assesses how the court reporter utilized backup systems. Government Code Section 69955(d) says, "If the reporting notes are kept in any form other than paper, one duplicate backup copy of the notes shall be stored in a manner and place that reasonably assures its preservation." From a backup standpoint, it is safest to have backup copies in two different locations so that if something happens to one copy, you still have the other.

**Q. I have an interpreted deposition coming up. I always get confused with swearing in the witness and the interpreter. Who do I swear in first, the witness or the interpreter?**

**A.** You swear in the interpreter first so that he/she may assist with the witness swearing in by providing the interpretation.

FAQs continued from page 5

**Q. As an official reporter I have always followed the Government Code section as it applies to what fees can be charged for transcripts, whether they are paid for by the court or a private party. There is often debate on this issue among my colleagues. Could you please clarify whether or not a court reporter is allowed to charge more than the statutory rates when charging a private party for a transcript?**

**A.** Government Code Section 69950 (a) states that, “the fee for transcription for original ribbon or printed copy is eighty-five cents (\$0.85) for each 100 words, and for each

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

Additionally, Government Code Section 69951 states, “For transcription, in civil cases, the reporter may charge an additional 50 percent for special daily copy service.”

### CSR HIGHLIGHT



Lyn Yard has been a court reporter for 32 years. Since becoming certified at Humphreys College in Stockton, CA, she has primarily worked for the Stanislaus County Superior Court, where she is currently a supervising reporter as well as a member of the union negotiating team for court contracts. “I thoroughly enjoy working for the court system. I love the variety of topics covered as well as the different assignments available. My latest venture is switching from criminal cases, where I have spent most of my career, to civil ones,” said Lyn.

Initially a business administration major, Lyn hated accounting. Following her mother’s suggestion that she consider becoming a certified shorthand reporter (CSR), she decided to talk to a court reporting agency to gather more information. Her interest in law, coupled with opportunities for good pay and desirable employment options, were all it took to convince her to switch professions.

Throughout her career, Lyn has enjoyed the ever-changing nature of the courtroom as well as hearing testimony that has taught her about many topics she might not have been exposed to otherwise. “As society grows and shifts, so do the crimes and cases heard. You would think that there would be a finite number of case types, but the court system is dynamic, with topics always changing. Many cases now being tried are about intellectual property and cyber crime, issues unheard of when I first began my career,” said Lyn.

During her tenure as President of the California Official Court Reporters Association in 2007, Lyn learned a lot about the CSR industry. Through her association and legislative work at the capitol, she had the opportunity to meet and work with different people from various associations. “If I could impart any words of wisdom on my fellow CSRs, it would be to get involved and know what is going on in our profession. While participation may require some extra work, nothing hurts our industry more than reporter apathy,” Lyn continued, “It is also important that we maintain a close working relationship with the California Court Reporters Board as they provide a vital service to us as well as the public. It is through their assurance that reporters are qualified that we will continue to be respected professionals and a vital part of the judicial process.”

Lyn’s long-term plan is to retire within the next five years. She said, “I have seen a big evolution in the court reporting industry and feel happy to have been a part of it all. This profession has provided me with great experiences. I hope others find it as fulfilling as I have.”

The UC Berkeley CART team (left to right):  
Lisa Kow, Charlotte Mitchell, Betty Atanasu,  
Rhonda Ryan and Audrey Maloney

**CLOSED CAPTIONING**  
*A Career To Consider*



Most certified shorthand reporters get their training and assume they will be court reporters upon graduation, working on depositions or in the courtroom. But there are other rewarding alternatives with good earning potential.

“CART industry needs are on the rise as technology is making the service more available in a wider range of settings. Our program here at UC Berkeley continues to expand, offering more services and benefits to students and writers each year,” said Betty Atanasu, coordinator of the Disabled Students’ Communication Access Realtime Translation (CART/closed captioning) program at UC Berkeley.

In place for approximately 10 years, UC Berkeley’s CART program currently serves nine to 13 full-time students. Writers are assigned on a class-by-class basis based on appropriate skill level for each situation. The majority of the writing is done in the classroom, side by side with the student; however, using a program called Illuminate (links writer with student) in conjunction with Skype or classroom audio stream, it can also be done remotely, providing the student with realtime information. Students interested in getting transcripts as well as the live feed are able to do so upon request.

Cutting-edge CART programs being implemented and offered at UC Berkeley include YouTube training videos for students and faculty, familiarizing them with University closed captioning services. The program also implemented webcast captioning this past September as a result of a cooperative project with Google to sync videotaped lectures with captions which can then be posted to YouTube. Another area the program is working toward expanding into is live closed captioning for expanded viewings, which ultimately will include large school functions.

The five full-time writers employed with UC Berkeley are represented employees, with benefits and retirement. “Working for the University affords each of us the opportunity to work at the forefront of this growing industry. I love my job and the positive impact I can have on those in my community. I would encourage anyone with the interest and necessary skills to consider CART as a career,” said Betty.

For more information about UC Berkeley’s CART program, contact Betty Atanasu at [bat@berkeley.edu](mailto:bat@berkeley.edu).

### Court Reporters Board of California - Citations & Fines Issued April 2010 - September 2010

RESPONDENT NAME - CITY	LICENSE NO.	DATE ISSUED	VIOLATION	SATISFIED
Lothar, Christina - Carlsbad, CA	8624	09/07/2010	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect.	No
Durrant, Elizabeth - Chatsworth, CA	11899	08/30/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct.	No
Saul, Mary Jo - Los Angeles, CA	8820	08/30/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct.	Yes
Martinez, Brenda - Menifee, CA	12858	08/26/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts...	No
Jones, Leyla Star - Portland, OR	12750	07/21/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (e): Repeated unexcused failure... to transcribe notes of cases on appeal.	No
Welch, Shelley - Fairfield, CA	10461	07/20/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct.	Yes
Brewer, Stephan - Fresno, CA	13081	07/20/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct; Government Code Section 69955 (g): Delivery of stenographic notes to court.	No
Hamrick-Smith, Lezlie - El Cajon, CA	6702	07/13/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (e): Repeated unexcused failure... to transcribe notes of cases on appeal.	No
Shimek, Marcia - Carlsbad, CA	8672	07/13/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (e): Repeated unexcused failure... to transcribe notes of cases on appeal.	No
Corona, Tanuya - Broomall, PA	12782	05/20/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (e): Repeated unexcused failure... to transcribe notes of cases on appeal.	No
Borge, Shannon - Elk Grove, CA	9436	05/19/2010	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect.	Yes
Miller, Juliana - La Mirada, CA	10675	05/04/2010	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect.	Yes
Jones, Leyla Star - Portland, OR	12750	04/14/2010	Business & Professions Code Section 8025 (d): Unprofessional conduct.	Yes

The Citation and Fines remain posted for one year from the date initially issued. To find out whether a specific licensee has ever been issued a Citation and Fine prior to the date shown, or to obtain further information on a specific Citation and Fine, please contact the Board office toll-free at 1-877-3-ASK-CRB (1-877-327-5272).

The above respondents' Citation and Fines that reflect "Satisfied" have been satisfactorily resolved. Payment of a fine is not an admission to the violation.

### Court Reporters Board of California - Disciplinary Actions

The disciplinary actions listed below cover the period of time from April 2010 to September 2010. To find out whether a licensee has had disciplinary action prior to April 2010, or to obtain further information on specific disciplinary action for a licensee listed below, please contact the Board office toll-free at 1-877-3-ASK-CRB (1-877-327-5272).

A disciplinary action is a formal proceeding that includes the basis for the action sought against the licensee. These disciplinary actions are held in front of an Administrative Law Judge and allow for attorney, testimony, and challenges as provided in the legal system. The Administrative Law Judge then issues a decision that the Board can accept, reject, or send back for additional information. Disciplinary cases can result in license suspension and/or a probationary status with conditions.

RESPONDENT NAME - CITY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Samples, Sarah - Riverside	13588	Stipulated Settlement and Disciplinary Order: 2 years probation.	10/13/2010	Business & Professions Code Section 480 (a)(1): Conviction of a crime; Section 493.
Ionescu, William - Ladera Ranch	11417	Default Decision and Order: license revocation.	10/07/2010	Business and Professions Code Section 8025(d): Failure to comply with mental health examination.
Cavin, Karen - Riverside	8562	Stipulated Settlement and Disciplinary Order: 2 years probation; \$1,700 cost recovery.	06/07/2010	Business and Professions Code Sections 8025(d): Willful violation of duty, gross negligence or incompetence; unprofessional conduct.

### Court Reporters Board Of California - Disciplinary Actions Pending

Simonov, Dynele - Petaluma	11211	Accusation	09/27/2010	Business & Professions Code Section 8025 (a): Conviction of a crime; Section 8025 (b): Failure to notify Board of conviction; Section 490.
Dayton, Andrew - Buena Park	13353	Accusation	09/03/2010	Business & Professions Code Section 8025 (a): Conviction of a crime; Section 490.
Ardon, Janet - San Diego	13093	Accusation	05/05/2010	Business and Professions Code Section 8025(d): Willful violation of duty, gross negligence or incompetence; unprofessional conduct; Section 8025 (e): Unexcused failure to transcribe notes; 125.9 (e): Failure to pay Citation and Fine with an Order of Abatement; 8025 (a): Conviction of a crime.