

CRB* TODAY

COURT REPORTERS
BOARD NEWSLETTER

GUARDING THE RECORD
FOR CONSUMER PROTECTION



Message from the Chair *Davina Hurt*

What Licensing Offers the Consumer

From engineers to teachers, licensure is generally understood to be the mark of professional achievement that unifies and strengthens the profession. Yet and still, there have long been individuals who assert regulating an occupation via licensing needlessly hampers competition and is burdensome to those wishing to enter the field. This latter assertion prompts the question “of what benefit is licensing?”

The benefit is to the consumer — litigants, attorneys, and judges, to name a few. In the case of the Court Reporters Board, consumers are assured that when they hire a licensed court reporter they will possess a necessary minimum level of skill and knowledge to be able to report a proceeding, transcribe it accurately, and deliver it in conformance with laws and statutes.

Additionally, if a licensee does not follow the laws and regulations pertaining to court reporting, the consumer can turn to the oversight body for assistance. The CRB routinely handles complaints ranging from untimely transcript delivery to the accuracy of the transcript itself.

Ultimately, the Legislature has to balance consumer protection against the risk of restricting competition by requiring licensure with its attendant costs in both money and time. Those interested in becoming court reporters commit an average of two to four years – often more, occasionally less – of rigorous training and education in order to prepare themselves for licensure and practice. Cost is balanced against what is at risk. What would an appeal look like without a verbatim record of the proceeding produced by a neutral

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Message continued from cover

third party? The transcript is the basis for all appeal rights. If a judge and/or jury found that your children were to be removed from your custody, that property you believed to be yours was, in fact, not, or even that you should be sent to prison for life, you would clearly want the right to appeal if you believe a mistake was made.

Once the academic courses are passed and a court reporting student attains the skill level required for licensing, some begin to wonder why licensing is necessary at all. After all, they have the knowledge, skill, and the school test scores to prove it. And perhaps this would all be fine in a perfect world. But in the imperfect world we live in, court reporters make mistakes, sometimes to the point where they really should not be practicing. If a court reporter is habitually late getting his or her transcripts out, doesn't the consumer have a right to know? A licensing body such as the CRB is a repository of license information, including contact information and license status.

The CRB takes its mission of consumer protection very seriously, and all programs move forward to that end. From the development and administration of the license exam to the discipline for violations of the code, the CRB works to safeguard the appeal rights of every Californian.

Sunset Review Update

On September 24, 2016, Governor Brown signed AB 2192 (Salas), and it was subsequently filed with the Secretary of State. This was the Board's sunset bill, and upon its successful completion of the legislative process, extended the Board to January 1, 2020. "Although this is the first time that the sunset extension for the CRB was shortened from four years to three due to the current political landscape and negative public perceptions of government regulating the marketplace for good, we are thrilled to return to protecting consumers and get to tackling the issues that jeopardize the neutrality and impartiality of the record for all litigants regardless of wealth," noted Board Chairperson Davina Hurt. She added, "Despite having a shorter period of time, we are truly committed and energized to work with legislators and stakeholders for solutions to benefit California consumers with special emphasis on launching a strategic awareness campaign of board services and standards and reining in entities circumventing applicable court reporting laws."

Additionally, the bill extended the Transcript Reimbursement Fund (TRF), a fund that was established in 1981 to provide transcripts to qualified indigent litigants. The TRF provisions were thoroughly reviewed by the Legislature and updated to improve the efficiency of the administration of the fund. One change of particular note is a portion allotted to the pro per litigant portion of the fund that was increased from \$30,000 per year to \$75,000 per year. It is hoped this increase will help to eliminate the backlog of applications that has been created by reaching the \$30,000 cap for the year before the year has ended, requiring pro per litigants to wait many months for their transcripts or for reimbursement.

And the third part of the bill increased the license fee cap from \$125 to \$250. "The Court Reporters Board has not had to raise the license fee cap in the history of its existence," noted Yvonne Fenner, executive officer for the Board. "It's pretty remarkable to have carried out our legislative mission from 1951 to 2016 before needing to request an increase," she added. While the bill increased the license fee cap, any change to the actual license fee would come before the Board at a future meeting.

Court Reporters Board Member Leaves

It is with deep regret the Court Reporters Board bids adieu to public board member John Liu. Mr. Liu's term ended in June of 2016, and, unfortunately, his busy work schedule did not allow him time to consider reappointment. "As a fellow attorney, Mr. Liu brought a wealth of knowledge and insight to the Board," noted CRB Chair, Davina Hurt. "He had the consumers' interests at heart during all policy discussions."

"Staff, too, will miss Mr. Liu," added executive officer Yvonne Fenner. "He not only was prepared for every board meeting, but was passionate about protecting consumers. He added so much to our board, and we were lucky to have him for the time that we did," she concluded.

His service to the state was commemorated with a resolution passed by the Board at the September 23, 2016 meeting. It is hoped that he is wildly successful in the next stage of his career.

Court Reporters Board Gains New Board Member

In June, Governor Brown appointed Carrie Nocella to the Court Reporters Board. Ms. Nocella is the Director, Government Relations at the Disneyland Resort where she is responsible for the resort's overall government relations and policy initiatives and efforts, developing strategies and plans to help ensure a favorable environment for resort operations and expansion. Ms. Nocella is also responsible for developing relationships with elected officials, regulatory agencies and stakeholder engagement, as well as maintaining and enhancing relationships with other local and regional industry and trade organizations.

Ms. Nocella also is extremely active in the community and represents the resort on the California Attractions and Parks Association Board, California Building Industry Association Board, California Business Properties Board, California Travel Board, California Hotel and Lodging Association Government Affairs Committee, California Restaurant Association Government Affairs Committee, and Orange County Business Council Government Affairs Committee.

Prior to joining Disney in February 2007, Ms. Nocella was an attorney in Sacramento. She obtained her Juris Doctorate from University of the Pacific- McGeorge School of Law. Carrie has served as an adjunct law professor at Chapman University School of Law. Before beginning her legal career, Carrie worked at the City of Anaheim in the Public Utility department. In that capacity, she focused on community-based programs and resident relations.

"With her legal and legislative background, Carrie Nocella brings valuable experience," stated Davina Hurt. "Her expertise comes at a time when the Board is focusing on a variety of regulatory and legislative issues; we are excited and honored that she has joined the Board," she added.

"I remain the luckiest executive officer in the Department of Consumer Affairs," asserted Yvonne Fenner, executive officer of the CRB. "I have a full board with every single member smart and committed to our mission of consumer protection."

The Board welcomes Ms. Nocella and looks forward to working with her to solve the variety of issues currently on the Board's agenda.

CSR Exam Questions:

Answers to some of the most frequently asked questions regarding the CSR license exam.

In this age of prevalent social media, rumors get started and spread quickly, gaining credence for being “published” online. Thanks to CSR Jennifer Esquivel for bringing these questions to the attention of the CRB staff so that we could get the correct information out to as many people as possible.

1. **Who grades my dictation exam and how is it graded?** The dictation or skills portion of the license exam is graded by CRB staff members, yes, real, live human beings. A master transcript is made for each group. Several people, including working CSRs and an educator, review the master test for punctuation. Only essential punctuation is graded, not style. Each candidate’s test is compared word for word, including punctuation, to the master transcript. Points are taken off in accordance with the Board’s grading policies, which can be found on the Board’s Web site at <http://www.courtreportersboard.ca.gov/applicants/grad-policies.pdf> and the punctuation guidelines at <http://www.courtreportersboard.ca.gov/applicants/punc-guidelines.pdf>.

If the final result is 45-55 errors, the test is re-graded by another staff member.

2. **What is the exact process to appeal my score should I not pass?** The two written portions of the license exam may not be appealed. The dictation or skills portion may be appealed. Information on the appeals process is provided with the result notification letter if the candidate did not pass. The candidate would first request his/her transcript from the CRB licensing staff, followed by calling to reserve a time to listen to the audio recording, either in Sacramento or in Southern California. If after review the candidate disagrees with the scoring by enough points that reconsideration would result in a passing score, an appeal may be submitted. The appeal would include the page and line number on the master transcript where the discrepancy occurs and the page and line number on the candidate’s transcript, underlining the word(s) that are affected and stating the reason the candidate believes his or her transcript to be correct.
3. **If I do not pass the dictation exam but do pass the written portions, do I have a limited amount of time to pass the dictation exam before the written results are voided?** All three portions of the license exam must be passed within three years, but may be passed in any order. The executive officer may grant an extension of one year or two exam cycles.
4. **Does the CRB recognize an online qualifier? If so, under what circumstances?** The Board recognizes court reporting programs that meet the accreditation and curriculum requirements set out in California Code of Regulations (CCR) 2411, 2412, and 2414. CCR section 2411(a)(2) requires qualifiers to be transcribed under direct supervision, which could include online qualifiers.
5. **What is the purpose of the comments section on the written exams, and does it help my score if I comment on each answer?** The CRB reviews the comments in conjunction with the Office of Professional Examination Services (OPES), our sister agency that helps us develop our written tests. The comments help us improve the questions. Even though multiple groups of CSRs have looked at each test question before it is included on an exam, if candidates are having issues with a question, we want to know about it and fix it or remove it from the test bank. Comments do not affect the score in any way.

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6. **Can I take smoke breaks and bathroom breaks during the transcription period?** Yes, if a proctor is available to escort you. For security reasons, candidates leaving the transcription room on their own may not re-enter under any circumstances.
7. **How do I transcribe the test if I don't have student/professional software for transcription? Do I type it up in Word from my notes?** The short answer is yes. We are testing the candidate's ability to produce an accurate transcript in a timely fashion. The candidate may use whatever software, either CAT or simple word processing, to produce the transcript.

Any questions regarding the exam should be directed to the Board's licensing analyst, Kim Kale at Kim.Kale@dca.ca.gov or 916-263-3660 or toll-free 877-327-5272.

CRB Begins Onsite School Reviews

Part of the Board's mission from the Legislature is oversight of the court reporting schools in California. Schools get a first layer of accreditation, typically from ACICS or WASC, and then the CRB is responsible for ensuring the court reporting program meets the regulatory criteria.

On October 11 and 12, the CRB onsite review team visited College of Marin in Novato and Golden State College of Court Reporting and Captioning in Pleasanton, respectively. The team reviewed faculty and student files for compliance and interviewed students about their experiences at the schools. An electronic survey was also made available to students in an effort to gather as much feedback as possible.

"We are appreciative for the warm welcome we received, despite the extra work necessary to respond to the Board's requests," noted CRB team member Paula Bruning. "We know everyone is extremely busy with the day-to-day activities of running a school, but recognize that we have a job to do as well."

The CRB team is led by an expert consultant, Ned Branch, a well-known name in the court reporting industry. As a retired court reporting teacher and former school owner, Ned also brings expertise in program evaluation gained from his experience reviewing ACICS schools throughout the country.

The team plans to visit two more schools before the end of this fiscal year.

Examination Statistics

Written Exams				
March 1, 2016 - June 30, 2016		Total	Pass	Overall %
English	Overall	73	42	57.5%
	First Timers	44	35	79.5%
Professional Practice	Overall	67	34	50.7%
	First Timers	38	26	68.4%
November 1, 2015 - February 29, 2016				
		Total	Pass	Overall %
English	Overall	85	46	54.1%
	First Timers	28	18	64.3%
Professional Practice	Overall	71	43	60.6%
	First Timers	34	22	64.7%

Dictation Exam			
July 2016	Total	Pass	Overall %
Overall	152	49	32.2%
First Timers	46	25	54.3%
March 2016			
	Total	Pass	Overall %
Overall	133	17	12.8%
First Timers	25	10	40.0%

Online Skills Exam Policy and Procedures Task Force

At the April 8, 2016 meeting, the Board considered a proposal to administer the skills portion of the license exam online via a third-party vendor. Many questions and concerns were expressed. It became clear that the answers to the vast majority of the questions would depend upon whatever policies and procedures were in place. To that end, a task force was appointed to develop policy and procedures for the Board's consideration. Board members Toni O'Neill and Elizabeth Lasensky agreed to act as co-chairs for the task force.

The co-chairs appointed the task force members, a mix of court reporting program educators and court reporters of varying degrees of experience, and the first meeting was held on September 9, 2016, in Sacramento. The meeting was facilitated by SOLID, the training unit for the Department of Consumer Affairs. The meeting was open to the public, and several interested parties were present, including several local students.

While it seems counterintuitive to develop policies and procedures before the decision has actually been made to move the test online, it would be difficult if not

impossible for the Board to make a good decision without having the answers that could only be found in a formal policy document. "This task force is doing important work," noted Co-Chair Lasensky. "By establishing policy to address the questions and concerns raised by the task force members and the public, we are really vetting the process." Added Co-Chair O'Neill, "Drafting these policies and procedures will allow the Board to make a more informed decision when it comes time to again consider the wisdom of moving the skills portion of the exam online."

The next task force meeting will be held on Friday, January 20, 2017, from 10:00 to 3:00 at Sage College, 12125 Day Street, Building L, Moreno Valley. This is, again, a public meeting, and all stakeholders are encouraged to attend. In order to ensure we have enough space for all who are interested, if you plan on attending, please advise Kim Kale at Kim.Kale@dca.ca.gov by January 10, 2017. Also, if you are unable to attend but would like to submit a question or concern for the task force to consider, you may e-mail that to Ms. Kale.

Newly Licensed Certified Shorthand Reporters

March 17, 2016 — October 10, 2016

The Court Reporters Board is pleased to welcome the following people to the rolls of licensed California court reporters:

George A. Aguilar, Upland, CSR 14142
 Karen Alberto, Chatsworth, CSR 14128
 Carrie A. Arnold, Arvada, CO, CSR 14118
 Kristin Belli, Vacaville, CSR 14120
 Lauren Bettencourt, San Jose, CSR 14148
 Kamaiya C. Bourne, Los Angeles, CSR 14127
 Susan Bruzzese, Los Angeles, CSR 14123
 Elizabeth Cortez, Baldwin Park, CSR 14105
 Jeanann M. Dewees, Lemoore, CSR 14138
 Catherine Ebbert, San Diego, CSR 14122
 Alyssa Shae Ekmalian, Piedra, CSR 14139
 Veronica Jazmin Fabela, Porterville, CSR 14106
 Cailey Erin Ferguson, La Habra Heights, CSR 14133
 Jessie Frey, Los Angeles, CSR 14110
 Heidi Rachelle Fuehrer, Corona, CSR 14145
 Danielle Marie Furlow, Brea, CSR 14121
 Sarah Elizabeth Gadd, Moreno Valley, CSR 14124
 Cecilia Garcia, Santa Ana, CSR 14115
 Alyssa Ghirarduzzi Marcum, CSR 14147
 Rashad S. Gordon, Redondo Beach, CSR 14136
 Sarah Gregory, Fresno, CSR 14112
 Veronica Guerrero, Woodland, CSR 14129
 Michael P. Hensley, Evanston, IL, CSR 14114
 Kristina Jaime, Placentia, CSR 14108
 Efia Kamieniecki, Alhambra, CSR 14111
 Ellen Leifer, Denver, CO, CSR 14135

Eugene Shi Lin, Artesia, CSR 14109
 Stephanie M. Lorenz, Spring Valley, CSR 14103
 Marina Lyonesse, Santa Rosa, CSR 14131
 Jamie Renee Molinar, Temecula, CSR 14116
 Sabrina Munoz, Moreno Valley, CSR 14126
 Kara C. Myers, San Diego, CSR 14113
 Sara Parker, Corona, CSR 14119
 Natalie Parvizi-Azad, Beverly Hills, CSR 14125
 Megan E. Peek, Auburn, CSR 14130
 Lucia Marie Perrin, San Geronimo, CSR 14099
 Brigitte Danielle Quiroz, Westminster, CSR 14146
 Rose-Marie J. Robinson, Newbury Park, CSR 14132
 Julie C. Rozell, Lincoln, CSR 14107
 Julie Rumsey, Pollock Pines, CSR 14144
 Maria Salgado-Brio, Ontario, CSR 14141
 Cynthia M. Sanchez, National City, CSR 14101
 Taryn Melissa Sanchez, Fresno, CSR 14100
 Christine Barbara Smith, Sausalito, CSR 14104
 Faith Melissa Lea Tougas, Corona, CSR 14137
 Christina Valery, Bloomington, CSR 14140
 Annabell Vasilkov, Sacramento, CSR 14143
 Amanda Laura Vitrano, Poway, CSR 14117
 Samantha Vogt, Fullerton, CSR 14134
 Amy Lynn Winford, Sacramento, CSR 14149
 Karen Zubenko, Citrus Heights, CSR 14102

CSRs Needed for Exam Workshops

If you currently work as a 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 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. Those living farther than 50 miles will 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.

Frequently Asked Questions

Q Can you please clarify for me the various time-related deadlines for production of the following transcripts as well as which statutory or other authority governs their deadlines: 1) Juvenile Writs, 2) Preliminary Hearings, 3) Appeals? I am finding conflicting information and/or outdated information. Your help is greatly appreciated.

A The California Rules of Court set out the deadlines. The deadline for limited civil appeals is 20 days from notification from the clerk (Rule 8.834(d)). The deadline for unlimited civil appeals is 30 days from the mailing of the notification from clerk (Rule 8.130(f)). The deadline for criminal appeals is 20 days after the notice of appeal has been filed (Rule 8.336(d)(3)). The deadline for preliminary hearings is 10 days from the close of the examination (PC869(e)). The deadline for juvenile writs is 12 calendar days after the notice of intent is filed (Rule of Court 8.450(h)(1)).

HOWEVER - and there's always that however - every court's (county) court of appeal makes their own miscellaneous orders. For example, in Riverside, reporters in unlimited civil appeals get an automatic 90 days to prepare and file the transcript on appeal and 80 days to prepare and file the criminal transcript on appeal.

So bottom line, what governs the filing deadline time is what is contained in the miscellaneous rules of the particular court of appeal in which the appeal transcript is to be appealed. The particular court of appeal may have to be contacted directly to obtain that information because that type of information may not be posted on the DCA's website.

When the appeal clerk prepares a notice to prepare transcript (NTP) on appeal, they always have on the NTP the date by which the appeal transcript is due. It is important for the reporter to be familiar with the different deadlines because sometimes a clerk will make a mistake and shorten the amount of time the reporter is supposed to get to prepare the transcript, and if the reporter doesn't have the awareness, the reporter won't know to question the due date that is listed in the NTP.

Q At a recent deposition, the noticing attorney asked me, when reading back, to include the question that was read back. Typically when I read back I use a parenthetical such as "(Reporter read back.)." I know it's impossible for the reporter to talk and write at the same time, so is it okay just to add in the question that was read back?

A If there is no objection by opposing counsel, you may add yourself on the record with the full question being read back. You should ask counsel to place a stipulation on the record with that request, as it does make the transcript longer, and if you're reading back a lot, it could be substantially longer. Be sure to make a note of exactly what was read back at the time, however, as it may not be obvious what you read when you go back to prepare the transcript, especially if it's not as simple as the pending question.

Q I was recently told by an attorney that, in a prior deposition, the reporter at one point told the attorney that "It's not my job to tell you when I'm not getting the record!" The attorney was rightfully appalled and asked to not have the reporter return to work with her. I was speaking with a retired colleague who told me that she's heard this same comment from other reporters. What are the reporter's obligations in this situation?

A The court reporter is the only one in the room that knows whether or not he or she is "getting" the record. Therefore, the reporter has an ethical obligation to inform the parties when he or she is not getting a verbatim record. The Professional Standards of Practice are set out in Title 16, Division 24, Article 8, section 2475 of the California Code of Regulations. Specifically section (b)(3) states the licensee shall "*Perform professional services within the scope of one's competence, including promptly notifying the parties present or the presiding officer upon determining that one is not competent to continue an assignment. A licensee may continue to report proceedings after such notification upon stipulation on the record of all parties present or upon order of the presiding officer.*"

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Q We had a recent deposition where the witness was present at the time of the deposition, however, she actually lives in Illinois. The witness's attorney asked me if we can 'just email' the transcript to the witness for review. My understanding of 2025.520(c) is that the witness's attorney needs to purchase a copy of the transcript and that the attorney can send it to the witness either via mail or by email with an errata sheet. Do I need to be the one to send the transcript directly to the witness with the errata (via email or hard copy)? Is there something in the code that says we need to offer an email for free to the witness? Also, if we do email it to the witness, do I need to notify all parties in writing again, letting them know that? Or do I let them know that it was reviewed via email when/if I get the errata sheet back & send the errata to all parties?

A There is no code section that requires you to either provide the deponent with a free transcript or to require the deponent to purchase a copy of the transcript. The original must be made available for review, but the reporter does not release the original from his or her possession, so the deponent would come to the court reporter's office for review. In the alternative, the deponent may read his or her attorney's certified copy and return the errata sheet to the court reporter. If a courtesy copy for review is requested, the court reporter may agree to provide it at no charge, but the decision to charge or not to charge for the courtesy copy rests with the reporter. The procedure for review can be found in the Code of Civil Procedure 2025.520.

Q I'm on a case that has a 30-day protective order. After I turned in my final transcripts I found out the parties are going through the transcripts and designating portions protected. They are then expecting me to go through the final transcripts and make changes. Is that even legal?

A Yes, it's a common procedure with confidential transcripts, but much easier to accommodate if you know that before the final is produced. Typically, the reporter only provides rough drafts for the attorneys for their review before incorporating their confidential designations into a final transcript.

Q Where do I find the code and/or information pertaining to reporters and conflicts of interest, please? I am specifically looking where I would find the language that pertains to reporters who report a family member's case without disclosure.

A California Code of Civil Procedure section 2025.320 (a) is the section that deals with conflicts that a reporter may have as a result of being employed by or related to one of the parties. It states: "*The officer shall not be financially interested in the action and shall not be a relative or employee of any attorney of the parties, or of any of the parties.*" It would be important for the deposition reporter to disclose a conflict as soon as possible in order for the attorneys to object and find another reporter or stipulate to proceeding.

While there is no similar code for official reporters, every court/county has a formal policy in place that states that any court employee, including court reporters, have to notify the court of the case and the employee's relationship. All employees, including reporters, are trained that they should immediately notify the judge if there's a case on calendar that involves a family member, good friend, not-so-good friend, or even acquaintance of the reporter. The judge will make the call as to whether this is any conflict of interest or question of impropriety.

Q Is there a section in the code speaking to what must be on the cover page of a transcript? Somebody told me today that it **MUST** contain the reporter's name and certification number. Is that correct, and, if so, where in the code is that?

A It is actually a regulation. CA Code of Regulations, Title 16, Division 24, section 2406 states: "*A reporter licensed under Chapter 13 of Division 3 of the Code shall list his license number on the cover page and certificate page of each deposition, court transcript, or transcript of other legal proceedings. The license number shall also be included in any and all presentments to the public including but not limited to advertising, solicitation, business cards, stationery and telephone listings.*"

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FAQs continued from page 9

Q Could you tell me what normally goes on the appearances page in deposition transcripts? I know the attorneys' information and any other parties who appeared at the deposition, such as a videographer or interpreter, would appear on the appearances page, but is the court reporter's name, address, firm name, etc, usually on the appearances page? Or is this basically a reporting firm's preference or style?

A There is no code section that specifically sets out the information that is to be listed on an appearance page. Usually, the court reporter is listed on the cover page, and the appearance page lists the other people in the room. However, there is nothing that would prohibit listing the court reporter on the appearance page as well.

Regulatory Update

Whatever happened to the Disciplinary Guidelines regulations the Board instructed staff to pursue almost a year ago? After a grueling legislative year including controversial legislation and the full sunset review process, staff is finally able to carve out time to work with industry experts and the Board chair to write proposed language as well as a full justification for the changes.

"We're working through a changed review process with the Department of Consumer Affairs (DCA)," reports Executive Officer Yvonne Fenner. The new review process includes review of the regulatory package by first the Board's legal counsel, then by DCA regulatory experts, and then the Business, Consumer Services and Housing Agency will take a look before it goes before the Board for approval. It is hoped that the new process will reduce changes later on down the road, making the actual rulemaking process go much more smoothly.

Transcript Reimbursement Fund Update

The TRF received a bit of a makeover during the sunset review process. One notable revision is the prohibition of vexatious litigants from receiving funds from the TRF. "We hope this change will allow more funding opportunities for indigent litigants pursuing meritorious lawsuits," said Paula Bruning, coordinator for the TRF.

An even more significant modification was to the amount that will be accessible by pro per litigants. The limit of \$30,000 for all pro per applicants was increased to \$75,000 effective January 1, 2017. The Pro Per Program has been continually backlogged since its 2011 inception due to the minimal funding. The Board anticipates the increased allocation will considerably decrease or eliminate the backlog caused by the lack of funding.

The adjusted Pro Per Program allotment will continue to come from the total of \$300,000 that is authorized annually for the TRF. The Board expects little to no impact to the Pro Bono Program funding since the total disbursements for all pro bono applications has been less than \$200,000 per year on average over the past five years.

There does, however, continue to be a backlog in processing due to overall workload. Last fall, the part-time analyst position for the Pro Per Program was eliminated, and the workload was reabsorbed by existing Board staff. Board staff is working to overcome the backlog while also completing other required duties not related to the TRF.

Industry Update

Federal Accreditation Changes Affect CA Court Reporting Schools

The Accrediting Council for Independent Colleges and Schools (ACICS), one of the nation's largest accreditors, is at risk of losing its recognition by the Department of Education (Department) pursuant to 34 Code of Federal Regulations (CFR) Part 602, based on the following recent and foreseeable events:

- On or about June 14, 2016, Department staff recommended to the Senior Department Official (SDO) at the Department and the National Advisory Committee on Institutional Quality and Integrity (NACIQI) that ACICS's petition for renewal of recognition by the Department be denied for several reasons.
- On June 23, 2016, NACIQI voted to recommend to the Department that re-recognition be denied.
- On September 22, 2016, the SDO at the Department of Education accepted the recommendation of Department staff and NACIQI to deny renewal of recognition to the Council.
- On September 22, 2016, ACICS issued the following statement: "ACICS plans to appeal the Senior Department Official's decision to Secretary King. While the appeal is pending, ACICS retains its federal recognition and remains determined to fully execute its accreditation responsibilities in a professional manner."
- If ACICS appeals the decision, the loss of recognition will indeed be stayed, and ACICS will retain its federal recognition during the appeal, and there is no set timeframe for when a decision on the appeal must be made by the Secretary.

Students who are attending court reporting schools accredited by ACICS are encouraged to contact their school administration to find out what that school is planning as a course of action. Keep in mind, however, that the situation is in flux, and no change will be immediate.

Legislative Update

The two-year legislative year has come to a close, with the fate of all bills making it out of the Legislature settled by the signature or veto of Governor Brown. Here's a recap of some of the more notable bills we have been following.

AB 2192 (Salas) – This bill was signed into law by the Governor and extends the Court Reporters Board to January 1, 2020 and raises the license fee cap from \$125 to \$250. Additionally it extends the TRF to January 1, 2020, increasing the amount available for the Pro Per Program to \$75,000. It also adds a reporting requirement due November 1, 2018, and allows the board to make transfers in increments of \$100,000 as necessary up to \$300,000 annually.

AB 2629 (Hernandez) – This bill, proposing to incrementally increase the price for court transcripts made it through both houses of the Legislature but was vetoed by the Governor.

SB 270 (Mendoza) – This bill went through many iterations, including firm registration, in an attempt to clarify the Board's jurisdiction over all entities providing court reporting services in California. This bill did not make it out of the Assembly in time and so did not reach the Governor's desk for consideration.

SB 1007 (Wieckowski) – This bill was signed into law by the Governor and requires a Court to dismiss an arbitration award if the Court determines that the rights of a party were substantially prejudiced by the refusal of the arbitrator to allow the party, at the party's expense, to have a certified shorthand reporter transcribe any deposition, proceeding, or hearing as the official record.

CSR Spotlight — Heatherlynn Gonzalez



“All the world’s a stage, And all the men and women merely players” – William Shakespeare

In this case, the stage is a courtroom, and the players are court staff, legal parties, and jurors. Heatherlynn Gonzalez was bitten by the court reporting bug when she was called for jury duty. *“I was so fascinated with the proceedings,”* Heatherlynn said. “So I spoke with the court reporter after the trial and she gave me information about what is required for court reporting school. I considered making a career in court my back-up plan.”

But working in court was not always Heatherlynn’s dream. She grew up knowing she wanted to be a stage manager. She received her master’s degree in theater arts and has been working with a theater company in Hollywood for the last 14 years. Her work in theater has taken her all over the United States and Canada while working as a traveling stage manager. She is also musically inclined, having mastered 23 instruments, including piano, clarinet, bassoon, guitar, and bass.

When Heatherlynn decided to start a new path, she enrolled at Bryan University (formerly Bryan College) in Los Angeles. She admits to considering throwing in the towel several times over the seven years she attended court reporting school, but she pushed through and obtained her CSR license in 2011 – still something she considers her proudest moment as a court reporter thus far. *“I adore my career, and I can’t imagine not having done it,”* she stated. “The feeling that I’m part of a system I truly believe in is incredibly rewarding. I can support my family, travel, and have the freedom to do the things I want to do.”

She admitted that there have been challenges, though, including being physically threatened by an attorney. Additionally, she finds it frustrating when people are dismissive about the level of skill required and the difficulty of the task. She was surprised to learn how little attorneys know about what court reporters do. She wishes people knew how many hours reporters spend at home completing transcripts. She shared that court reporting takes integrity, thoroughness, and stubbornness to be successful. She takes pride in her job and holds herself responsible for making a clean, accurate record.

Heatherlynn has met some inspiring people along the way, including litigants who have overcome obstacles and life-altering situations. There are also those lawyers who desire to represent their client to the best of their ability that invigorate her love of the system. She is encouraged by the support and strength she receives from colleagues who understand what it is to be a court reporter. She credits social media for giving reporters a place to compare experiences and knowledge with their peers across the country.

“My wife is my biggest inspiration.” She has made choices and changes in her life that I don’t believe I have the personal strength to do. Any of the choices I make or tasks I undertake now are with that model in mind,” Heatherlynn shared.

For prospective court reporting candidates, she advises them to ask questions before going to school, while at school, and after graduation. She recommends that candidates join industry associations and take advantage of opportunities to meet up with other court reporters instead of isolating themselves. “You also have to stay on top of things, otherwise it becomes overwhelming very quickly,” she said. “You have to consider that court reporting is like owning your business where you have to market yourself and consider financial planning and time management. Court reporting requires tenacity and being detail oriented.”

Spotlight continued from page 12

Court reporting has brought a true sense of accomplishment to Heatherlynn's life. She hopes to travel internationally and earn RPR, CRR, and/or CCRR certificates. She continues working in theater as a full-time hobby and defines success by happiness. *"If what you do and who you are allows you to be happy, then you're a success.* I don't believe it to be based on monetary wealth or physical possessions. I adore my job, my hobby, my fantastic partner in life, and genuinely enjoy seeing what will happen each day," she concluded.

Court Reporters Board of California - Citations and Fines Issued March 2016 - October 2016

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

RESPONDENT NAME - COUNTY	LICENSE NO.	DATE ISSUED	VIOLATION	SATIS- FIED
Hanna, Kimberly – San Diego County	12230	10/10/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct. (failed to identify all persons present on appearance page)	No
Straub, Susan – Solano County	7608	08/17/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts.... (failed to timely produce transcripts)	No
Jones, Katherine – Orange County	10097	06/17/2016	Business & Professions Code Section 8025 (d) and (j) in conjunction with CA Code of Regulations, Title 16, Section 2475 (b)(6) Professional Standards of Practice (PSP). (failed to timely produce transcripts; failed to provide transcript to all parties at the same time)	Yes
DeSimone, Teresa – Los Angeles County	3637	05/23/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts.... (failed to timely produce transcripts)	Yes
Perkins, Irene – San Diego County	12727	04/12/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (f): Loss or destruction of stenographic notes. (failed to retain stenographic notes)	No
McGarry, Lisa – Riverside County	13114	04/01/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts.... (failed to timely produce transcripts)	No
Gomez, Georgina – San Diego County	12775	03/21/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct. (submitted multiple versions of final transcript)	No

Court Reporters Board of California - Disciplinary Actions Current as of October 31, 2016

To find out whether a licensee has had disciplinary action prior to February 2016, 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 or revocation and/or a probationary status with conditions.

RESPONDENT NAME - COUNTY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Terry, Brooke – Placer County	4692	Decision and Order; license revocation.	09/12/2016	Business & Professions Code Section 8025 (d): Fraud, dishonesty, unprofessional conduct, willful violation of duty.
Andrade, Monica – San Diego County	12836	Stipulated Settlement and Disciplinary Order; 2 years probation; \$2,062.50 cost recovery.	08/10/2016	Business & Professions Code Section 8025 (a) and 490: Conviction of a crime.
Bruzzese, Susan	14123	Stipulated Settlement and Disciplinary Order; 3 years probation.	07/20/2016	Business & Professions Code Section 8025 (c) and 480 (a)(1), (a)(2), (a)(3) and (d): Conviction of a crime.

Court Reporters Board Of California - Disciplinary Actions Pending Current as of October 31, 2016

RESPONDENT NAME - COUNTY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Shrader, Gina	N/A	Statement of Issues	09/28/2016	Business & Professions Code Sections 480 (a), and (3)(A) and (B); 8025 (i) and (j): Disci- plined by another state licensing board.
Barnes, Robert – San Francisco County	2952	Accusation	09/28/2016	Business & Professions Code Sections 8025 (d): Fraud, dishonesty, and/or unprofessional conduct related to the practice of shorthand reporting.
Epstein, Janet – Los Angeles County	5115	Accusation	09/02/2016	Business & Professions Code Section 8025 (d), 8042 and 8046: Fraud and/or unprofes- sional conduct, dishonesty.
Gomez (Lombard), Olivia – San Bernardino County	11995	Accusation	07/20/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (j) in conjunction with CA Code of Regulations, Title 16, Section 2475 (a) and (b)(6): Violation of professional standards of practice.
Magana, Elizabeth – Kern County	13533	Accusation	06/28/2016	Business and Professions Code Section 8025 (d): Incompetence in the practice of short- hand reporting.
Martin, Karla – Contra Costa County	12025	Accusation	06/17/2015	Business & Professions Code Section 8025 (a) and 490: Conviction of a crime; Section 8024 (c) and 8025 (b): Failure to notify Board of conviction.