

CRB* TODAY

COURT REPORTERS
BOARD NEWSLETTER

GUARDING THE RECORD
FOR CONSUMER PROTECTION



Message from the Chair

Davina Hurt

Embracing Change

There are adjustments and then there is change on every level. Seven plus months ago every single one of us was plunged headlong into change beyond our control. Our home lives were disrupted. Our jobs were recast, while some were lost. Our social lives were halted because we were told to shelter at home to weather this storm and stop the spread. And, still some families were deeply changed forever with the sudden loss of loved ones. We are all battling this together, but have been affected in a variety of ways. There is no denying that individuals and businesses alike have had to adapt and find creative ways to get things done, something that will undoubtedly carry into the future.

The court reporting industry was not exempt. In order to deliver their services and remain relevant in this new world, reporters have been tossed into the world of remote reporting. What was once the exception to the rule has become the order of the day.

So what do you do when every aspect of your life has changed? *Psychology Today* gives us the following 10 ways to deal with big changes:

1. **Acknowledge that things are changing.** Perhaps easier said than done, but denial really serves no purpose.
2. **Realize that even good change can cause stress.** Change and stress are inextricably linked.
3. **Keep up your regular schedule as much as possible.** Little things that make up your routine can bring comfort and actually give your brain a chance to rest.
4. **Try to eat as healthy as possible.** Now is not the time for comfort food

Message continued on page 2

COURT REPORTERS BOARD OF CALIFORNIA
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833

Toll Free: (877) 327-5272
Phone: (916) 263-3660
Fax: (916) 263-3664

Inside this issue ...

TRF Update	2
Online Renewals Now Available.....	3
New Online Flyer	3
Legislative Update	4
Newly Licensed CSRs	6
Firm Registration Bill	7
Senate Bill 1146 Becomes Law	7
Regulations for Disciplinary Guidelines	7
AB 2138 Implementation Regulations	7
CSR Spotlight.....	8
Become a Board Member.....	11
CSRs Needed for Exam Workshops	12
Examination Statistics	12
Results of First Online Skills Exam.....	12
Student Spotlight	14
Frequently Asked Questions	16
Practice Via Remote Reporting Surges...17	
Disciplinary Actions	18
Disciplinary Actions Pending	19
Citations and Fines Issued	19

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Message continued from cover

unless you are disciplined enough to indulge strictly in moderation to prevent insulin levels from spiking or dropping to affect your mood.

5. **Exercise.** Not only are there health benefits in a modest increase in exercise, but it also helps with feelings of depression.
6. **Seek support.** There are local resources in your community standing by, and most people are flattered and happy to help if asked.
7. **Write down the positives that have come from this change.** Yes, it really does help to count your blessings. Maybe working at home encouraged you to declutter or dining out less saved you money.
8. **Get proactive.** Being proactive means you take action before something big happens. You might think it's too late, but there are ways to be proactive with the changes you see happening in your life.
9. **Vent, but to a point.** It is fine to let out the frustration and fear, but it's important to have a positive affirmation moving forward so you aren't stuck in the mud of depression.
10. **Back away from social media.** Social media might be your mental break or mind candy; however, it can also be a negative crutch. It may be a good time to step back and take a break to clear your mind for the task ahead.

While we have been dealt many blows and found different ways to manage the change, one thing for sure is only together can we manage. A number of the articles in this edition of "CRB Today" deal with the changes the Board and the industry has been forced to make in the wake of COVID restrictions. We are all working on our new future. The Board is as committed as ever to carrying out its consumer protection mandate. Many of the changes we are implementing in the short term to comply with social distancing requirements will possibly be permanent. The ability to pay for your license renewal with a credit card was implemented in August and is here to stay. Remote reporting has allowed depositions and court proceedings to continue and, while not perfect, is most likely here to stay as well.

Please join the Board in embracing change and use this opportunity for process improvement. We are committed to being flexible, adapting, evolving, and solving our challenges for California consumers.

Transcript Reimbursement Fund Update

Big news! The Transcript Reimbursement Fund (TRF) has reopened effective November 2, 2020! The program was closed due to lack of funding in April 2018. The Board took restorative measures to increase its revenue resulting in a budget reserve healthy enough to reopen the TRF.

"We are excited to start accepting applications and help as many litigants as possible at this time," stated Paula Bruning, TRF coordinator. "We know there are cases hinging on a person's ability to obtain the transcript, and we want to be a part of the solution."

Staff worked with the Office of Public Affairs at the Department of Consumer Affairs to revise the applications and guidelines on the Board website to help applicants understand the application process more clearly. Fewer deficient applications will help reduce the processing time. The Board will no longer accept applications on the outdated forms.

Interested litigants may review the guidelines to determine if they meet the eligibility requirements by visiting www.courtreportersboard.ca.gov/TRF.

Online Renewals Now Available

You've asked for it, and it's here! The Board is now able to accept online payments for court reporter license renewals.

The yellow "Online License Renewal" button can be found on the homepage of our website and will take you to this page: <https://payments.dca.ca.gov/crb/query>.

You will be asked to certify that your current name and address match the information on your license record. Additionally, you will need to answer the conviction certification question that is found on the traditional renewal application form.

You may not complete the renewal payment process online if your license status is:

- Delinquent beyond one year.
- Cancelled, suspended or revoked.

Or if you:

- Have been convicted of a crime within the last renewal cycle.
- Have been disciplined by a public agency within the last renewal cycle.
- Have an outstanding balance due to a citation or fine.
- Are requesting a military waiver (no fee).
- Are attempting to renew your license more than 60 days prior to its expiration date.
- Need changes to your address.
- Need changes to your name.

Please note, payments made online do not immediately cause the license status on the Board's website to update. In fact, the credit card payment does not reach our database until the next *business* day. The new license expiration date will be reflected on the Board's website the day after that. Therefore, if we receive a credit card payment on a Friday, the website will not be updated until Tuesday. You will, however, be able to print a receipt and will receive an email confirmation.

The Board hopes this will prove to be a convenient feature for its licensees!

New Online Public Education Flyer Highlights Importance of Licensed Court Reporters (Certified Shorthand Reporters)

The Board is pleased to announce a new e-publication—"5 Reasons Why You Should Choose a Licensed Court Reporter." After listening to concerns from constituents, the Board worked with the Department of Consumer Affairs' Communications Division to create the informational piece.

The document champions the competencies demonstrated by those who have achieved licensure and explains the benefits of regulation.

Licensees may wish to download and provide the publication to their clients or other consumers. The document can be found on the Board's website at www.courtreportersboard.ca.gov/formspubs/why_choose_licensed.pdf.

Legislative Update

AB 424 (Gabriel, 2019)—Depositions: audio or video recordings.

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

AB 1263 (Low, 2019)—Contracts: consumer services; consumer complaints.

(Dead)—This bill would prohibit a licensee from limiting a consumer's right to file a complaint with a licensing board or participate in an investigation into the licensee by the licensing board. A violation would constitute unprofessional conduct subject to discipline by the licensing board.

AB 1469 (Low, 2019)—Court reporters: registration: nonshorthand reporting corporation entities.

(Dead)—This bill would require business entities offering court reporting services to register with the Court Reporters Board.

AB 1616 (Low, 2019)—Department of Consumer Affairs: boards: expunged convictions.

(Dead)—This bill would require boards and bureaus that post information on their website about a revoked license due to a criminal conviction to update or remove information about the revoked license within six months of the board receiving an expungement order related to the conviction. The person seeking the change must pay the board a fee determined by the Department of Consumer Affairs, designed to cover the administrative costs of these requirements.

AB 2028 (Aguilar-Curry, 2020)—State agencies: meetings.

(Dead)—This bill would require state bodies subject to the Bagley-Keene Open Meeting Act to post all relevant background documents online at least 10 days prior to a public meeting instead of the agenda alone. Such writing and materials would only be eligible for distribution or discussion at the noticed meeting if posted within the 10-day time frame. The bill also clarifies that the public has the right to comment on any agenda item listed for that meeting, regardless of whether or not it has been previously discussed.

AB 2113 (Low, Chapter 186, Statutes of 2020)—Refugees, asylees, and immigrants: professional licensing.

(Chaptered)—This bill requires programs within the Department of Consumer Affairs to expedite and assist the initial licensure process for applicants who supply satisfactory evidence that they are a refugee, have been granted political asylum, or have a special immigrant visa, as specified. It also authorizes programs to adopt regulations necessary to administer these provisions.

AB 2185 (Patterson, 2020)—Professions and vocations: applicants licensed in other states: reciprocity.

(Dead)—This bill would require each program at the Department of Consumer Affairs to issue a license to an applicant if the applicant holds an out-of-state license in good standing in the discipline and practice level and if the applicant meets certain requirements, including, but not limited to, holding the out-of-state license for the past three of five years.

AB 2214 (Carillo, 2020)—Administrative Procedure Act: notice of proposed action.

(Dead)—This bill would require a state agency, including programs within the Department of Consumer Affairs, to conspicuously post specified regulatory documents on its website within 24 hours of submitting a proposed action to the Office of Administrative Law.

Legislative Update continued from page 4

AB 2631 (Cunningham, 2020)—License fees: military partners and spouses.

(Dead)—This bill would require programs within the Department of Consumer Affairs to waive initial or original licensing fees for spouses and domestic partners of active-duty military members.

AB 2748 (Fong, 2020)—Public agencies: information practices.

(Dead)—This bill would require public agencies subject to the Information Practices Act of 1977, including the Department of Consumer Affairs and its programs, to collect the least amount of personal information required to fulfill the purposes of its collection and would require those agencies to substitute the collection of nonpersonal information instead of personal information to fulfill any information gathering requirements whenever possible.

AB 2978 (Ting, 2020)—Department of Justice: arrest and conviction records: review.

(Dead)—The Department of Justice is required beginning January 1, 2021, to review statewide criminal justice databases and identify individuals who are eligible for arrest record relief or automatic conviction record relief by having their arrest records or criminal conviction records withheld from disclosure or modified. Current law provides that individuals are eligible for this relief, among other criteria, if the arrest or conviction occurred on or after January 1, 2021. This bill would instead require the arrest or conviction to have occurred on or after January 1, 1973.

AB 3045 (Gray, 2020)—Department of Consumer Affairs: boards: veterans: military spouses: licenses.

(Dead)—This bill would require boards to issue a license to an applicant if the applicant, among other criteria, is an honorably discharged veteran of the U.S. armed forces or is married to or in a domestic partnership or other legal union with an active duty member of the U.S. armed forces.

SB 873 (Jackson, 2020)—Gender: discrimination: pricing.

(Dead)—This bill would prohibit business establishments from charging different prices for products from the same manufacturer that are substantially similar if this price difference is based on the gender of the person who is the intended user of the product.

SB 878 (Jones, Chapter 131, Statutes of 2020)—Department of Consumer Affairs licensing: applications: wait times.

(Chaptered)—This bill requires each licensing program within the Department of Consumer Affairs to prominently display on its website the current average time frame for processing initial and renewal license applications for each license it offers.

SB 926 (Hill, 2020)—Business: retail stores: cash payments.

(Dead)—This bill would require retail stores to accept cash payment for any transaction, subject to specified exemptions. It would also require the Department of Consumer Affairs to enforce these provisions with a civil penalty ranging between \$25–\$500.

SB 937 (Hill, 2020)—State agencies: web accessibility.

(Dead)—This bill would authorize a state agency to temporarily remove public documents from digital access if a justifiable impediment exists, the Director of Technology verifies the impediment prohibits full compliance, and the state agency complies with various requirements, including but not limited to citing the reason for the document's removal and listing options and instructions for how to access the document offline. It would also make any file or document removed after October 14, 2017, subject to these requirements.

Legislative Update continued on page 6

Legislative Update continued from page 5

SB 991 (Gonzalez, 2020)—Court reporters.

(Dead)—This bill would revise fees for transcripts prepared by official court reporters and court reporters pro tempore.

SB 1106 (Gonzalez, 2020)—Operators of computer-aided real-time transcription systems proceedings: certification.

(Dead)—This bill would require the Court Reporters Board (CRB) by January 1, 2022, to adopt standards for certifying operators of computer-aided real-time transcription (CART) systems. The bill also requires the CRB to track the number of CART providers who are certified. The bill authorizes the CRB to set a fee for the cost of tracking the certification and imposes reporting requirements.

SB 1146 (Umberg, Chapter 112, Statutes of 2020)—Oral depositions: transcripts.

(Chaptered)—This bill allows the deposition officer to attend a deposition at a different location than the deponent via remote means. A deponent is not required to be physically present with the deposition officer when being sworn in at the time of the deposition.

SB 1324 (Allen, 2020)—Professional licenses.

(Dead)—This bill requires the Department of Consumer Affairs, among other stated entities, to place a prominently displayed military licensure icon or hyperlink on its website that is linked to information about each occupational program for licensure or certification that it administers, along with additional information relating to the professional licensure of veterans, service members, and their spouses. This bill would also require the Department of Consumer Affairs to submit an annual report to the Legislature based on information collected to satisfy the requirements of this bill.

Newly Licensed Certified Shorthand Reporters

March 1, 2020 – September 30, 2020

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

Mayleen Ahmed, Seattle, WA, CSR 14380
Cherish Aikman, La Habra, CSR. 14377
Katelyn Chang, Los Angeles, CA, CSR 14368
Marisa Charette, Anaheim, CSR 14384
Sawyer Cox, Vista, CSR 14388
Angelica Depompa, Downey, CSR 14385
Mary Difilippantonio, Atlanta, GA, CSR 14383
Nicole Duzich, Glendora, CSR 14376
John Fahrenwald, Tucson, AZ, CSR 14369
Suzanne Firlotte, Sunland, CSR 14371
Jacqueline Garcia, San Bernardino, CSR 14370

Emma Harris, Sacramento, CSR 14387
David Hurtado, Fontana, CSR 14379
Christine Jauregui, Garden Grove, CSR 14372
Catherine Luciano, Lafayette, CSR 14381
Natalie Simon, Irvine, CSR 14375
Angie Starbuck, Hilliard, OH, CSR 14389
Lindsay Stoker, Fullerton, CSR 14373
Katherine Thomas, Murrieta, CSR 14378
Erica Vasquez, Wildomar, CSR 14382
Katherine West, La Quinta, CSR 14386
Elena Wight, La Puente, CSR 14374

Firm Registration Bill Does Not Survive COVID Session

The Legislature held a shortened session due to various COVID restrictions. Lawmakers were asked to prioritize bills that were directly related to the pandemic. Although Assembly Bill 1469 (Low, 2019) did make it out of the Senate Business, Professions and Economic Development Committee, it ran out of time in the Committee of Appropriations and is dead for this legislative cycle.

“While we were hopeful that this important piece of legislation would reach the governor’s desk,” said Board Chair Davina Hurt, “We understand the unique challenges of this legislative year and are very grateful for Assembly Member Low’s continued commitment to the protection of the California consumer.”

Senate Bill 1146 Becomes Law

In April the Judicial Council issued an emergency waiver of the requirement under the Code of Civil Procedure for the court reporter to be in the physical presence of a party witness at a deposition. Senate Bill 1146 (Umberg, Chapter 112, Statutes of 2020) makes that change permanent, allowing for an expansion of remote appearances at depositions. Specifically, the legislation sets out the following:

2025.310. (a) At the election of the deponent or the deposing party, the deposition officer may attend the deposition at a different location than the deponent via remote means. A deponent is not required to be physically present with the deposition officer when being sworn in at the time of the deposition.

The legislation takes effect immediately as an urgency statute.

Regulations

Regulations Approved for Disciplinary Guidelines

At its May 21, 2020, meeting, the Board approved language for regulations to update the Board’s disciplinary guidelines.

Board staff is currently working with a regulations attorney from the Department of Consumer Affairs to prepare the necessary documents to begin the pre-approval process.

We will report on the progress of this regulations package in future newsletters.

UPDATE: Assembly Bill 2138 Implementation Regulations

The Board’s regulations package to implement the requirements set out in AB 2138, which requires boards to amend their existing regulations governing substantially related crimes or acts as well as rehabilitation criteria, is undergoing a final review by the Department of Consumer Affairs and the Business, Consumer Services and Housing Agency before it is submitted to the Office of Administrative Law.

CSR Spotlight



Kim Thayer loved watching *Matlock*, the long-running legal mystery television drama, in high school.

“I loved the courtroom environment but did not want to go to school long enough to be an attorney,” she said. “I saw the court reporter sitting in the courtroom and thought that would get me in that environment without years and years in law school.”

That astute plan took her to Vista Del Mar School of Court Reporting in Fresno.

She now reports in court as well as on depositions, hearings, and arbitrations. She’s also provided closed captioning for a deaf friend in her church.

“I love it all,” Kim said. “There are so many rewards in our industry. I have to say the most important has been the flexibility as a freelance reporter. This allowed me to be at all of my kids’ events. I have thoroughly enjoyed the ability to work when I want, where I want, and if I want. It is such a free feeling to have choices.”

She said other benefits include meeting fellow court reporters that began as mentors and turned into lifelong friends; clients that have become judges, and court staff that can make all the difference in your day in their courtroom.

But she said her biggest “win” was meeting her husband while in her first year of court reporting. “He was the bailiff in the courtroom I was assigned to. I found it coincidental that each courtroom I was working in he would appear. Apparently he was setting it up to be in the same courtroom I was assigned to. They dated two years and then married.

“The best part of court reporting is I found my best friend and lifelong partner, husband, and loving dad to our three kids.”

Read on to learn more about Kim and her industry insights:

What has surprised you most about court reporting?

“You never have it all figured out.” There is always room to improve and something new to learn. After 30 years of reporting, I continue to fine-tune my writing and learning software updates.”

What do you find most challenging about court reporting?

“The most challenging for me is staying up-to-date in a world of computers that change and update often.”

What are three words to describe court reporting?

“Professional. Unique. Irreplaceable.”

What is your philosophy towards your work?

“Be the calm element in the room. Be your very best ALWAYS. Being professional while you guard the record and turning in a

verbatim record in a timely manner is key to representing our profession as it should be.”

What would you tell someone who is thinking about a career in court reporting? Do you have advice for prospective court reporting candidates?

“I am often asked this. I always tell the prospective court reporting candidate to go for it. It is the best decision I made for a profession, and in all my years, no matter how horrible a day might be, I have never regretted it and would do it all over again.”

What do you think it takes to be successful in court reporting?

“Know your software and be flexible. Take every training workshop that is offered. Stay up-to-date on the software. To be

CSR Spotlight continued from page 8

successful, you must be up-to-date. More importantly, you must be flexible. Every day will be different—jobs go off and come in last-minute.”

What have you gained from working as a court reporter?

“Too much to put into words. Confidence is definitely on the top of that list. As a freelancer, I enter many offices and many different courtrooms. To be able to walk into a courtroom and feel confident to take control of that room with a judge in a black robe sitting above you speaks volumes of what this job can do for your confidence.”

Why is licensing important?

“Licensing puts an ‘excellence’ on our profession. I believe licensing is imperative to keep our profession in high regard.”

What was the most unusual or interesting job you’ve ever had?

“I reported the depositions and then the American Arbitration Association (Triple A) arbitration in the Cuties (small, easy-to-peel navel oranges) business dispute. The owners had a dispute, and it was equivalent to a huge business divorce. I learned so much, from where the rootstock was developed to how owning a business 50/50 is not wise. Triple A had to be the ultimate vote to help these partners run their business and eventually led to a dissolution. I was flown in company jets to jobs, traveled throughout California, and reported the breakup of Cuties which then born the Halo brand of the popular fruit.”

Favorite travel spot?

“I love the beach and the mountains. I am so fortunate to live two hours from each. My very favorite travel spot is Maui, Hawaii.”

What might others be surprised to know about you? Can you tell us three things most people don’t know about you?

- “I had no desire to have kids. I only wanted to focus on my career. My husband knew this about me when we met. A few years into marriage I decided to give being a mom a shot. LOL! I had no idea how much I would love it. We went on to have a total of three kids. I would have had more had it not required a cesarean section. Being a mom most definitely trumped focusing on my career. I am beyond blessed I could do both!

- Outdoor activities are a love of mine. I don’t truly enjoy scuba diving, but I do it with my family. I do enjoy snow skiing. My favorite is boating on the lake. I grew up water skiing on our family ski boat, and we have continued those memories with our kids and our ski boat.

- I have a passion for health and encouraging others along their journey. I became an Arbonne consultant in May 2018 and have enjoyed juggling that with my court reporting job. Arbonne has now become my “plan A” and court reporting is “plan B.” I surprised myself with that switch! My love and passion for both is why I feel double blessed these days. Both allow me the freedom to help others!”

What do you like to do in your spare time? Any hobbies or interests you have outside of work?

“My hobby is scrapbooking. I have made it my mission to be the historian of our family. My Arbonne business now fills any ‘spare time’ I once had.”

What is the first concert you attended?

“George Strait in the mid-1980s.”

What is your biggest pet peeve?

“Unwillingness to step out of comfort zone and try new things.”

What places have you lived in?

“Hanford; Central California”

What motivates you to put forth your greatest effort?

“The affirmation of my clients and ability to make their jobs easier.”

What two or three accomplishments have given you the most satisfaction? Why?

“Becoming a certified shorthand reporter in 1990 was the first. Shortly after this I passed my RPR. Becoming a CRR was the finishing touch for me personally. These certificates required me to keep up with continuing education. They were most helpful when working in federal court.”

What do you worry about, and why?

“I used to worry about everything that I had no control over. I battled thyroid cancer in 2011 and had to undergo treatment

CSR Spotlight continued from page 9

because it was not contained. This was the time in my life my worries changed. I then learned to only worry about what I did have control over, and I no longer carry those pebbles on my silver platter of items I have no control over. This includes fast-speaking attorneys and hard-to-understand witnesses.”

How do you define success, and how do you measure up to your own definition?

“Success is going to a job you love, being requested to return, the thank-you emails for quality work, being offered to purchase the firm you work for when the owner decides to retire. Success is 30 years of court reporting with no desires to retire. Loving my job STILL and despite the changes that have taken place.”

What do you consider to be your greatest strengths and weaknesses?

“My greatest strength is my accurate writing skills, willingness to tackle any type of job, and ability to push through no matter how many pages pile up to be edited. My weakness is the inability to release control over editing my transcripts. Actually, to release control in general.”

Who has inspired you in your life and why?

“I have to say two men in my life have inspired me the most. My dad who didn’t have to be my dad is my biggest inspiration. He stepped into my life when I was seven years old and loved me as his own. He always loved me unconditionally, he always encouraged me to be my best, and he ensured I had every opportunity to get a running start in life. My dad passed away unexpectedly in 2002, two days before my daughter’s birth. It was at this point my husband ever so gracefully stepped into my dad’s shoes and took over where my dad left off. My husband has made me a better person. He completes me in a way that still allows me to be stubborn, outspoken, and independent.”



Enhance Your Life and Career as a Board Member

New law promotes civic participation by state residents, regardless of U.S. citizenship or immigration status

The Board has a public member vacancy, the position appointed by the Senate Rules Committee. Anyone interested in helping set policy for the Court Reporters Board is encouraged to apply.

Like all of the Department of Consumer Affairs' (DCA) boards and bureaus, CRB works to ensure all California residents receive safe, licensed, and regulated professional services. And thanks to a new law, more California residents can help uphold that vital process.

Senate Bill 225 (Durazo, Chapter 790, Statutes of 2019) encourages more Californians to take part in a wide array of civic opportunities by allowing California residents, whether they are U.S. citizens or not, to serve in appointed civil offices such as appointments with DCA boards and bureaus. The law also allows appointees to receive compensation for that service, like per diems, in the same manner as U.S. citizen appointees as long as federal law doesn't otherwise bar it.

The goal of the legislation is that anyone who lives in California and who meets an appointment's requirements, regardless of legal status, can be appointed to serve on boards and commissions, therefore expanding the pool of those who can contribute their life and educational experiences to these regulatory bodies.

Benefits

Making an impact—Serving as a board or committee member lets you put your personal and professional perspectives to work for the people of California. Knowledge gained as a successful board member is a stand-out way to enhance your resume. Board members lead efforts to ensure:

- Consumers are protected from unsafe or fraudulent individuals and businesses.
- Professional educational programs prepare a first-class workforce.
- Laws and regulations are up-to-date and carefully followed.
- License examinations reflect quality and competency.
- Consumer, licensee, and applicant board services are of the highest quality.

Meeting new people—Board and advisory committee members get to meet and know people and organizations from all across California. You work with a wide variety of Californians including peer board or advisory committee members and helpful support staff; professional, organizational, and educational representatives; licensees, businesses, and students; and many other interested parties. When health orders permit, meetings take place in-person in various parts of the state, frequently with students and professionals in the audience, or via video (for most appointments, travel expenses and per diem are covered and included).

To qualify as a public member, the individual must not be a current or former CSR licensee or a close family member of a licensed CSR. Additionally, the individual must not have engaged in the profession or have provided representation of the profession for five years preceding appointment to a public member position.

Each Board position has a term of up to four years. Members may apply for a second four-year term.

Those interested in applying for the public member vacancy should contact the Senate Rules Committee at (916) 651-4151.

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 Board 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 Board 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 Board 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.

Examination Statistics

Written Exams				
March 1, 2020 – June 30, 2020*		Total	Pass	Overall %
English	Overall	21	8	38.1%
	First Timers	6	3	50.0%
Professional Practice	Overall	15	8	53.3%
	First Timers	8	4	50.0%
November 1, 2019 – February 29, 2020		Total	Pass	Overall %
English	Overall	31	17	54.8%
	First Timers	14	7	50.0%
Professional Practice	Overall	27	21	77.8%
	First Timers	14	12	85.7%

* Numbers low due to COVID-19

Dictation Exam			
July 2020	Total	Pass	Overall %
Overall	77	17	22.1%
First Timers	25	14	56.0%
March 2020	Total	Pass	Overall %
Overall	84	20	23.8%
First Timers	10	5	50.0%

Results of the First Online Skills Exam Are In

Depositions and court proceedings are not the only things moving to an online platform. At its May 21, 2020, meeting, the Board directed staff to offer the skills portion of the CSR exam via a remote platform. The decision was made to allow online testing as onsite testing was prohibited due to COVID social distancing restrictions.

Staff flew into action preparing tests and organizing readers and recordings. The Board staff coordinated with the Department of Consumer Affairs Office of Public Affairs (OPA) to record and produce the four voice video examinations and warm-up materials for each exam. OPA staff was phenomenal in creatively and safely filming the four speakers, who, for obvious reasons, would not be able to be masked. For consistency, all tests were counted out at a syllabic density of 1.3 to 1.5. Each minute of each test was timed to ensure that at no time did the speakers read faster than 200 words per minute.

“The only reason this was even possible,” noted Yvonne Fenner, the Board’s executive officer, “was because we already had a contract in place with Realtime Coach (RTC) in anticipation of exploring the transition from live to remote testing.” The staff of RTC worked above and beyond to help the Board implement their license exam. Because the exam is completely

Exam continued from page 12

different in format from the National Court Reporters Association's RPR exam, there were many changes put into place in a short time.

While part of Board staff worked on coordinating the video production, licensing analyst Kim Kale sprang into action changing all of the administration procedures to process applications and notify RTC of eligible candidates.

As a result of all of the hard work by so many people, candidates were able to schedule the skills portion of their license exam from July 20 through August 7. Candidates were able to have unlimited access to a practice test so that they could become familiar with uploading their note files, copying text into the RTC portal, as well as creating and uploading PDF files of notes and transcripts. In addition to the practice exam, candidates were able to schedule two free proctored practice tests, which gave them an opportunity to test their equipment and see what it was like to have a live proctor involved on their computer.

"I'd love to be able to report it went off without a hitch, but that was not the case," said Fenner. There were administrative and communication errors as well as technical issues. Changes are being made to the instructions for candidates as well as proctors to hopefully make the process clearer. Board staff found that candidates that followed the instructions and took advantage of the practice sessions were the most successful. Candidates that opted to use intuition or screen prompts were less successful. A variety of issues related to internet connectivity were experienced. Board staff and the executive officer looked at each incident report individually to determine how best to handle it. Where appropriate, a second test was offered.

The fact that the new testing platform does not allow for an appeals process caused a lot of angst in the candidate community. With the onsite test, all of the candidates were given the same test at the same time and, therefore, each was able to get a copy of their exam after grading because the test was used one time only. With the remote platform, candidates are randomly assigned a test from the bank of multiple tests that will be reused. If a candidate is unsuccessful and applies to take the next test, they will be randomly assigned a different test from that same bank. The online test is now like the written tests. The written tests are made up using a bank of test questions that are reused, and the skills test reuses tests from a test bank. Tests are no longer returned to the candidates after grading because each test will be reused from the test bank in the future.

This led to a concern with the grading. The grading standards and policies did not change. The actual procedure, however, changed slightly. The candidates' transcripts were initially graded by an RTC computer. This compares the candidate's transcript to the master transcript provided by the Board. Because of the many ways colloquy can be set up and the differences in punctuation styles, a human grader still graded each test, just as they did before. If the candidate scored within 10 errors of passing, a second review is conducted. All tests with passing scores had notes reviewed.

While their transcripts may not be returned to them, candidates are able to get feedback by emailing Kim Kale @ Kim.Kale@dca.ca.gov. Ms. Kale has the ability to access a candidate's transcript and give general feedback on the types of errors that were found.

At the end of the day, was all this change worth it? The pass results from the July online exam were very similar to the March onsite results, with the first-time pass rate slightly higher. There was a cost savings to the candidate by not incurring travel and hotel costs. The Board had the same cost savings regarding hotel rental and staff travel costs. Setting aside any cost savings, the real victory was being able to offer the license exam in a time where gathering onsite was simply not possible.

Due to continuing COVID restrictions, the November 20, 2020, onsite test in Sacramento has been cancelled. The online test will be offered from November 16 through December 7, 2020. The deadline for applications was October 17, 2020.

Student Spotlight

College of Marin student Jennifer Franklin was first exposed to court reporting while working as a legal videographer. During that time, she observed how hard reporters work, but never actually imagined doing their job.

“When I was very young, I wanted to be a studio musician and play bassoon in the London Symphony Orchestra to record film soundtracks,” she said.

That desire actually led her to the field of audio engineering. “I used to work at Disney World in Orlando as a stage technician. I would do the audio, lighting, and props for many of their live shows on property. I wouldn’t say it was an unusual job, but it was definitely a fun one! I would’ve probably stayed in the audio field and tried to enter the world of post production,” she said. “I spent many years doing live sound reinforcement but was looking to get out of that.”

A court reporter friend suggested she look into scoping to earn extra income while working at home. Scopists often work with court reporters and are responsible for translating stenographic notes into English, ensuring that it is properly punctuated, researched, and formatted. “I enrolled in the Steno A to Z program and fell in love with the language and writing on a machine!” she said.

She quickly realized she wanted to do more than scope. “I was working a deposition with a reporter who had graduated from College of Marin and explained that she was able to attend through video webinars and really enjoyed the program. The fact that it was less expensive than other options also helped.”

However, it was tough at first to be in a school setting. “I hadn’t been in school in almost 15 years, so getting back into that mindset was challenging,” she said. “After that, sometimes I felt completely alone in my challenges and stress. I reached out to a few classmates, and we started a support and accountability group. That has been amazing!”

The challenges didn’t stop there. “After observing how hard reporters work, I thought for sure I would have no interest in doing their job,” she explains. “Of course, what I observed wasn’t even the half of it. I’m most surprised that all of the amazing reporters I’ve worked with ever wrote this slow! It’s hard to imagine them going through the struggles when they seem to write so effortlessly.” She added that the practice schedule can sometimes seem overwhelming. “There are so many things I want to cover during a session that I often have a hard time focusing,” she said. To combat this, she now plans a schedule, which leads to a more efficient practice session.

Now that she has a handle on things, her thoughts are turning to after-school plans. “After graduation, I would like to work depositions for a while and transition into captioning. The thought of captioning live TV is exciting.”

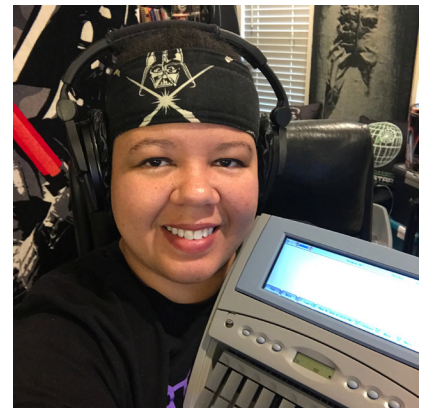
To learn more about Jennifer, we asked her these questions:

Where geographically would you like to work after graduation?

“I love Northern California, and my family is here.”

Do you have a favorite travel spot?

“I love just about anywhere with a TON of rollercoasters and comfortable climate!”



Student Spotlight continued from page 14

What might others be surprised to know about you? Can you tell us three things most people don't know about you?

"I'm a pretty open book, and I would guess most people know the following things about me: I'm a HUGE Star Wars fan and have an extensive Darth Vader collection; I went skydiving for my 20th birthday, and I learned how to shoot archery at a nudist resort."

What did you always want to try and never have?

"Bungee jumping!"

What do you like to do in your spare time? What are your hobbies or interests you have outside of work and school?

"I love playing video games in my spare time, though I don't seem to have much of that lately! Before school, I would stream live game play on Twitch pretty regularly. These days, I'll stream my steno practice and try to educate my viewers on the language and the functions of the machine."

What is your biggest pet peeve?

"I would say my biggest pet peeve is people being rude or unkind to each other. Life would be so much better if we would all just take the time to be considerate and at least care about each other's well-being."

What places have you lived in?

"I was born in Shreveport, Louisiana, but I spent most of my years in Florida. I grew up in Fort Walton Beach, then finished high school in Orlando, and lived there for about 10 years before moving to California. I currently live in Sacramento but spent some years in the San Francisco Bay Area beforehand."

Do you speak any other languages or play any instruments?

"I don't speak any other languages (besides marginal Spanish), but I do play multiple instruments. I started playing piano around age five, then subsequently picked up flute, bassoon, tenor sax, mallet percussion, and trombone."

What motivates you to put forth your greatest effort?

"Sometimes it's hard for me to stay motivated. When it comes to school, what motivates me is knowing that the only way I can succeed is having to put in the practice and time. I can't skate by on luck or guessing the right answers. Going through this experience has actually helped me be motivated in other aspects of my life as well and learn to have patience with myself."

What have you learned from your mistakes?

"It depends on the mistake and the day! Sometimes it seems I haven't learned anything, but I'd like to think I've learned to take one day at a time. I will often put mounds of pressure on myself to be perfect at whatever I'm doing, and when I fail, the fallout is huge. I've learned to make smaller, attainable goals to keep on track and stay focused. I know some failure will come, but I feel better equipped to deal with it."

Who has inspired you in your life and why?

"I've been inspired by many people in my life, but my biggest inspiration is my mom. She's my best friend. She's the most selfless person I know and has always been my biggest supporter."

Tell us something you have done that goes against all social conventions, yet you did it anyway because it was the right thing to do.

"I can't really think of anything specific, but I don't live my life tethered by social conventions. I look at everything that happens individually and adjust to the situation accordingly. The most important thing to me is that I'm doing the right thing."

Frequently Asked Questions

Q Courts are reopening, and many are allowing remote appearances. Remote appearances can often include transmission issues or bad connections, which can make it difficult to understand the speaker. Is it acceptable to use “(unintelligible)” or “(inaudible)” in transcripts from video or telephonic depositions when there are transmission issues or bad connections?

A The parentheticals of “unintelligible” or “inaudible” are only used in transcripts of audio or video recordings where the court reporter was not present to protect the record.

California Code of Regulations, Title 16, Division 24, Article 8, section 2475 (b)(3) requires CSRs to:

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.

It is imperative that the consumer is aware when the testimony is not being reported. It is the duty of the court reporter to report the proceedings verbatim and inform the parties that the record is in jeopardy due to any type of disruption, i.e., transmission error, bad connections, or the parties speaking over each other.

Q Remote reporting is my new way of life. Can we, as California certified shorthand reporters (CSRs), swear in witnesses located in other states while conducting our duties via videoconference if the case is not a California case? Will I need to become a notary to swear in witnesses in other states?

A Times are changing rapidly, and businesses everywhere are struggling to stay relevant. Please refer to the following code sections which allow for remote depositions:

Code of Civil Procedure section 2026.010

(a) Any party may obtain discovery by taking an oral deposition, as described in section 2025.010, in another state of the United States, or in a territory or an insular

possession subject to its jurisdiction. Except as modified in this section, the procedures for taking oral depositions in California set forth in Chapter 9 (commencing with section 2025.010) apply to an oral deposition taken in another state of the United States, or in a territory or an insular possession subject to its jurisdiction.

Code of Civil Procedure section 2029.500

Titles 3 (commencing with section 1985) and 4 (commencing with section 2016.010) of Part 4, and any other law or court rule of this state governing a deposition, a production of documents or other tangible items, or an inspection of premises, including any law or court rule governing payment of court costs or sanctions, apply to discovery under this article.

Here is the code section that allows you to swear in a witness in another state:

Code of Civil Procedure section 2093(b)

(1) A shorthand reporter certified pursuant to Article 3 (commencing with Section 8020) of Chapter 13 of Division 3 of the Business and Professions Code has the power to administer oaths and affirmations and may perform the duties of the deposition officer pursuant to Chapter 9 (commencing with section 2025.010) of Title 4. The certified shorthand reporter is entitled to receive fees for services rendered during a deposition, including fees for deposition services, as specified in subdivision (c) of section 8211 of the Government Code.

(2) This subdivision also applies to depositions taken by telephone or other remote electronic means as specified in Chapter 2 (commencing with section 2017.010) and Chapter 9 (commencing with section 2025.010) of Title 4.

Please note that the jurisdiction in which the witness is located may have their own rules regarding deposition proceedings. You may want to contact the jurisdiction in question for further information. For instance, if a witness is in California, no matter where the case is venued, California discovery law applies and a California licensed CSR would need to report that deposition. Other states may have their own laws regarding depositions.

FAQs continued from page 16

Q I have received a request for the transcript of a deposition that was taken several years ago. The attorney requesting the transcript was not counsel of record in that case but represents the defendant in a current case. Since the attorney represents the same party in the current matter, would I be able to provide the transcript without going through the Code of Civil Procedure 2025.570 process?

A Yes. The defendant would be entitled to the transcript, and, therefore, his attorney, who acts on his behalf, is entitled to the transcript.

Q Does my CSR license give me authority to marry a couple?

A No. You are, however, empowered to administer oaths, which means you could swear in a new attorney, for instance.



Practice Via Remote Reporting Surges

If one thing can be counted on, it is the creativity of the human mind to solve a problem. In March when the shelter-in-place orders came out, court reporting abruptly stopped. Even courts closed, and all practice was put on hold. When it became clear that the pandemic was a bigger problem than two weeks at home was going to solve, businesses stepped into the breach, and remote reporting surged.

Depositions have long been held via videoconference and web streaming, but it was common for at least some of the parties to be in the physical presence of the court reporter and the deponent. Courts, too, have used telephonic appearances occasionally. Now, however, it's a case of everyone appearing via videoconference and/or telephone.

While remote reporting is indeed a method to allow litigation to continue its course, it is not without its drawbacks. Here are a couple common problems and issues that have been brought to the attention of the Board:

Connectivity issues: Not everyone has business-class internet service available. If one of the parties is logging in from home, it's possible multiple members of the household are logging on as well, creating connectivity issues for all. These issues manifest themselves by video or audio that cuts out or freezes or the connection being completely lost. This is a tricky issue in that some people may be able to hear fine while others may not. Obviously, it is critical that the court reporter be able to hear everyone completely, not just every other word.

Overlapping speakers: People talking over one another has never been a fun part of reporting, but when participants are appearing via videoconference or telephone, if more than one person speaks, the software mutes one speaker. In person, the reporter may be able to retain enough to work through a short overlapping exchange. When appearing by videoconference, however, some of the words never reach the reporter's ears.

Both of these issues force the reporter to interrupt more than ever before in order to protect the record. Just like with in-person appearances, no one knows what is truly in the record except the court reporter. Everyone else just expects everything that was said to appear in the transcript.

Kudos to all of the reporters who are stepping up to work outside of their comfort zone and help attorneys and litigants obtain the record they need to complete their litigation.

Court Reporters Board of California - Disciplinary Actions Current as of July 31, 2020

To find out whether a licensee has had disciplinary action, 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. In the case of a stipulated settlement, an agreement was reached before going in front of an Administrative Law Judge. 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
DiFilippantonio, Mary Atlanta, GA	14383	Stipulated Settlement and Disciplinary Order; 2 years probation.	07/01/2020	Business & Professions Code sections 480 (d): False statement in application; 480 (a) (3)(a) and 8025 (c): Misrepresentation in obtaining certificate.
Grant, Beth Sonoma County	10943	Decision and Order; license revocation.	07/01/2020	Business & Professions Code section 8025 (d): Unprofessional conduct, section 8025 (j) and CA Code of Regulations, Title 16, section 2475 (b)(4): Failed to prepare and deliver transcripts; section 8025 (e): Repeated failure to transcribe notes; section 8025 (h): Failure to pay fines; section 8025 (j) and CA Code of Regulations, Title 16, section 2480 (e): Failure to comply with Citations.
Luciano, Catherine Contra Costa County	14381	Stipulated Settlement and Disciplinary Order; Public reproof.	06/17/2020	Business & Professions Code sections 480 (a)(1): Conviction of a crime; section 480 (a)(2): Act involving dishonesty, fraud or deceit; section 480 (d): False statements of fact in license application; section 480 (a)(3)(A): Acts that would be grounds for discipline of licensee.
Hurtado, David San Bernardino County	14379	Stipulated Settlement and Disciplinary Order; 2 years probation.	04/30/2020	Business & Professions Code sections 475 (a)(3) and 480 (a)(2): Act involving dishonesty; sections 475 (a)(1) and 480 (d): False statement on license application; section 8025 (c): Fraud or misrepresentation in obtaining a certificate; section 480 (d): False statement in application; section 480 (a)(3) and 8025 (c): Acts that would be grounds for discipline of licensee.
Perez, Calipy Los Angeles County	14161	Default Decision and Order; license revocation.	03/20/2020	Business & Professions Code section 8025 (d): Unprofessional conduct, willful violation of duty; section 8025 (j) and CA Code of Regulations, Title 16, section 2475 (b)(4): Failed to prepare and deliver transcript.

Court Reporters Board Of California - Disciplinary Actions Pending Current as of July 31, 2020

RESPONDENT NAME - COUNTY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Ryan, Sangeet Sacramento County	13520	Accusation	12/12/2019	Business & Professions Code section 8025 and 490: Conviction of a crime.

Court Reporters Board of California - Citations and Fines Issued February 2020 - July 2020

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
Mobley, Kasey San Diego County	13407	07/06/2020	Business & Professions Code section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	No
Priest, Wendy Los Angeles County	12722	07/06/2020	Business & Professions Code section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	No
Long-Harper, Karen Calaveras County	6225	06/18/2020	Business & Professions Code section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	Yes
Jetter, Caroline Ventura County	11568	04/29/2020	Business & Professions Code section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	No
Cobarruviaz, Yvonne Del Norte County	9981	04/29/2020	Business & Professions Code section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	Yes
Shaver, Annette San Bernardino County	6169	02/28/2020	Business & Professions Code section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes
Ellis-Davis, Karla San Francisco County	12998	02/28/2020	Business & Professions Code section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes
Haering, Lucretia Ventura County	10464	02/28/2020	Business & Professions Code section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes

Citations and Fines continued from page 19

RESPONDENT NAME - COUNTY	LICENSE NO.	DATE ISSUED	VIOLATION	SATIS- FIED
Mills, Roselen Tulare County	11173	02/10/2020	Business & Professions Code section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes
Jilio-Ryan Court Reporters Orange County	N/A	02/06/2020	Business & Professions Code (BPC) section 8046 in conjunction with CA Code of Regulations, Title 16, Section 2475 (b)(6) Professional Standards of Practice (PSP) (failed to comply with PSP); BPC section 8050 (d)(3): Make a transcript available to one party in advance of other parties...; Code of Civil Procedure section 2025.320 (b): All services and products offered or provided shall be made available at the same time...	Yes



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