

CRB* TODAY

COURT REPORTERS
BOARD NEWSLETTER

GUARDING THE RECORD
FOR CONSUMER PROTECTION



Message from the Chair *Davina Hurt*

The Chaos that IS Business as Usual

Those of you “chronic” volunteers will recognize this story line. It starts with a casual, “Would you ____? You’d be really good at it, and it doesn’t take much time.”

In fact, the group meets infrequently and meetings are non-controversial.”

Fast-forward to 2015-16 as the Board not only prepares to undergo a rigorous sunset review process, but is asked to spearhead the elimination of a 30-plus-year attorney practice known as the Southern California stip. At the same time, the Board is being challenged on its longstanding consumer protection position regarding statutory transcript rates for court proceedings. There are also the legislative challenges involved in increasing the statutory cap of 60 years on licensing fees and the next steps in the ongoing efforts to ensure court reporting firms are following the same laws and regulations as individual licensees. But, it does not end there. The Board is working on the best ways to protect the future of court reporting in light of coming shortages, maintain a rigorous examination bank for competent reporters, assist indigent consumers through funding the TRF and ensure continued education is available for efficiency and accuracy. What happened to business as usual?

Now, before one starts to get the wrong picture, the list of efforts before the Board are thrilling, and there is not a hint of regret or dissatisfaction in volunteering. In fact, it is quite the opposite. What feels and sounds a bit like chaos is simply business as usual. It’s what any “chronic” volunteers knows going into an organization. There is always more under the surface, and anything worthwhile requires hard work for success.

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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

www.CourtReportersBoard.ca.gov

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Message continued from cover

These are exciting times we live in. The court reporting industry continues to adapt and react to new technology and the changing demands from clients, be they attorneys, judges or litigants. Change is our constant, and the speed with which change is occurring is requiring the Board to meet more frequently in order to fulfill its consumer protection role.

In these times of controversial changes, we find ourselves listening to people who are very passionate about their positions on how best to improve the industry in one way or another. The Board appreciates the expression of opinions and thoughts coming from the licensees and the public, because those ideas could assist the Board in finding effective ways to best protect the consumers. While not everyone will agree on every single expressed viewpoint, it is important to remember that a healthy discussion and exchange of ideas is crucial to helping the Board enhance consumer protection. As such, the Board encourages all licensees and members of the public to continue their participation to the discussion of consumer protection related issues.

Luckily, the Board's mission is very clear, and success happens with every decision that furthers consumer protection. One of the areas where the Board is proactively working is in the development and implementation of Best Practice Pointers. This educational tool is designed to help licensees know what to do in some of the myriad of situations that arise in the daily life of a court reporter. While not designed as regulations, the Best Practice Pointers are merely a reference for reporters to begin thinking about how they would handle certain situations, while considering how best to protect the record.

As I juggle the many issues facing the Board and try to achieve order from chaos, be assured that our mission remains foremost in my mind and we understand the various struggles. I hope you and the "chronic" volunteer in all of us joins me in working toward success – the protection of the California consumer.

Regulatory Update

Disciplinary Guidelines Undergo Regulatory Process

At the October 30, 2015 Board meeting, it was pointed out to the Board members that the updated Disciplinary Guidelines, while approved by the Board, had not undergone the full regulatory process. Staff was instructed to begin the process and is working with legal counsel to develop language to present to the Board.

"Disciplinary guidelines are useful for all stakeholders," noted Connie Conkle, the Board's enforcement analyst. "Not only will the Attorney General's Office and administrative law judges refer to them during disciplinary hearings, it is useful to the licensee to know what standards the Board believes will result in the best compliance with industry laws and regulations," she added.

Once language is approved, the Board will ask the Office of Administrative Law to publish the notice of proposed regulatory change and will notify our stakeholder list of the proposed changes. Stay tuned to the Board's Web site and future editions of the CRB Today for updates.

Burd vs. Barkley Ruling

Judge grants motion for Defendant Barkley

On January 8, 2016, the Court in *Burd v. Barkley* Court Reporters issued an order granting Defendant's motion for judgment on the pleadings. While it is not clear that the Court understood the difference between a pro tem court reporter hired by the county versus a pro tem court reporter hired by the litigant, the Court ruled that pro tem reporters are not bound by the statutory rates set out in Government Code 69950.

The Board has received notice that the plaintiff intends to appeal the decision. Counsel for Ms. Burd has renewed the request for the Board to provide an amicus brief for Plaintiff. The Board is working with legal counsel to research the issue further and will discuss the request at the April 8, 2016 Board meeting in Sacramento.

Sunset Review Update

Hearing Held March 9, 2016

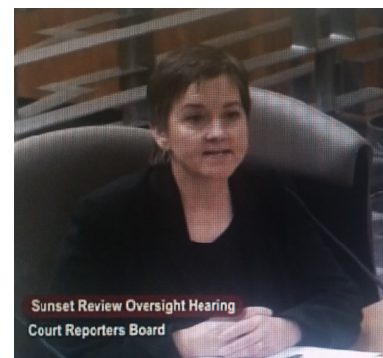
On November 30, 2015, the Board submitted its Sunset Review Report to the Senate Committee on Business, Professions and Economic Development and the Assembly Committee on Business and Professions (the Committees). As Legislative staff worked on its background paper, Board staff worked with them in answering questions on a variety of issues.

In early February 2016, the Board received notification of a sunset review hearing date as well as an outline for its oral presentation to the Committees. In early March, the Board received clarification of which issues the Committees wished the Board to address at the hearing.

On March 9, 2016, the Board had its sunset review hearing before the Committees. Chair Davina Hurt, Vice Chair Rosalie Kramm, and Executive Officer Yvonne Fenner testified, providing background information and addressing the issues as requested by the Committees.

The Board has 30 days from the date of the hearing to respond in writing to the issues raised in the background paper and at the hearing and will be discussing its response at the April 8th Board meeting.

The Sunset Review Report submitted by the Board and the Background Paper prepared by the Legislature is available on the Board's Web site at www.courtreportersboard.ca.gov.



Testifying before the Joint Committees, from left: Davina Hurt, Chair, Rosalie Kramm, Vice Chair, and Yvonne Fenner, Executive Officer.

Board Holds Town Hall Meetings Regarding So. Cal Stip

Both CalDRA and the California Court Reporters Association, as well as individual licensees have requested that the Board address the Southern California stipulation (So. Cal stip), specifically asking if a licensee may be relieved of his/her obligations to comply with the Code of Civil Procedure and whether the Board would take action against a licensee for failure to adhere to the Code of Civil Procedure when attorneys use the So. Cal stip.

After a lengthy discussion at the October 30, 2015 meeting, the Board decided to convene a series of town hall meetings in order to gather information from interested stakeholders specifically regarding the consumer harm caused by the use of the stipulation.

The town hall meetings were subsequently held on Saturday, February 6, 2016, in Sacramento and Thursday, March 10, 2016, in Los Angeles. A summary of the comments was developed and will be provided to the Board for consideration at the April 8th Board meeting in Sacramento.

Best Practice Pointers Task Force Update

We reported in our Fall 2015 CRB Today newsletter that the Board approved practice pointers 1 through 4, which were developed by the Best Practice Pointers Task Force. An additional six practice pointers developed in July 2015 were presented to the Board at its October 30, 2015 meeting. The Board approved four of the pointers, as follows:

- No. 5 – Confidential Depositions
- No. 7 – Subcontractor Agreements
- No. 8 – Swearing in Witness Mid-Proceeding
- No. 9 – Leaving Rough Draft for Jury Readback

The Board requested additional research and revisions to two practice pointers. The following pointers will be presented in their updated form to the Board at its April 8, 2016 meeting:

- No. 6 – Court Transcripts Designated Confidential or Under Seal
- No. 10 – Reporter Conduct for Readback in the Jury Room

Approved practice pointers are placed on the Board's Web site: www.courtreportersboard.ca.gov/licensees/index.shtml. In addition, Best Practice Pointer No. 3 – Videotaped Depositions was recently sent as an insert in the renewal notices. Other short practice pointers will be placed in future renewal notices.

As a reminder, best practice pointers are not regulations or statutorily mandated, but rather a way for the Board to provide guidance. The Board will not use them as a basis for discipline or enforcement of any type.

If anyone has a topic they would like to see the task force address, please contact Paula Bruning at Paula.Bruning@dca.ca.gov.

E-Filing Pilot Project in Court

By Doreen Perkins, Official Reporter Fresno County

It's an exciting time to be an official reporter in California. You have the opportunity to be on the cutting edge of changing a long-standing business practice of reporters delivering their transcripts on paper and to create greater efficiencies in our judicial system. Can you imagine no longer having to print, bind, and hand deliver your transcripts? You will have the ability to send and file your transcripts from anywhere; all you need is an Internet connection. As many of you already know, the California Court Reporters Association for the last 20 months has been sponsoring an e-filing pilot project in Fresno Superior Court that authorizes reporters to file their appeals (civil and criminal), writs, prelims, pleas, and sentencing transcripts all electronically.

To give a little history of this project, in 2008 CCRA bantered around the idea of electronically filing official reporter transcripts and the feasibility of a transcript repository and cloud storage. After many discussions, CCRA established a committee to investigate the various options that were available. A good deal of effort and commitment went into developing the specifics of the various aspects of the pilot project. The committee did its due diligence and checked into the viability of all companies available for reporters to deliver e-filed transcripts electronically and in a secure fashion. Ultimately YesLaw was chosen by CCRA for many reasons, but most importantly for reporters is that it was capable of accepting transcripts from all CAT software.

The pilot project began in June of 2014. It was a collaborative effort between CCRA, the reporters of Fresno Superior Court, administration, and the Fifth Appellate District. With all entities working together, the needs of everyone were built into the software, and all technical issues were resolved. As new needs and issues arise, the YesLaw system has proven itself to be modifiable. As a result, we have been able to prove the concept and have created a dynamic and efficient tool for reporters known as the "Electronic Reporter's Transcript."

E-filed transcripts produced through YesLaw provide the end user with all Adobe search features and the ability to copy, paste, annotate, and search through multiple volumes or receive a one-volume reporter's transcript, which is digitally and electronically signed. If you are the primary or lead reporter on an appeal, you will love the fact that you no longer will have to coordinate pages or compile a master index as that function is contained within the YesLaw software. Not only does it produce a master and word index, but it bookmarks and hyperlinks it throughout. Judges and lawyers also have the ability to download your transcripts into litigation support software such as LexisNexis, LiveNote, and Westlaw. It also provides a cloud backup for reporters and all recipients of transcripts. As you can see, the end user receives what we like to call a "pdf on steroids."

This Pilot Project has proven itself to be so successful that CCRA felt it was time to seek the participation of all official reporters in the state and is now in the process of contacting reporters in every county in California so that a statewide project can be instituted under exactly the same protocols as has been taking place in Fresno County. CCRA is focused on doing it in this manner so that all court reporters throughout the state are treated equally and in a uniform manner. Meetings are currently being held throughout the state to apprise reporters of this project. If you have not had a meeting in your county and are interested in participating, please contact the CCRA office at (949) 715-4682 to schedule one. To date CCRA has made presentations in 30 of the 58 counties, as well as five of the six appellate districts.

As a side note, Fresno County is currently engaging in an "Informal Project" with the Supreme Court on a death penalty case. We are hopeful that they, too, soon will be onboard.

You must remember that the key to success is that you must evolve. Our profession continues to remain strong because we do just that. Take this opportunity to participate and make yourself indispensable to the judicial system.

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.

Student Spotlight



Known to friends as a helper, it's no surprise Taylor Seitz chose court reporting as her field of study. "I enjoy assisting others in any way that I can," Taylor said. During her last semester of high school, Taylor's mother suggested court reporting as a career option. Her high school counselor did extensive research and found Argonaut Court Reporting, a vocational school geared toward teaching and enhancing a highly demanded skill.

She quickly found that court reporting is not a skill that comes naturally to every person, and each reporter's way of writing is like a fingerprint, unique to that individual. "It can be challenging to discover which writing style fits best for this difficult skill," she stated. She described a good court reporting candidate as being *dedicated and confident* with the ability to persevere. Since this important profession requires a product that is as close to perfect as possible, a court reporting student must be thorough and self-disciplined.

She added, "Failure comes more often than not and can be very discouraging." But through hard work and perseverance, Taylor has been able to overcome insecurities within herself. Passing a test that is challenging allows her to gain more confidence and grow as a person, pushing through any negativity that comes from peers, family, and friends. Each milestone reminds her that she is capable of getting through harder times by believing in herself.

Taylor hopes to work as an official reporter or provide CART services to Sacramento area colleges after graduation. She enjoys working in a professional environment where she can be of assistance to others. She is already thinking of ways she can use her career to *further her future family*. She is motivated to provide a happy, comfortable life that will benefit her loved ones.

"I believe that if you have a career that you enjoy and learn from, then you are already successful. *I know that court reporting will be enriching* in this way, because just being a student has taught me so much about the legal process and myself. I have a wonderful family who supports me and comes from similar career backgrounds, and, to me, that makes me successful," she concluded.

Outside of school, Taylor takes pleasure in caring for animals and expanding her skills as a florist. She also enjoys looking back on her memories of multiple trips with her family to Bavaria where they visited castles and connected to their heritage in the mountains.

Examination Statistics

Written Exams				
July 1, 2015 - October 31, 2015		Total	Pass	Overall %
English	Overall	110	56	50.9%
	First Timers	40	26	65.0%
Professional Practice	Overall	75	36	48.0%
	First Timers	39	23	59.0%
March 1, 2015 - June 30, 2015		Total	Pass	Overall %
English	Overall	100	17	17.0%
	First Timers	51	11	21.6%
Professional Practice	Overall	80	34	42.5%
	First Timers	51	24	47.1%

Dictation Exam			
November 2015	Total	Pass	Overall %
Overall	131	22	16.8%
First Timers	56	19	33.9%
July 2015	Total	Pass	Overall %
Overall	115	23	20.0%
First Timers	31	13	41.9%

Newly Licensed Certified Shorthand Reporters

October 1, 2015 – March 17, 2016

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

Jahmy Alvarez, Parlier, CA, CSR 14095
 Melia Basavand, Glendale, CA, CSR 14089
 Brea Marie Beaucage, Westminster, CA, CSR 14078
 Catherine Ann Bergen, Jamestown, ND, CSR 14076
 Ashley Boyd, Pasadena, CA, CSR 14070
 Daniel Sang Ho Byun, Corona, CA, CSR 14079
 Nathanael Castillo, Elk Grove, CA, CSR 14097
 Desiree Alysse Cooks, Riverside, CA, CSR 14075
 Evelyn Carolina Garcia, Los Angeles, CA, CSR 14091
 Amber Mary Harlan, Rohnert Park, CA, CSR 14074
 Emily Ann Hatton, Castro Valley, CA, CSR 14066
 Erin E. Healy, San Diego, CA, CSR 14096
 Tana J. Hess, Marquette Heights, IL, CSR 14095
 Carrie Danee Kahn, Manteca, CA, CSR 14068
 Kayla Knowles, Sacramento, CA, CSR 14071
 Gina La Savio, Los Angeles, CA, CSR 14067
 Kaylah Lane, Dublin, CA, CSR 14085

Katherine Magner, Orange, CA, CSR 14083
 Michaela Maguire, San Diego, CA, CSR 14082
 Carli Nichole McKenny, Fair Oaks, CA, CSR 14086
 Jennifer Minch, Mentone, CA, CSR 14087
 Priscilla Mireles, Downey, CA, CSR 14080
 Marysol Ortega, Pomona, CA, CSR 14081
 Brittany Perea, Moreno Valley, CA, CSR 14088
 Jennifer J. Porto, Long Beach, CA, CSR 14098
 Daniel L. Prince, Jr., San Clemente, CA, CSR 14072
 Bree Danielle Ryan, Upland, CA, CSR 14069
 Ayu Sasao, Torrance, CA, CSR 14093
 Reinda Lynn Scott, Winchester, CA, CSR 14073
 Sidney L. Semograd, Auburn, CA, CSR 14084
 Jason A. Stacey, Rocklin, CA, CSR 14092
 Gregory M. Suggett, Sacramento, CA, CSR 14077
 Taylor Ann Waltrip, Fresno, CA, CSR 14090
 Kathryn Winningham, San Diego, CA, CSR 14065

Frequently Asked Questions

Q I have a law firm in Georgia asking me to notarize my certification page for transcripts I prepared. I was told by my colleagues that I do not have to do that because it was taken in California and to go by California rules and procedures in regards to my transcripts. Are they correct?

A California statutes and regulations do not require notarization for the certification page for transcripts. However, there is nothing in code that would prevent you from providing that service if you choose to.

Q The court reporting firm I work for often has asked me not to interrupt attorneys. Is it okay to use my audio to fill in the blanks when the attorneys start talking too fast?

A The official record is the stenographic notes, so using an audio file to augment your notes is outside of the scope of practice of court reporting. While audio backup is a useful tool for double-checking a rough spot, it may never be relied upon in place of the stenographic record. It is the obligation of the court reporter to interrupt as necessary to ensure the accuracy of the record. There is a Best Practice Pointer regarding the art of interruption on the Board's Web site: http://www.courtreportersboard.ca.gov/formspubs/best_interrupt.pdf.

Q Is there anything in the code about attorneys requesting a reporter to change their questions when there is video proof that the reporter made a mistake? Are we allowed to change the record once the transcript is produced?

A It is not uncommon for an attorney to assert that there is an error with a transcript. If the error makes a difference to their case, typically the attorney will ask the court reporter to check his/her notes. If the court reporter agrees that a mistake has been made, s/he may correct the transcript. A minor correction may be made via letter to all parties. If pagination is not changed, a corrected page may be provided for replacement or attachment to the certified copy. In a case where extensive changes are being made, a correct transcript may be prepared, although it is important to clearly note on the cover page that it is, in fact, a corrected transcript so that there is no confusion with multiple versions.

Q I'm a court reporter that transcribed an audio recording of a Labor Board hearing for an attorney client of mine. I know that a deposition is scheduled with this same person and the attorney has let me know he plans on using the transcript from the hearing to impeach the witness at the deposition. Do I have to notify the other attorney and make the transcript available to him?

A No, you do not. When you transcribe an audio recording, you are performing a service for the party that hired you, and that transcript belongs solely to the hiring party. Transcription of audio recordings is not part of the duties of a court reporter covered under the Code of Civil Procedure, so the notification requirements do not apply.

Q Am I required to report conversations between attorneys and their clients if I can clearly hear what they're saying?

A You have now moved into the "art" of court reporting where judgment is required. Court reporters are required to produce a verbatim transcript of the proceedings, so, yes, you are required to report everything you hear. However, if you have any doubt as to whether something is being said for the record, it is good practice to speak up and clarify the record immediately with a comment such as, "Counsel, is that for the record? I'm required to report what I can hear." This is also used when the attorneys slip into a casual conversation about lunch or recreational activities. It may very well be intended to be part of the record, so it's important to keep writing until you clarify.

Q I am an official reporter, and recently my judge instructed me to turn off any audio recording. Does a judge have the authority to tell a court reporter that s/he may not create an audio backup?

A According to Code of Civil Procedure 177, judges have the power to preserve and enforce order in proceedings before him or her when he or she is engaged in the performance of his or her official duty. If a court reporter disagrees with an instruction from a judge, s/he may follow up with court administration or the Judicial Council, the body that ultimately is responsible for judges.

FAQs continued from page 8

Q I reported a Marsden motion hearing in court. I know Marsden hearings are confidential and sealed; however the defendant who made the motion is requesting a copy. Since he was there and it was his motion, I'm okay to release it, right?

A No, it is not okay. Even if it is the defendant requesting a transcript of his Marsden motion, a judge must still issue an order to unseal the transcript before the reporter can prepare and deliver the transcript of the Marsden motion.

However, when a Marsden motion is contained within a case that is on appeal, you will want to check the miscellaneous orders that the respective appellate court may have issued to confirm the process and expectations of that appellate court in the preparation and sealing of any Marsden hearings that may have occurred at any time while the case was in the superior court. See 2016 California Rules of Court, Rule 8.45(d), which states:

Transmission of and access to sealed and confidential records

(1) Unless otherwise provided by (2)-(4) or other law or court order, a sealed or confidential record that is part of the record on appeal or the supporting documents

or other records accompanying a motion, petition for a writ of habeas corpus, other writ petition, or other filing in the reviewing court must be transmitted only to the reviewing court and the party or parties who had access to the record in the trial court or other proceedings under review and may be examined only by the reviewing court and that party or parties. If a party's attorney but not the party had access to the record in the trial court or other proceedings under review, only the party's attorney may examine the record.

(2) Except as provided in (3), if the record is a reporter's transcript or any document related to any in-camera hearing from which a party was excluded in the trial court, the record must be transmitted to and examined by only the reviewing court and the party or parties who participated in the in-camera hearing.

(3) A reporter's transcript or any document related to an in-camera hearing concerning a confidential informant under Evidence Code sections 1041-1042 must be transmitted only to the reviewing court.

(4) A probation report must be transmitted only to the reviewing court and to appellate counsel for the People and the defendant who was the subject of the report.

BreEZe Project Update

BreEZe, the new online licensing system for the Department of Consumer Affairs, recently launched eight additional programs onto the system. This milestone took place January 19, 2016, as part of "Release 2" of the system.

The BreEZe project was approved in 2009 and work on developing and implementing the project began in 2011. In October 2013, the first 10 boards launched onto the BreEZe system. Now that Release 2 has gone live, as recommended by the State Auditor, DCA will conduct a thorough cost-benefit analysis to address the needs of the remaining boards and bureaus not on BreEZe, including the Court Reporters Board.

CSR Spotlight*Doreen Perkins*

When you think of this edition's CSR Spotlight, Doreen Perkins, think hummingbird. Hummingbirds have one of the fastest metabolisms on the planet and appear to be in constant motion. There is definitely little of the sitting around mentality found in Doreen.

Doreen's first career choice was to be a brain surgeon. "I am not very good at science, so I picked court reporting. True story." And so the legend is born. Doreen was first introduced to the field of court reporting by her grandparents, who described the work of her second cousin, a freelance reporter, suggesting that Doreen would also be a good reporter. Like many people who are told they would be a good court reporter, she had to do her research to even find out what a court reporter was and what schools were available. Doreen jumped into the career, ultimately graduating from Fresno School of Court Reporting, currently known as Sierra Valley.

She began her career in court in San Luis Obispo in 1980 as a pro tem reporter and within a year was hired full-time by Fresno Superior Court where she remains to this day. Currently in a criminal trial department, over the years Doreen has reported every kind of proceeding heard in a California courtroom, from complex civil litigation to death penalty cases.

The changes to the profession in the 30-plus years of Doreen's career are truly astounding. "When I started reporting, I would dictate from my paper notes into a Stenorette reel-to-reel Dictaphone and employ typists that used carbon paper for the copies," she remembers. Then along came the first "portable" computer, the Baron OZ with its 5 megabyte hard disk. "It took a dolly to haul it around," noted Doreen, "but I was happy to have it because it made my job so much easier." She added, "Now we have laptops with multiple terabytes, cloud storage, and we are soon going to be working in a paperless environment, delivering e-filed transcripts via YesLaw." All this in one person's working career!

Doreen credits the computer as the best thing to have happened to the court reporting profession. These technological advances have enabled realtime reporting, a key litigation support tool for attorneys and judges alike. It also allowed the advent of captioning and CART, services that allow the hearing impaired to more fully participate in the activities we all take for granted, from enjoying a television program to participating in a discussion in a classroom. "Instant access to the spoken word has become the touchstone of our profession," Doreen asserted. "In today's instant gratification age, it's not simply capturing the record for future appeals, but it's the simultaneous translation for immediate use that is the mark of court reporting today," she noted.

When asked about the best part of her job, Doreen responded enthusiastically, "I love what I'm doing. I love being a court reporter." She added, "I also enjoy mentoring and helping students, new reporters, as well as seasoned reporters that have come into court from the freelance arena."

Seguing into the worst part of her job, Doreen notes the frustration resulting from court reporters being laid off from civil and family law courts, as well as a reduction of hours for those reporters who remained. "The constant battle against electronic recording devices is also frustrating," she said, explaining, "courts looking to increase efficiencies are wooed by recording equipment vendors who promise vast savings. What they fail to account for is who is going to prepare the transcript and who will pay for the transcription?" She continued, "Court reporters pay for their own equipment and supplies, including all upgrades of equipment. How long before any recording equipment installed would be outdated and have to be replaced at taxpayer cost," she asked. If she could change one thing about reporting, she would reverse the decision to lay off reporters in civil and family law courtrooms. "That ill-conceived decision has resulted in a two-tier

Spotlight continued from page 10

justice system, one for the rich and one for the poor, meaning the rich can afford to hire their own reporter to cover their case while the poor cannot," she asserts.

We asked Doreen what she found most challenging about court reporting, and she answered, "I would probably answer this differently than most because when I hear the word "challenge," it makes me sit up straight and think, how can I be a better reporter? What can I do to enhance our profession? It is of utmost importance that reporters learn to rise to the challenge and make sure they are on the leading edge. I find it difficult and a disservice to our profession when I see court reporters that are using antiquated equipment, old software, or none at all. On another note, sometimes my patience is tested by fast-talking, mumbling, newbie attorneys, but it's nothing I can't handle."

Doreen advocates trade association membership. She feels that one of the most rewarding moments in her career was being nominated to the board of the California Court Reporters Association (CCRA). "I had no idea why they wanted me. I would attend their conventions yearly and look up at the podium at the business meeting and wonder how they became so knowledgeable in our profession. Once on the board, I found out how: It's by becoming actively involved in CCRA, which enabled me to associate with the best reporters in California and be sent to superb training that not only helped me at the state level, but also at the local level."

Doreen's proudest moment as a court reporter occurred just recently, after 36 years in the profession. She recounts, "I have been conducting a pilot project for the California Court Reporters Association in Fresno on e-filing of reporter's transcripts. Planning and research for the project began in 2008, and in June of 2014, the pilot project officially began. In December of 2015, I was asked to make a presentation to Supreme Court Justice Cuéllar on our e-filing pilot project. Justice Cuéllar thought it was fantastic and asked me if I would make a presentation to all of the Supreme Court Justices and staff. Administrative Presiding Justice Brad Hill of the Fifth District Court of Appeal was also in attendance. He thought the project and presentation was so impressive that he asked me to present to all of the Justices of the Fifth Appellate District, which I did in January 2016." Her passion for the industry is evident when she notes, "I feel that this is my pinnacle contribution to the court reporting profession. It is necessary that we keep reinventing ourselves to stay relevant. I believe that this is a way to do it."

When asked what she wished other people knew about court reporting, Doreen answered, "Reporters are highly educated, trained, professionally certified individuals and utilize a great deal of computerized technology. It can be stressful but financially rewarding. Reporters must be on top of their game every day. A reporter's job, as guardian of the record, cannot be taken lightly and constantly requires a high degree of accuracy." She used these three words to describe the profession: Exciting, Innovative and Educational, adding a humorous alternative of "Crime does pay."

We asked this very serious reporter who constantly strives for excellence to tell us some things that people would be surprised to know about her, to which she replied: "I have no artistic talent, and my stick figures look like kindling. I am a fabulous cook and seamstress. I am an avid Tea Rose gardener and have approximately 70 different varieties." Her favorite travel location is Akumal Beach, Playa del Carmen, Mexico, swimming with sea turtles, and on her "bucket list" is paragliding, paramotoring, base and bungee jumping.

Doreen has this perspective to share with people thinking about the career: "Court reporting has been a great career for me, and I would encourage others to become court reporters. It is a difficult job that not everyone can do, but it is an interesting and fun job. Every day I hear something new. This is a career that offers full-time work or flexibility, if you choose." She added, "The one difficulty that many have is change. If you do not like change, you will not like court reporting. This

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career requires you to adapt to new technology and stay on the cutting edge.”

It’s no surprise that this excellence-driven reporter defines a successful court reporter as one who strives on a daily basis to be the very best they can be. “NCRA offers a variety of certifications, above the base RPR certificate, that reporters should work towards obtaining. Additional certifications allow you to stand out,” she advises. “You must attend conventions and continuing education seminars, stay on top of new technology, and stay abreast of all rule and regulation changes governing the court reporting profession.” She added, “It is also important to give back, whether that is locally at a court reporting school, local reporter association, or at the state or national level.” With that perspective, it is no surprise that Doreen is a Registered Merit Reporter, Certified Realtime Reporter, Registered Diplomate Reporter, and a Fellow of the Academy of Professional Reporters.

With so many active years under her belt, we asked Doreen what she thinks will change about court reporting over the next five years. She is confident that the next big change in court reporting will be the elimination of a paper record in favor of e-filed transcripts. She explained, “The pilot project I am currently conducting in Fresno, in conjunction with the California Court Reporters Association, is testing just that. This is an era of going paperless, and it’s time that the reporters jump on board. I have always thought of my paper transcripts as being superb, but the electronic ones are superior. It gives the end users tools that our paper transcripts cannot.”

And no court reporter spotlight is complete without finding out the most unusual or interesting job in their career, and here is Doreen’s tale: “I reported a case of a very superstitious Hmong litigant who tried to sacrifice a live chicken in the middle of court proceedings to scare away the evil spirits because of the court’s interference in his family’s life,” she explained. “Quick action by the deputy saved us all from a grisly and bloody scene and kept the litigant from voodooing us.”

Thanks to this super-charged go-getter for sharing her thoughts on what it takes to be successful and giving us her prediction on the future of the court reporting industry.

School Updates

Board to Launch Onsite School Reviews

As part of its mission and legislative mandate to ensure California schools of court reporting continue to meet statutory and regulatory standards, the Board is commencing its onsite school review process.

The Board has secured expert consultant Ned Branch to lead the assessments. “Mr. Branch comes to us with a wealth of knowledge in the field of court reporting education. His expertise brings a value to both the Board and the schools,” commented Executive Officer Yvonne Fenner.

The onsite reviews provide a forum for the review team and school administrators to exchange information and discuss current issues. In addition to verifying information, the visits include an administrator orientation session, file and instructional material review, and student interviews.

The Board plans to conduct four to five site visits per year. The review locations are chosen based on a variety of factors, including first-time candidate exam results, length of time since previous review, and proximity to other schools scheduled for review. Although the Business & Professions Code allows for unannounced visits, the current policy provides schools with a 60-day notice.

Transcript Reimbursement Fund Update

2016 started off with a rush of applications being processed with the renewed funding of \$30,000 for the Pro Per Program of the Transcript Reimbursement Fund (TRF). Half of the allowed amount has been allocated thus far, all of which has been for applications received in 2015.

With the loss of the part-time analyst position for the Pro Per Program, the additional workload was reabsorbed by existing Board staff. As such, a four-month backlog totaling more than \$100,000 has formed for the Pro Bono Program of the TRF. “The Pro Bono Program applicants have been very patient and understanding during this time,” commented Paula Bruning, coordinator for the TRF.

The TRF is facing another obstacle. Pursuant to Business and Professions Code (BPC) 8030.2, the TRF is established by a transfer of funds from the Court Reporters Fund in the amount of \$300,000 at the beginning of each fiscal year as long as such transfer does not result in the balance of the Court Reporters Fund dropping to an amount less than six months’ operating budget. This “trigger” event is projected to occur in Budget Year 2016-17.

The Board has exhausted its remedies for fiscal solvency, cutting all activities that are not mission critical over the past five years. The Board has actively been searching for a legislative increase to the renewal fee cap of \$125 that was established in 1951. However, since a portion of licensee fees is used to assist indigent litigants through the TRF, the Office of Legislative Counsel has deemed it a tax, which would require a two-thirds approval vote for any legislative bill to pass. Therefore, the Board has faced an uphill battle in securing an author.

As a result, the Board may be forced to put the TRF on hold until there is a resolution to its revenue issue.

Court Reporters Board of California - Citations and Fines Issued October 2015 - February 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
Straub, Susan – Solano County	7608	01/12/2016	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	No
Rivas, Joe – Ventura County	10347	10/26/2015	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
Bivens, Shawn – Los Angeles County	7719	10/02/2015	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to produce transcript)	No

Court Reporters Board of California - Disciplinary Actions Current as of February 29, 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
Moen, Darla	N/A	Decision and Order; license denied.	01/08/2016	Business & Professions Code Section 8025 (a) and 480 (a)(1), and (a)(2): Conviction of a crime.
Waack, Jessica – San Francisco County"	13102	Stipulated Surrender of License	11/30/2015	Business & Professions Code Section 8025 (a) and 490: Conviction of a crime; Section 8024 (c) and 8025 (b): Failure to notify Board of conviction.
Hughes, Scott – Alameda County	12365	Stipulated Surrender of License	11/20/2015	Business & Professions Code Section 8025 (d) and CA Code of Regulations, Title 16, Section 2475: Unprofessional conduct; Section 8025 (e) and CA Code of Regulations, Title 16, Section 2475: Repeated unexcused failure to transcribe notes; Section 8025 (h): Failure to pay civil penalties.

Court Reporters Board Of California - Disciplinary Actions Pending Current as of February 29, 2016

RESPONDENT NAME - COUNTY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Terry, Brooke – Placer County	4692	Accusation	02/02/2016	Business & Professions Code Section 8025 (d): Fraud, dishonesty, unprofessional conduct, willful violation of duty.
Bruzzese, Susan	N/A	Statement of Issues	02/02/2016	Business & Professions Code Section 8025 (c) and 480 (a)(1), (a)(2), (a)(3) and (d): Conviction of a crime.
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.
Andrade, Monica – San Diego County	12836	Accusation	06/09/2015	Business & Professions Code Section 8025 (a) and 490: Conviction of a crime.

