

CCRA *online*

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CCRA Online Copy Deadlines

The deadline for ad and article copy for CCRA Online is the first of the month prior to the scheduled publication date. Articles, ad copy, changes of address, complaints of nondelivery and subscription requests should be directed to CCRA, 65 Enterprise, Aliso Viejo, CA 92656 or call (949) 715-4682. Advertising inquiries also should be directed to the Association office. Photographs accompanying articles should be RGB color JPEG files with a resolution no less than 120 ppi.

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The Electronic Magazine of
the California Court Reporters Association

CCRA Online Committee

Lesia J. Mervin
Debby Steinman
Connie Parchman, Editor
3275 Royalton Court
Pleasanton, CA 94588
Tel: (510) 853-5260
parchman1@aol.com

Main Office

CCRA
65 Enterprise
Aliso Viejo, CA 92656
Tel: (949) 715-4682
Fax: (949) 715-6931
Email: staff@cal-ccra.org

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CCRA OFFICERS

President

Debby Steinman
debby.steinman@cal-ccra.org

President-Elect/

Vice President Freelance

Early Langley
early.langley@cal-ccra.org

Vice President Official

Kristi Garcia
kegarcya@comcast.net

Secretary-Treasurer

Therese Claussen
TKClau@aol.com

Past President

Carolyn Dasher
carolyn.dasher@cal-ccra.org

CCRA MISSION STATEMENT

The mission of the California Court Reporters Association is to advance the profession of verbatim shorthand reporting by promoting professional reporting excellence through education, research, and the use of state-of-the-art technology; establishing and maintaining professional standards of practice; and advocating before legislative and regulatory bodies on issues which impact the judicial system and others served by the court reporting profession of California.

President's Message — CCRA: On the Go and At your Service!

By Debby Steinman, CSR, CRR, RDR
CCRA President



For a number of years, CCRA has been conducting NCRA tests throughout the state. We make four sites available to members of NCRA to allow them to take the tests close to home. We have sites in Dublin, Fresno, San Bernardino and Santa Ana. These sites are proctored and monitored completely by CCRA volunteers.

I would like to thank the CCRA members who contributed their time by helping others achieve their desire for advancement in court reporting.

The Dublin site was proctored by Mark Brickman of San Francisco with assistance from Lisa Mendel of Dublin at the Golden State College of Court Reporting in Dublin; Fresno was proctored by Doreen Perkins from Fresno with assistance from Lucy Blevins, Zoanne Williams, Taryn Williams, Ashley Fredericks and Lynn Hergenrader from Fresno at Sierra Valley College of Court Reporting; Santa Ana was proctored by Charlotte Freeman from Mission Viejo with assistance from Therese Claussen from Anaheim and Aaron Peardon from the Orange County Employees Association at the OCEA offices; and San Bernardino was proctored by me, Debby Steinman, from Santa Ana, with assistance from Denise and Waldo Stakes from Apple Valley, Christine Taylor from Sierra Madre, along with Deidre Stephenson Rodriguez from San Bernardino Public Employees Association at the SBPEA offices.

If you're looking for a way to volunteer and give back to your profession, proctoring the NCRA tests is a fun and easy way to participate. Please let me know if you're interested.

Attached are pictures from the San Bernardino site. Unfortunately, I didn't take pictures of the test room when it was full. But it is fun to interact with the candidates about your personal test experiences and make them feel comfortable with the process.

Good luck to everyone who took the tests!



Left to Right: Christine Taylor,
Denise Stakes, Debby Steinman,
and Deidre Stephenson Rodriguez.

Students taking test.



Is your transcript half-full or half-empty?



Page formats can be easily manipulated so that fewer characters and words appear on the transcript page. Additionally, some court reporting firms choose to add word indexes at full transcript page rates at the end of the transcript. Both of these practices adversely affect your bottom line by artificially increasing the volume of pages for which you are being charged, leaving your wallet half-empty.

To avoid unnecessary expense, choose a reporter that adheres to the California Code of Regulations, Section 2475, Professional Standards of Practice and Minimum Transcript Format Guidelines



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Early Langley

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Board of Directors

District A

Pam Katros

pam.katros@cal-ccra.org

District D

Christine Taylor

christine.taylor@cal-ccra.org

District B

Kelly Roemer

kroemer@aikenwelch.com

District E – (At Large)

Brooke Ryan

burgundy.ryan@sbcglobal.net

District C

Kim Thayer

kim.thayer@cal-ccra.org

District F – (At Large)

Lynden Glover

lynden@lyndenj.com

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How Private is Email?

Q. I have heard that all mail is read and monitored so mail service providers can collect information about users. I don't like the sound of that, so I wanted to ask you if there is any truth to it?

A. There are no teams of PERs (Professional Email Readers) who sit at monitors day and night and read billions of messages. That simply doesn't happen.

That being said — well, written — every email provider has the ability to access email and other data flowing through or residing on its mail servers. This holds true for text messaging, Twittering, blogging, online photo albums, email — you name it.

If I send email using Cox, Comcast, Verizon, Earthlink, Gmail, or any other provider, those commercial entities have the ability to view it, but there is a world of difference between having the ability to do something and actually doing it. Can operators listen in to our telephone conversations? Of course, they can. But do they do it? No, they don't.

My feeling is that if anybody wants to read my emails or monitor Web sites I visit, that's fine with me. It would probably bore them to tears, which would serve them right.

The bottom line is that all email is viewable under the right circumstances, with the appropriate subpoena or court order. But on a day to day basis, there is nothing untoward occurring with any one mail service that isn't occurring with any other provider.

I have often advised subscribers of my weekly newsletter (www.MrModem.com) to never write in an email that which they would not want to appear on the front page of their local newspaper. When all is said and done, that remains very sound advice, if I do say so myself.

Q. In a previous column you explained how to cut, copy and paste, but how do I select a "destination location" for that material that you referred to?

A. Asking where to copy something is a bit like getting in your car and asking, "What is my destination?" When you cut or copy something, you presumably have something in mind that you're planning to do with that data. So whatever you have in mind IS your destination. In other words, if you were not planning to do something with whatever data you cut or copied, you wouldn't cut or copy it in the first place. Your destination location might be another document, email, or you might simply cut and paste a paragraph elsewhere in the same document if you're rearranging the sequence in which material appears.

Q. In a previous column you explained how to cut, copy and paste, but how do I select a Q. Do flash drives have a limited lifespan? Do they deteriorate after a couple of years?

A. Nothing is forever, but the general consensus is that flash drives are good for approximately ten years. That estimate depends on the manner in which the device is stored, as temperature, humidity, proximity to electro-magnetic devices, small animals that chew things and small children that flush things, can also adversely affect the useful life of a flash drive.

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I would avoid relying on flash drives for long-term data storage. 10 years is an industry “best guess,” but failure can occur in far less time. There are simply no guarantees. I randomly check my saved data at least once every year just to make sure it’s not deteriorating and that it’s still accessible. Every five years I transfer it to new storage media, as new technologies emerge.

Q. I love my iPad, but sometimes I’m frustrated using its touchscreen keyboard. Is there any faster way to capitalize words than by pressing the SHIFT key and then typing a letter?

A. Most iPad (www.apple.com/ipad) users do exactly what you described, but there is a faster way: Tap the SHIFT key, then without removing your finger from the screen, drag it to the letter you want to capitalize and release in a single tap, slide, release motion. You can also do this with numbers and punctuation by tapping the .?123 key.

Mr. Modem’s DME (Don’t Miss ‘Em) Sites of the Month

ClickMazes

If you enjoy mazes, you will definitely find something here to both daze and amaze you. These aren’t your everyday, garden-variety mazes. No-sir-ee. Here you will find step-over sequence mazes, orientation mazes, punt mazes, and many others that I have never heard of, either.

www.clickmazes.com



Congratulations

to our Membership Survey Winners!
Each won a \$200 American Express gift card.

Ron Coleman — Yreka, CA

Winner of the CCRA survey of past members:
Peggyb Ogaz — Highland, CA

Peggy has since rejoined CCRA.

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It's a Man's World – or at Least it Used to Be

By Kyle McLean, student at Golden State College of Court Reporting

It's a Wednesday night and I'm at the machine practicing finger exercises. My girlfriend pops her head around the corner and says, "You know, I don't think too many guys would consider this line of work. I kind of admire the fact that you're willing to do something different." I shrug and go back to work. However, if you look at the numbers, a man in court reporting tends to be a bit of an outlier.

A stat on the wall of my court reporting school reads, "The United States has 308 million people. Of those 308 million people only 20,000 are court reporters. That is 0.006494% of the population." In other words, court reporters are the equivalent of a flake of flour in a flour sack. The government job report on court reporters says there is approximately a 9-to-1 ratio of women to men, so as a man, that makes me something like the crust on the end of that flake. Still, I prefer to think of myself as a rare and valuable commodity like the white truffle.

A rumor permeates through school that before World War II, all court reporters were men and that after the war, the dynamic changed to female domination. It makes me wonder why, after the war, the men didn't return to court reporting. Did men decide they didn't need the profession anymore, or that it was unmanly and best left to women? Nah. I imagine the simple truth is what everyone who works in or wants to work in court reporting knows: court reporters have a great job. My hypothesis is the women who stepped in for the GIs didn't give the jobs back.

These days there are CART reporters, realtime captioners, deposition reporters, and courthouse-variety court reporters all making a good living. According to trade journals and government job reports, there is plenty of room for a new rush of eager students who want to enter the field.

So what brings me, a man, to court reporting school? I needed a career change, I like working with words,

and every court reporter you meet seems to have their own monologue about how great the profession is that's fit for an infomercial.

I didn't know about the 9-to-1 women-to-men ratio when I got into school, nor did I ever consider its implications when I researched the career. Believe me, they are instantly apparent when you start your education and take a look for your name on a class roster littered with Ashleys, Sarahs, Kristys, and Carlies. The faculty handles it well though. They always remember to politely say "ladies and gentleman." Notice the 'man.'

My classmate Sam says that before me and a few other male arrivals, he felt like, "the last of the Mohicans." I admit that some days I feel like clumsy Tarzan wandered into the Amazon forest, the annoying rooster in the hen house, or fear that maybe I'm perceived as the all too obvious single boy who joins the home ec class to meet girls (let the record show I'm happily un-single, so that's out).

However, when it comes to school, other than the gender population, the differences are slight. My Stenograph is not decorated nearly as nicely as my classmates' and changing the heavy 5-gallon jug on the water cooler falls to me more often than not. Beyond this, everything is on equal footing as moving up in speed requires hours and hours of practice and preparing for exams demands hours of studying vocabulary, medical terms, and rigorous training in the English language. Though, I will admit, the line for the boys' bathroom is a lot shorter.

Since the United States Board of Labor Statistics expects court reporting to continue to grow over the next decade, it will be interesting to see whether the Y chromosomes get in on the act a little more, and if not, well, more work for me and all the ladies in the house.



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Attorney and Counselor at Law
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Laguna Beach, California 92651

Telephone: (949) 280-2334

Facsimile: (949) 606-8382

Associate
The Chartered Institute of
Arbitrators
London, England

Email:
RBoltz@BoltzLaw.Net

Internet:
www.BoltzLaw.Net

May 6, 2011

Ms. Carolyn J. Dasher, CSR
65 Enterprise
Aliso Viejo, CA 92656

By Email Only

Re: CART Services by Certified Court Reporters

Dear Carolyn:

I was pleased to meet you this morning in Pasadena and to have your assistance in the Courtroom with the CART services you provided me. Since my hearing is only about 50%, and essentially a problem in which I have difficulty deciphering words (sounds such as “s” and “f” sound the same, and the numbers “2” and “3” are identical to me), CART is the only way to “level the playing field for me in court. As a litigator for 40 years, without it – and court reporters like you – I’m out of business. California, in its Civil Code, keeps me “on the field” when, in Section 54.8, it *requires* every court and administrative agency in California to provide CART services not only to attorneys, but to almost anyone (even court staff) who is present during a “proceeding.” This even applies to school “individualized education plans,” unemployment compensation hearings, and more. And, as you know, CART services can’t be provided mechanically or electronically: They need a live, human, experienced *court reporter*.

That’s why I am concerned (as I know you and the CCRA are) at the proposals to eliminate courtroom reporters in California. Coming from Michigan, where this has occurred, I know not only the general concern about the quality of transcripts, but I am totally afraid that it will prevent meaningful CART services for the Deaf Community and the Hard of Hearing (“HOH”) public. That’s no small fear: The U.S. Department of Health and Human Services estimates that 8.6% of Americans are either Deaf (no ability to hear sound in any way) or HOH (unable to fully hear and comprehend sound). That means that on any courtroom day where there are 50 people in the room (including staff), roughly 4 to 5 are either Deaf or HOH, whether they know it or not.

It would, of course, be grossly illegal to have a “Deaf/HOH Department” in Superior Court, where any case with a person entitled to CART (including witnesses, jurors, attorneys and clients) would be sent. This means that every courtroom, every day, has people who (even if they are unaware of it) are entitled to have a court reporter in that room providing CART to them.

This is, as you can see, inconsistent with having video/audio recording of court proceedings: If CART is required in virtually every Department in California, then it would be a foolish waste of money to duplicate that with expensive electronic recording. In other words, *removing court*

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CART Services by Certified Court Reporters

(continued from Page 10)

Mr. Arjan Singh
September 4, 2010
Page 2

reporters from the courtroom is probably a serious violation of California civil rights law, as well as the Federal Americans with Disabilities Act. This makes recent proposals to eliminate court reporters extremely problematic.

I have a significant amount of experience in this area, both as an attorney and as the person responsible for forcing the large motion picture studios, in a major class action, to “caption” (or provide CART, in so many words) virtually all “bonus features” on entertainment DVDs produced in the United States. As such, I may be in a position to assist the CCRA in opposing legislative proposals to eliminate court reporters from courtrooms, and if you or the CCRA are interested in discussing how I might be able to assist you, I would be glad to meet with you or any of the CCRA leadership at any time.

Regardless, I appreciate *your* help today, as does my client. By making *his* choice of counsel possible – by keeping me in the courtroom – you and court reporters like you are assisting the public in the administration of justice in ways that few truly understand. Thank you, both on his and on my behalf.

Sincerely,

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Welcome to CCRA's Newest Members...

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Brianna Avalos, San Diego
Carley Bagatelos, Sunnyvale
Diane Baumruk, Bakersfield
Catherine Bergen, El Cajon
Pamela Berry, El Cajon
Breann Bertino, Riverside
Debbie Bratton, Porterville
Stefani Cortopassi, Castroville
Rose Ferronato, Rohnert Park

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Ana Sheffer, Riverside
Romelisa Solis, Rancho Cucamonga
Peter Stewart, San Diego
Jinjer Thomas, Westminster
Lauren Tilbury, Huntington Beach
Susan Uccelli, South San Francisco
Brittany Williams, Sky Valley



Individual court reporters have ethical obligations under their licensing boards and state and national associations; corporations do not. Some reporting firms are choosing to hide behind their corporate identities in order to avoid being held to commonsense ethical standards.

If you wonder why some court reporting firms would choose to ignore the rules that are designed to protect the integrity of our court records, the answer is clear:

PROFIT

**It's time to
question
these practices**



Profit in and of itself is not a bad word, but incentive gifting programs and cost-shifting pricing structures utilized by some national court reporting firms translate into their added volume and sole profit. These practices lure in the business with the promise of a reward or discount for the attorney or staff ordering the deposition to be taken, but oftentimes they financially penalize opposing counsel and the litigants with higher prices. The one-sided nature of these arrangements is the reason why many states have enacted anti-contracting laws to preclude reporters from entering into deals that call into question the appearance of impropriety.



**SUPPORT LOCAL REPORTERS
WHO PUT ETHICS FIRST BY
SCHEDULING DIRECTLY AND
CUTTING OUT THE MIDDLEMAN**



Presenting at Bryan College

By Martha Hutchings

May 9, 2011, I was dispatched by Gerie Bunch, CCRA's Support Our Students Committee Chair and Speaker Roster Program coordinator, to Bryan College's Los Angeles campus for one of their open house events.

Bryan College contacted Gerie to ask for a presenter at their event for potential students, and once Gerie got the details from the school, she contacted me to see if I was available. After I cleared the date, Gerie gave me an "e-introduction" to a representative from the school and we worked out the details.

There were approximately 50 candidates present and I spoke to the prospective students about the freelance court reporting field and court reporting in general. I used some of Hutchings' materials and also handed out the "Programs CCRA has for Students" flyer. It was refreshing to see so many eager and interested candidates and their questions were plentiful. Bryan College was appreciative of the Speaker Roster Program that CCRA offers.

I was happy to share a small bit of 58 years of Hutchings history!



Cal-e-licious

By Kitty and Lucian Maynard

RHUBARB-STRAWBERRY COFFEE CAKE

From: The American Country Inn and Bed & Breakfast Cookbook

This is the most delicious coffee cake I've ever had. Gerie Bunch

Ingredients:

3 c. fresh rhubarb cut in 1-inch pieces	****
1 lb. fresh strawberry, sliced	1 c. buttermilk
¾ c. sugar	2 eggs, slightly beaten
½ c. cornstarch	1 tsp. vanilla extract
****	****
3 c. flour (I used 1 wheat and 2 regular)	½ c. sugar
¾ c. sugar	½ c. flour
1 tsp. each, baking soda, baking powder & salt	¼ c. butter
1/8 tsp. cinnamon	¼ c. flaked coconut
1 c. butter	

Combine the rhubarb and strawberries and cook about 5 minutes over medium heat. Combine the sugar and cornstarch and add to the fruit. Cook until bubbly and thickened. Set aside to cool.

In a large mixing bowl, combine 3 c. flour, ¾ c. sugar, soda, baking powder, salt & cinnamon. Cut in the 1 c. butter until the mixture resembles fine crumbs. In a separate bowl combine the buttermilk, eggs and vanilla and beat; add to the dry ingredients, stirring just to moisten. Spread half of the batter in a greased 9x13x2-inch pan. Spread the cooled rhubarb filling over this and spoon the remaining batter in small mounds on top of the filling.

Make the topping by combining ½ c. sugar and ½ c. flour, cut in ¼ c. butter until the mixture resembles fine crumbs. Add the flaked coconut. Sprinkle the topping over the batter. Bake at 350 for 45 to 50 minutes.



Homophones

Resolving conflicts in your writing is a very important realtime principle. Here is a list of homophones to aid you in resolving your conflicts. If you are unable to resolve all of these conflicts, check with your software vendor and learn how to choose a conflict from your writer while writing realtime.

ad/add	flea/flee	mail/male	rest/wrest	tents/tense
allowed/aloud	flew/flu/flue	maize/maze	review/revue	tern/turn
ant/aunt	flower/flour	meet/meat	right/rite/write	there/their/they're
ate/eight	for/four/fore	medal/meddle	ring/wring	throne/thrown
ball/bawl	forth/fourth	mince/mints	road/rode/rowed	thyme/time
band/banned	foul/fowl	miner/minor	roe/row	tide/tied
bear/bare	frees/freeze	missed/mist	role/roll	tighten/titan
be/bee	gneiss/nice	mooded/mood	root/route	to/too/two
billed/build	gnu/knew/new	morning/mourning	rose/rows	toad/toed/towed
blew/blue	gored/gourd	muscle/mussel	rote/wrote	toe/tow
board/bored	gorilla/guerrilla	mussed/must	roux/rue	told/tolled
boy/buoy	grays/graze	nays/neighs	rye/wry	tracked/tract
brake/break	grate/great	no/know	sacks/sax	trussed/trust
by/bye/buy	guessed/guest	none/nun	sail/sale	use/ewes
beach/beechn	gym/Jim	nose/knows/no's	sawed/sod	vein/vane
bolder/boulder	hale/hail	not/knot/naught	scene/seen	verses/versus
bread/bred	hall/haul	one/won	sea/see	vial/vile
brouse/brows	hare/hair	or/oar/ore	seam/seem	vice/vise
capital/capitol	heal/heel/he'll	overdo/overdue	seas/sees/seize	wade/weighed
caret/carrot/carat/karat	heard/herd	paced/paste	serf/surf	wail/whale
cell/sell	hew/hue	pail/pale	serge/surge	waist/waste
cent/scent/sent	hi/high	pair/pare/pear	sew/so/sow	wait/weight
census/senses	higher/hire	pain/pane	shoe/shoo	waive/wave
cereal/serial	him/hymm	passed/past	side/sighed	Wales/whales
chews/choose	hair/hare	patience/patients	sighs/size	war/wore
choral/coral	hoarse/horse	pause/paws	sign/sine	ware/wear/where
chute/shoot	hole/whole	peace/piece	sight/site/cite	warn/worn
clothes/close	hour/our	peak/peek/pique	slay/sleigh	wax/whacks
colonel/kernel	idle/idol	peal/peel	soar/sore	way/weigh/why
creak/creek	idle/idol/idyl	pedal/peddle	soared/sword	we/wee
crews/cruise	in/inn	peer/pier	sole/soul	weather/whether
cymbal/symbol	incite/insight	pi/pie	son/sun	we'd/weed
days/daze	its/it's	plain/plane	some/sum	weld/welled
dear/deer	jam/jamb	plum/plumb	spade/spayed	we'll/wheel
dew/do/due	jeans/genes	praise/prays/preys	staid/stayed	wen/when
die/dye	knead/need/knead	presence/presents	stair/stare	we've/weave
disc/disk	knight/night	principal/principle	stake/steak	weak/week
discreet/discrete	knows/nose/no's	prince/prints	stationary/stationery	which/witch
discussed/disgust	lead/led	quarts/quartz	steal/steel	whirled/world
doe/dough	leased/least	quince/quints	straight/strait	whirred/word
doughs/doze	lessen/lesson	rain/reign/rein	suede/swayed	whine/wine
earn/urn	lie/lye	raise/rays/raze	summary/summery	whoa/woe
ewe/you	links/lynx	rap/wrap	sundae/Sunday	who's/whose
eye/I	load/lode/lowed	read/reed	tacks/tax	wood/would
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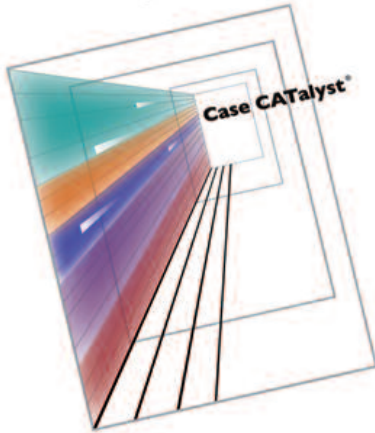


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Glossary of Legislative Terms (N, O, P, Q, R, S, T, U, V, W, X, Y and Z)

Installment 4, the final installment of our ongoing Legislative Glossary. Here's N, O, P, Q, R, S, T, U, V, W, X, Y and Z.

N

Nonfiscal Bill

A measure not having specified financial impact on the state and, therefore, not required to be heard in an Assembly or Senate fiscal CCommitteeas it moves through the legislative process. Nonfiscal bills are subject to different legislative calendar deadlines than fiscal bills.

O

Officers

Those Members and employees of the Legislature who are elected by the membership of each house at the beginning of each session to perform specific functions on behalf of the house. Assembly officers include the Speaker, Speaker pro Tempore, Chief Clerk, and Sergeant-at-Arms. Senate officers include the President pro Tempore, Secretary of the Senate, and Sergeant-at-Arms.

On Call

A roll call vote in a CCommitteeor an Assembly or Senate floor session that has occurred but has not yet been concluded or formally announced. Members may continue to vote or change their votes as long as a measure remains "on call." Calls are usually placed at the request of a bill's author in an effort to gain votes. Calls can be lifted by request any time during the CCommitteehearing or floor session, but cannot be carried over into the next legislative day.

On File

A bill on the second or third reading file of the Assembly or Senate Daily File.

Out of Order

A parliamentary ruling by the presiding officer of a CCommittee or the house that a matter is not, at that time, appropriate for consideration by the body.

Override

Enactment of a bill despite the Governor's veto, by a vote of two thirds of the members of each house (27 votes in the Senate and 54 votes in the Assembly).

P

Parliamentary Inquiry

A procedural question posed by a legislator during a CCommittee hearing or floor session. A member must be recognized for this purpose and the question answered by the CCommittee chair or presiding officer.

Pass on File

A bill is taken up during a floor session by its author or floor manager according to its order in the Assembly or Senate Daily File. An author may choose to "pass on file," thus temporarily giving up his or her opportunity to take up a measure on the floor.

Passage

Adoption of a measure by the Assembly or the Senate.

Per Diem

(literally: per day) Daily living expense payment made to legislators when a house is in session.

Petition

A formal request submitted to the Legislature by an individual or group of individuals.

Point of Order

A request that the presiding officer remedy a breach of order or of the rules.

Point of Personal Privilege

Assertion by a Member that his or her rights, reputation, or conduct have been impugned, entitling the Member to repudiate the allegations.

Postpone

A motion to delay action on a matter before the house.

President of the Senate

See Lieutenant Governor.

President Pro Tempore of the Senate

(literally: for the time) Highest-ranking member of the Senate; also chairs the Senate CCommittee on Rules. Elected by Senators at the beginning of each two-year session.

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Presiding

Managing the proceedings during a floor session. In the Assembly, the presiding officer can be the Speaker, Speaker pro Tempore, or any other Assembly Member appointed by the Speaker. In the Senate, the presiding officer can be the President, President pro Tempore, or any other Senator appointed by the President pro Tempore.

Press Conference

A presentation of information to a group of reporters. Press conferences are frequently held in Room 1190 of the Capitol, the Governor's press room, which is available to Members on a reservation basis (445-4571).

Previous Question

If a Member seeks to cut off all further debate on a measure, he or she may call the previous question to seek to compel the body to vote immediately on the issue.

Principal Coauthor

A Member who is so designated on a bill or other measure, indicating that the Member is a primary supporter of the measure.

Privilege of the Floor

Permission given, by the presiding officer, to view the proceedings from the floor of the Chamber, rather than from the gallery. Members request that permission on behalf of constituents or other guests.

Put Over

A motion to delay action on a measure until a future date.

Q

Quorum

A simple majority of the membership of a CCommittee or the Assembly or Senate; the minimum number of legislators needed to begin conducting official business. The absence of a quorum is grounds for immediate adjournment of a CCommittee hearing or floor session.

Quorum Call

Transmitting the message that members are needed to establish a quorum so that proceedings may begin.

R

Reading

Presentation of a bill before the house by reading its number, author, and title. A bill is on either first, second, or third reading until it is passed by both houses.

Reapportionment

Revising the allocation of congressional seats based on census results. Also used to refer to redistricting (the revision of legislative district boundaries) to reflect census results.

Recess

(1) An official pause in a CCommittee hearing or floor session that halts the proceedings for a period of time but does not have the finality of adjournment.

(2) A break of more than four days in the regular session schedule such as the "Easter recess."

Reconsideration

A motion giving the opportunity to take another vote on a matter previously decided in a CCommittee hearing or floor session.

Referendum

The method, used by members of the public, by which a measure adopted by the Legislature may be submitted to the electorate for a vote. A referendum petition must be signed by electors equal in number to 5 percent of the votes for all candidates for Governor at the last gubernatorial election.

Rescind

A motion to revoke an action previously taken.

Resolution


See Concurrent Resolution and Joint Resolution.

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Roll Call

Recording the vote of each member of a CCommittee or of the full Assembly or Senate. CCommittee roll calls are conducted by the CCommittee secretary, who calls each member's name in alphabetical order with the name of the chair called last. Assembly roll calls are conducted electronically, with each Member pushing a button from his or her assigned seat. Senate roll calls are conducted by the Reading Clerk, who reads each Senator's name in alphabetical order.

Rule Waiver

Exemption to the Assembly, Senate, or Joint Rules, for which formal permission must be granted.

Rules

Principles formally adopted to govern the operation of either or both houses. These include Standing Rules of the Assembly, Standing Rules of the Senate, and Joint Rules of the Senate and Assembly.

S

Second Reading

Each bill introduced must be read three times before final passage. Second reading occurs after a bill has been reported to the floor from CCommittee.

Second Reading File

The portion of the Daily File that lists measures that have been reported out of CCommittee and are ready for consideration on the floor. Measures stay on the second reading file for one day before moving to the third reading portion of the File.

Secretary of the Senate

A Senate employee serving as principal parliamentarian and record keeper for the Senate, elected by Senators at the beginning of each two-year session. The Senate Secretary and his or her staff are responsible for publishing the Senate daily and weekly publications.

Section

Ordinarily, a portion of the California Codes or other statutory law; alternatively, a portion of the text of a bill. The text of code sections is set forth in bills as proposed to be amended, repealed, or added.

Senate

The house of the California Legislature consisting of 40 members elected from districts apportioned on the basis of population, one-half of whom are elected or re-elected every two years for four-year terms.

Sergeant-At-Arms

Employee responsible for maintaining order and providing security for the Legislature. The Chief Sergeant-at-Arms in each house is elected by the Members of that house at the beginning of every legislative session.

Session

The period during which the Legislature meets. The Legislature may meet in either regular or special (extraordinary) session.

Short CCommittee

A hearing of a CCommittee attended by less than a quorum of the members of the CCommittee.

Sine Die

See Adjournment Sine Die.

Speaker

The presiding officer of the Assembly, elected by the membership of the Assembly at the beginning of the two-year session. This is the highest-ranking Member of the Assembly.

Speaker Pro Tempore

Member, appointed to this office by the Speaker, who presides over a floor session of the Assembly at the request of the Speaker.

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Special Order of Business

Occasionally a bill is of such importance that advance notice is given as to when it will be considered by the Assembly or Senate. Notice is given during a floor session by requesting unanimous consent to set the bill as a special order of business on a specific date and time. This assures adequate time for debate and allows all Members the opportunity to be present.

Special Session

See Extraordinary Session.

Sponsor

The Member of the Legislature, private individual, or group who develops a measure and advocates its passage.

Spot Bill

A bill that proposes nonsubstantive amendments to a code section in a particular subject; introduced to assure that a bill will be available, subsequent to the deadline to introduce bills, for revision by amendments that are germane to the subject of the bill.

State Auditor

Head of the Bureau of State Audits, which conducts financial and performance audits of the state and local government agencies at the request of the Joint Legislative Audit CCommittee.

State Mandate

State legislative enactment or administrative regulation that mandates a new program or higher level of service on the part of a local government, the costs of which are required by the California Constitution to be reimbursed.

Statutes

Enacted bills, which are chaptered by the Secretary of State in the order in which they become law.

Stop the Clock

The term used to describe the process of continuing legislative business after the passage of a deadline imposed by legislative rule.

SubCommittee

A subgroup of a full Committee, appointed to perform work on one or more functions of the Committee.

Summary Digests

Digests of each bill enacted in a two-year session, as prepared and compiled by the Legislative Counsel. The measures are listed by chapter number, reflecting the order in which they were signed into law.

Suspend the Constitution

A motion to waive requirements that the California Constitution imposes, but permits to be waived in a specified manner. A motion to suspend requires an extraordinary vote.

T

Table

See Lay on the Table.

Tax Levy

Any bill that imposes, repeals, or materially alters a state tax. The Legislative Counsel indicates in the title and Digest of the bill whether the bill is a tax levy.

Third House

Collective reference to lobbyists (see Legislative Advocates).

Third Reading

Each bill introduced must be read three times before final passage. Third reading occurs when the measure is about to be taken up on the floor of either house for final passage.

Third Reading Analysis

A summary of a measure that is ready for floor consideration. Describes most recent amendments and contains information regarding how Members voted on the measure when it was heard in Committee. Senate floor analyses also list support or opposition by interest groups and government agencies.

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Third Reading File

That portion of the Daily File listing the bills that are ready to be taken up for final passage.

Title

The material on the first page of a bill that identifies the provisions of law affected by the bill and the subject matter of the bill.

Two-Thirds Vote

In the Assembly, 54; in the Senate, 27. Required, for example, for urgency measures and most measures making appropriations from the General Fund.

U

Unanimous Consent

The consent of all of those Members present, ordinarily presumed to exist in the absence of objection.

Unfinished Business

That portion of the Daily File that contains measures awaiting Senate or Assembly concurrence in amendments adopted by the other house. Also contains measures vetoed by the Governor for a 60-day period after the veto.

Unicameral

A legislature consisting of one house (Nebraska has the only unicameral state legislature).

Upper House

The Senate.

Urgency Measure

A bill affecting the public peace, health, or safety, containing an urgency clause, and requiring a two-thirds vote for passage. An urgency bill becomes effective immediately upon enactment.

Urgency Clause

Section of a bill stating that the bill will take effect immediately upon enactment. A vote on the urgency clause, requiring a two-thirds vote in each house, must precede a vote on the bill.

V

Veto

The Governor's formal rejection of a measure passed by the Legislature. The Governor may also exercise a line item veto, whereby the amount of an appropriation is reduced or eliminated, while the rest of the bill is approved (see Blue Pencil). A veto may be overridden by a two-thirds vote in each house.

Voice Vote

A vote that requires only an oral "aye" or "no," with no official count taken. The presiding officer determines whether the "ayes" or "noes" carry.

W - X - Y - Z

None



HOW MUCH ARE THE SPRINKLES? NO THANKS!

By Lisa Migliore Black, CCR-KY

Everybody likes ice cream, right? Anything with chocolate in it is usually my first choice. Sometimes, though, plain vanilla suits me just fine too. Having options is always nice.

I'm a court reporter. Ice cream and deposition transcripts, not a strong correlation there, but bear with me. There is a point here: **A carton of ice cream costs about the same amount of money as a page of transcript, and sprinkles are usually a small additional charge, like word indexes.**

What if, when you purchased your ice cream and sprinkles, the clerk told you, "That will be \$300"? Shocked, you might inquire what you were being charged for since the price on the ice cream is only \$4.50. "Oh, but you bought the sprinkles too," might be the reply. As a savvy consumer, you'd probably put the sprinkles back and say, "No thank you." But what if the clerk persisted, "Oh, you can't put the sprinkles back. You *have* to buy the sprinkles. They are part of the package, and we charge per sprinkle."

As a purchaser of ice cream, this scenario might seem farfetched. No vendor would be able to stay in business if they engaged in such blatant overcharging or misleading disclosure of price. In the open market, consumers would go elsewhere, or perhaps consumer protection laws would protect the public from these practices. However, as attorneys, you might find that this type of overcharging isn't uncommon at all when you receive your copies of deposition transcripts.

Word indexes are a valuable litigation tool, but how valuable is open to some debate. Some reporting firms charge full transcript page rates for these tools, adding a substantial cost to your overall bill for court reporting services. If price is an issue when making your choice for court reporting services, you may find that the lower price you were promised is anything but.

Let's face it, a quick glance at a standard dictionary provides that a transcript is something transcribed; an index is simply the sequential arrangement of material in alphabetical or numerical order. Traditionally, word indexes have been provided by court reporting firms at a nominal charge, not

at full transcript page rates, and the attorneys have had the option of purchasing the word indexes or opting not to have them included. If your transcript is certified on page 60, why are you being charged for 85 or more pages on your invoice? Is it because your court reporting firm has sprinkled in some extra pages in the certified transcript, recharging you for the same work product reiterated in a different format with creative liberty by means of including a word index? Does your court reporting firm send a non-itemized invoice as convenient subterfuge?



A deposition lasting all day can generate, on average, 65 pages of word index. At an average cost of \$4.50 a page, an attorney and his client will be charged close to \$300.00 for the word index in addition to the original transcript, and likewise, the copy attorney will be overcharged as well. **Put another way, the low price you were quoted when you asked for rates from your court reporting firm could be surreptitiously 15%20% higher than you expected when the invoice arrives.**

If you find that you are overpaying for your transcripts in this manner, I'd suggest finding a new vendor, one that offers upfront pricing and itemized invoices and doesn't charge two or three times for the words that have already been paid for once.

Sprinkles? At those prices, no thanks.



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Friday, October 7

Welcome Reception under the stars on the Lanai overlooking the marina. This beautiful outdoor setting is heated and has outstanding views. Network with your friends and peers while enjoying a beverage of your choice and some tasty hors d'oeuvres.

Saturday, October 8

Cocktails and dinner Saturday night is a celebration. Dinner and dancing are just a few of the things we have lined up for you. Join the party!

Reception in the Presidential Suite — Enjoy a nightcap and networking Saturday evening.

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Vocabulary Review

By Debby Steinman

1. **Acnestis** – the part of an animal's skin that it cannot reach to scratch itself; usually the space between the shoulder blades
2. **Adventitious** – coming from another source and not inherent or innate; arising or occurring sporadically or in other than the usual location, i.e., adventitious roots
3. **Advert** – to turn the mind or attention to; to call attention in the course of speaking or writing; make reference
4. **Apposite** – highly pertinent or appropriate, relevant
5. **Azygos** – unpaired, odd
6. **Boustrophedon** – the writing of opposite lines in opposite directions
7. **Capitulate** – to surrender often after negotiation of terms, to cease resisting; acquiesce
8. **Canard** – baseless rumor
9. **Cloture** – the closing or limitation of debate in a legislative body, especially by calling for a vote
10. **Cockaigne** – an imaginary land of luxury and ease
11. **Conflate** – to bring together, fuse
12. **Contretemps** – an inopportune or embarrassing occurrence or situation
13. **Detritus** – waste or debris of any kind
14. **Dichotomy** – a division or the process of dividing into two, especially mutually exclusive or contradictory groups or entities; something with seemingly contradictory qualities
15. **Doppelganger** – a ghostly counterpart of a living person; double; alter ego
16. **Duplicity** – deceitfulness
17. **Endemic** – belonging or native to a particular people or country
18. **Enmity** – mutual hatred
19. **Ephemeral** – lasting a very short time; transient
20. **Etiolate** – pale and drawn out due to a lack of light
21. **Fecund** – fruitful in offspring or vegetation; intellectually productive or inventive to a marked degree
22. **Feckless** – weak, ineffective
23. **Flibbertigibbet** – a silly, flighty person
24. **Flummox** – confuse, bewilder
25. **Fungible** – being of such a nature that one part or quantity may be replaced by another equal part or quantity in the satisfaction of an obligation; interchangeable
26. **Genuflect** – to be servilely obedient or respectful
27. **Hegemony** – preponderant influence or authority over others
28. **Hoary** – aged
29. **Hoosegow** – jail/prison
30. **Immolate** – to offer in sacrifice
31. **Immutable** – not capable of or susceptible to change; inflexible
32. **Imprimatur** – sanction, approval; imprint; a mark of approval or distinction
33. **Inchoate** – being only partly in existence or operation; incipient
34. **Inveigh** – to protest or complain bitterly or vehemently
35. **Jeremiad** – long complaint
36. **Jingoism** – extreme chauvinism or nationalism marked especially by a belligerent policy
37. **Kvetch** – to complain, gripe
38. **Lagniappe** – a small gift with purchase
39. **Lemming** – any of various small short-tailed furry-footed rodents
40. **Lugubrious** – exaggeratedly or affectedly mournful
41. **Malversation** – misbehavior, and especially corruption in an office, trust or commission; corrupt administration
42. **Meme** – an idea that catches on
43. **Mendacious** – not telling the truth, dishonest
44. **Misprision** – neglect or wrong performance of official duty

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Vocabulary Review

(continued from Page 24)

45. **Modish** – fashionable, stylish
46. **Mote** – a small particle, speck
47. **Nascent** – coming or having recently come into existence
48. **Nebbish** – a timid or ineffective person
49. **Nebulous** – indistinct, vague
50. **Nemesis** – cause of a downfall
51. **Nonplus** – a state of bafflement or perplexity; quandary
52. **Obfuscate** – to confuse
53. **Onomatopoeia** – the naming of a thing or action by a vocal imitation of the sound associated with it, as buzz, hiss; the use of words whose sound suggest the sense
54. **Paragon** – a model of excellence or perfection
55. **Parochial** – confined or restricted as if within the borders of a parish; limited in range or scope; provincial, narrow; insular
56. **Paucity** – smallness of quantity; dearth
57. **Paeon** – a joyous song or hymn of praise, tribute
58. **Pedantic** – narrowly, stodgily, and often ostentatiously learned; unimaginative; pedestrian
59. **Peregrinate** – to travel from place to place, esp. on foot
60. **Perfidious** – disloyal
61. **Peroration** – the concluding part of a speech typically intended to inspire enthusiasm
62. **Pettifogger** – a lawyer whose methods are petty, underhanded or disreputable
63. **Piquant** – pleasantly stimulating or exciting to the mind
64. **Plebian** – one of the common people
65. **Plenary** – complete in every respect; absolute, unqualified
66. **Plenipotentiary** – someone having full power
67. **Politic** – sensible and judicious under the circumstances
68. **Prodigal** – wasteful
69. **Profligate** – completely given up to dissipation and licentiousness; wildly extravagant
70. **Propitiate** – to gain or regain the favor or goodwill of; appease, conciliate
71. **Punctilious** – marked by or concerned about precise accordance with the details of codes or conventions; careful
72. **Raconteur** – a person who excels in telling anecdotes
73. **Rapacious** – aggressively greedy or grasping
74. **Reprobate** – to condemn strongly as unworthy, unacceptable or evil; to reject
75. **Screed** – lengthy discourse
76. **Slubber** – to perform badly and make a mess of things
77. **Tautology** – needless repetition of an idea, statement or word
78. **Torpid** – having lost motion; lacking in energy or vigor
79. **Transmogrify** – to change or alter greatly and often with grotesque or humorous effect
80. **Trope** – a word or expression used in a figurative sense; figure of speech
81. **Truncate** – to shorten by or as if by cutting off
82. **Salient** – most noticeable or important
83. **Venerate** – to revere
84. **Verily** – in truth, certainly, truly, confidently
85. **Vitriolic** – something felt to resemble vitriol especially in caustic quality; especially, virulence of feeling or of speech
86. **Wont** – accustomed, inclined, apt

