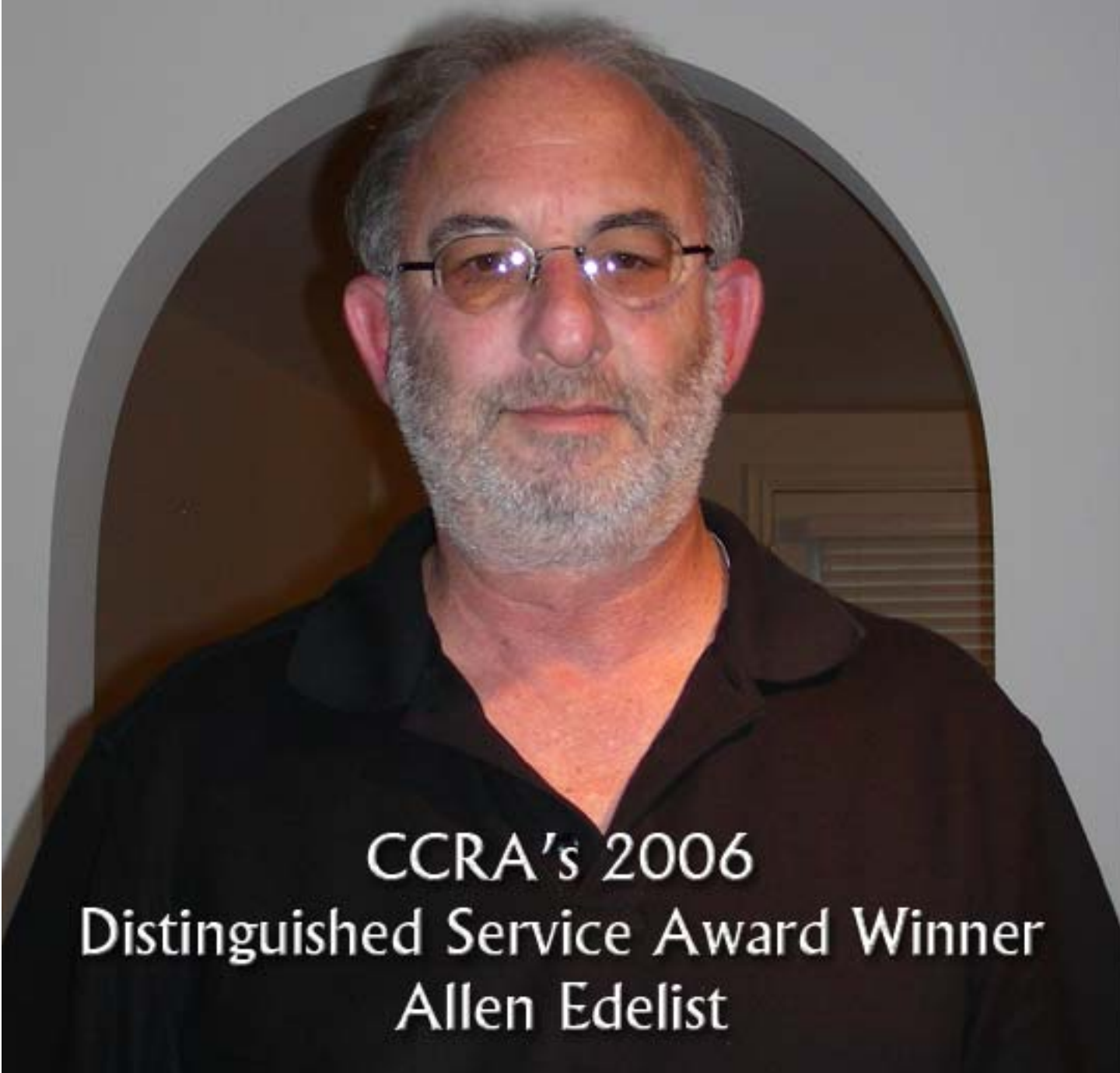


December 2006



CCRA's 2006
Distinguished Service Award Winner
Allen Edelist

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CCRA Online

The Electronic Magazine
of the California Court
Reporters Association

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**Cover Photo: Allen Edelist, CCRA's 2006
Distinguished Service Award winner.**

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, 2400 22nd Street, Suite 110, Sacramento, CA 95818 or call 916/443-5090. 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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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.

Another Year for CCRA

CCRA's 96th Annual Convention has come to an end, and what a success it was! Synergize, Energize, Socialize was the theme for this convention held at the Santa Clara Marriott. I can guarantee you that reporters, both official and freelance, students and teachers were able to synergize during our seminar tracks to create the energy we needed to socialize on the dance floor, learning the latest line dances!

CCRA's committees are an important facet in the work the Board of Directors does for you. I want to take this opportunity to educate you, our members, on what it is these committees will be accomplishing for you in the upcoming year. Before I do so, I want to introduce you to our three new board members: Rose Goni, Teresa Fletcher and Renee Grove. Teresa and Renee are both officials and bring to the board a passion and dedication to the profession, as does Rose, who is a freelance reporter from the Northern California area.

Returning to the Board of Directors is Jim Partridge, Official San Diego County; Carlos Martinez, Official Sonoma County; Lesia Mervin, Official Tulare County; Sheri Turner, Freelance Sacramento; Carolyn Dasher, Official Los Angeles County; Anna-Marie Cole, Official San Luis Obispo, and our immediate past president, Doreen Perkins, Official Fresno County.

CCRA's Support Our Students/Schools Committee will be chaired by Gerie Bunch, an official from Susanville. Among many tasks, Gerie and her committee will continue to work with the schools and students on a mentor program, visiting schools and developing a student/teacher seminar track for our upcoming convention.

CCRA's Public Relations Committee will be chaired by Jim Partridge. Jim and his committee will focus on grassroots relationships with the state bar associations and the local bar associations.

The Bylaws Committee will be chaired by, once again, Arnella Sims, official reporter from L.A. County.

The Technology Committee will be chaired by Lesia Mervin. Among many charges, Lesia's committee will be developing an intensive, hands-on technology seminar track that teaches the reporter the technological side of reporting, culminating in a certification such that firms and courts will recognize that reporter to have additional skills beyond the Certified Realtime Reporter designation. As always, the Technology Committee will continue to monitor the development of alternative methods used to create a record of proceedings.

Deposition Advisory Committee will be chaired by Sheri Turner, freelancer firm owner in Sacramento. One of this committee's duties this year will be to identify freelance reporters who have the desire and/or leadership skills to serve on CCRA's board. In addition to updating the Freelance Compendium, this committee will begin work on developing a Deposition Manual.

This manual's purpose would be to memorialize the deposition reporter's duties from the predeposition duties to and including after the deposition is sealed, particularly in regards to the duties of the deposition reporter as it pertains to the Code of Civil Procedure.

The Professional Conduct Committee will be chaired by Sheri Turner, freelance firm owner from Sacramento. This committee will be charged with, among other charges, reviewing the Court Reporters Board new Code of Ethics with the purpose to educate you, our members, on this Code of Ethics and how it may affect you in your everyday practice of court and/or deposition reporting.

A new standing committee this year will be the Past Presidents Advisory Committee. This committee is chaired by Doreen Perkins, Immediate Past President. This committee is established as an advisory committee to the current CCRA Board and its officers. Its members would include at least five past presidents, chaired by the immediate past president. Its function would be, at the request of the president, executive committee or board, to advise the board as to the historical decisions of the board, past issues affecting the court reporting profession, past legislative efforts and outcome of such efforts, and other areas as may be deemed necessary to advise the current CCRA board.

Another new standing committee will be the Centennial Convention Committee. This Committee is developed for the sole purpose of working on CCRA's Centennial Convention in 2010. At the 2010 convention, we will be celebrating this association's 100th Annual Convention. Doreen Perkins will chair this committee.

The Membership Committee will be chaired by Anna Marie Cole, Official Reporter from San Luis Obispo. Anna Marie is passionate about this profession and understands the importance of maintaining membership. No doubt, you will hear from Anna this year.

Our Continuing Education/Convention Committee will be chaired by Carolyn Dasher. Carolyn is full of energy and ready to charge. She is looking at a convention site in Hollywood next year. So mark your calendars!

Our Finance Committee this year will be chaired by Teresa Fletcher. Teresa's dedication and organizational skills meet the demands of this committee.



*Sandy Bunch
VanderPol
CSR, RMR, CRR*

Continued on page 4

Our Political Action Committee will be co-chaired by Jim Partridge and Teresa Fletcher. With the possibility of two legislative bills moving through the Legislature this year, we need your PAC dollars.

Last but not least, the legislative committee will be chaired by Carlos Martinez. Carlos's duties will be to work with our lobbyist to move CCRA's proposed legislation through the legislature; track legislation that affects our profession, and much more.

CCRA will also be working with the Court Reporters Board in any way it can to assure the future existence of the CRB. The board comes up, once again, for sunset review in 2009.

CCRA is serious about its commitment to its members, and we need your continued commitment to CCRA. Renew your membership each year. Get your colleagues to become members. Attend our convention and any seminars we may have throughout the year. Consider being future leaders in CCRA. We are looking to fill committee membership positions on every one of our committees. If you are interested in helping with committee membership, please contact me or one of your board members.

Get more involved in CCRA by writing articles for the "Online" magazine. We at CCRA appreciate hearing from you about activities going on in your reporting community.

You have my dedication over the next year to serve as your president. I look forward to working with and for each one of you.



Thank You!

The following companies sponsored the CCRA 96th Annual Convention:

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LACCRA

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CCRA Online

Connie Parchman

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Depo Advisory

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NCRA Testing

Carolyn Dasher

Nominating

Doreen Perkins

PACCRA

Jim Partridge

Public Relations/Support Our Students

Gerie Bunch

Technology

Lesia Mervin

Distinguished Service Award

Presented by Diane Saunar

(to follow is the presentation made at the CCRA Convention in October 2006)

This year's Distinguished Service Award recipient is a reporter who's worked tirelessly and diligently on behalf of the local, state and national court reporter associations for well over 25 years. This reporter is a graduate of the Clark School of Court Reporting and soon thereafter started his involvement with a large local court reporting association and held numerous positions within that association, including seminar chair and board member, eventually becoming president. That in turn led to this reporter's affiliation with CCRA which began a long and still enduring involvement with our association. This involvement has included being seminar chair, long-time board member, treasurer, VP, in charge of legislation, culminating in the presidency of CCRA.

During all of this time, our recipient has been the owner and operator of a successful deposition firm and has frequently used resources from that firm to donate to PACCRA and CCRA when needed and has never sought recognition personally.

This reporter has always been a champion of court reporting students and, in fact, as continuing education chair, co-created CCRA's highly successful student seminars, as well helping to create the concept of break out sessions with vendors, CCRA's first realtime seminar and is currently a member of Support Our Students committee and public relations committee. And speaking of public relations, this recipient was instrumental in designing and producing the various brochures

about CCRA and the court reporting profession that we use in our display at the NCRA conventions and state bar conventions. In fact, the CCRA display I'm referring to is currently being upgraded in its appearance by our recipient, who also purchased it originally on behalf of CCRA. Not only purchased it, but often schlepped it from place to place, assembling it and disassembling it, gluing it together when needed, and manning the booth tirelessly when no one else would.

A staunch and avid supporter year after year of PACCRA, this year's honoree helped institute the Gold Club membership program years ago when both official and freelance reporters were constantly being threatened, year after year, with extinction with some form of ER legislation. Thousands of dollars were raised through the Gold Club during those years to fight each piece of legislation and, as you well know, we're still here.

So, in conclusion, if you haven't guessed already, this year's recipient, an NCRA fellow, is a self-effacing, humble, generous and steadfast supporter of the court reporting profession, as well as a zealous and freakishly staunch support of an English rock group – we refer to those people as groupies – and our honoree right now is probably turning a Whiter Shade of Pale.

CCRA's 2006 Distinguished Service Award goes to Allen Edelist.




Cal-E-Licious

By Gerie A. Bunch, CSR, RPR, Public Relations/ SOS Committee Chair

Gerie's Lemon Chicken

4 boneless, skinless chicken breasts
½ c white onion
3 – 4 cloves garlic, minced
juice of one 1 lemon or lime
½ c. dry white wine
1 ½ c. chicken broth (homemade if possible)
1 tsp. cornstarch
Olive oil and butter
Salt & Pepper
½ tsp basil

Salt and pepper chicken and then sauté in a combination of olive oil and butter until nicely browned; remove from skillet; sauté onion until clear, about 3 minutes, add garlic and scrape in all the brown crumbles and onions; add wine, lemon juice and chicken broth and basil. Bring to a simmer and return chicken to pan. Cover and simmer another 10 to 15 minutes removing cover to allow evaporation. Salt and pepper to taste.

Place chicken on platter; thicken broth with cornstarch mixed with water. Pour sauce over chicken and garnish with lemon slices and a little fresh basil, chopped. Good served over rice or pasta. This is also really good with a little crumbled feta cheese added to the sauce just before serving. 

Punctuation Points

By Margie Wakeman-Wells

Editors Note: Have you ever been editing a transcript and come to a place where you just can't make it read like it was said? If you use a comma, it means something entirely different than he meant. Is a semicolon appropriate? Margie has offered to answer any punctuation or grammar questions you have. We'll publish her answers in the next month's CCRA Online. Please send your questions to Parchman1@aol.com.

As I have taught seminars over the years, I am often asked about the word *what* and how to handle it when the word order seems weird. Here are my thoughts.

When *what* is used in a question, put an interrog at the end of the question without regard to the position of the word *what*.

What were they? Twins?
They were what? Twins?
What was it? A hybrid?
It was a what? A hybrid?

The word *what* is a question word. Normally a sentence utilizing a question word would start with that question word. When the word order is turned around and the *what* follows the verb, it is just bad grammar. The questioner has simply turned the normal word order around. So the punctuation is going to be just what it would be if the question were properly worded; that is, it takes an interrog.

What was it? Red?
It was what? Red?
What was it? A Toyota?
It was a what? A Toyota?

When there are other question words used in this same position, they also take an interrog.

It was when? Last summer?
They were where? In the closet?
You called whom? Your sister?

About Margie Wakeman-Wells

Margie Wakeman-Wells has been teaching 43 years, 30 of those in court reporting.

Margie has taught all speed levels from Theory to the 200 class; created and taught courses in grammar, punctuation, word pairs, spelling, proofreading, and transcript production; and developed course curriculum and exercise materials for classes. In addition, she created the curriculum for and developed an online reporting program.

Currently Margie is the online educational consultant for College of Court Reporting in Hobart, Indiana.

In her career she has taught over 200 seminars for reporters, teachers, and students through NCRA and state and local organizations.

Margie's book on punctuation — *Court Reporting: Bad Grammar/Good Punctuation* - is due out in 2007.

Margie proofreads for Miller and Helgeson Reporters, Santa Monica/San Francisco.

She has two grown sons and lives in Culver City, California, with her husband, Bill.



Congratulations!

2006 CCRA speed contest winners and users of Case CATALyst® and élan Mira®!

| | |
|-----------|--------------------|
| 1st place | Daniel P. Feldhaus |
| 2nd place | Lesia Mervin |
| 3rd place | Charlotte Freeman |

We're proud they use our products!



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“The Incredible Three” Legal Opinion Speed Contest Notes

Actual Text of the Contest - Please see the Contest Winners notes on the following pages

1

| | | |
|----|---|----------|
| 1 | After summarizing the contentions of the | 09:17:31 |
| 2 | parties, then I shall discuss with you certain general | 09:17:32 |
| 3 | rules that you should follow when conducting your | 09:17:35 |
| 4 | deliberations relating to the burden of proof in this | 09:17:38 |
| 5 | case and relating to the rules of evidence that you | 09:17:41 |
| 6 | should consider. | 09:17:43 |
| 7 | Following that, I shall have to define | 09:17:44 |
| 8 | for you just what the duties of the jury will be and | 09:17:46 |
| 9 | what will be the issue or issues for your decision. | 09:17:49 |
| 10 | After doing that, I shall then discuss with you the | 09:17:53 |
| 11 | Sherman Act and the Sherman antitrust laws. I will | 09:17:55 |
| 12 | discuss that first rather briefly to give you the | 09:17:58 |
| 13 | background of the act. Following that, I shall then | 09:18:00 |
| 14 | discuss with you the exemption of the labor | 09:18:03 |
| 15 | organizations from that act. After discussing that and | 09:18:05 |
| 16 | explaining that to you, I shall then want to discuss | 09:18:08 |
| 17 | with you the law of conspiracy as it may pertain to the | 09:18:10 |
| 18 | issues in this case. | 09:18:14 |
| 19 | Following the discussion of the law of | 09:18:15 |
| 20 | conspiracy, I shall then return to the Sherman Act and | 09:18:17 |
| 21 | discuss more fully with you the provisions of the | 09:18:20 |
| 22 | Sherman Act and the rules that you should follow in | 09:18:22 |
| 23 | applying that act to the evidence in this case. | 09:18:25 |

Legal Opinion Speed Contest Notes - Daniel P. Feldhaus, 1st Place

Page 1

2006 Dan's Legal Opinion.SGSTN

CaseCATalyst4

| | | |
|---|---|--|
| <p>9:17:30 A F</p> <p>9:17:30 S U R P L E</p> <p>9:17:31 G</p> <p>9:17:31 T</p> <p>9:17:31 K E P B G E</p> <p>9:17:32 F T</p> <p>9:17:32 P A E R T S</p> <p>9:17:32 R B G S</p> <p>9:17:32 T H E P B</p> <p>9:17:33 E U R B L</p> <p>9:17:33 S K U S</p> <p>9:17:33 W U</p> <p>9:17:34 S E R P B</p> <p>9:17:34 S K W R E P B L</p> <p>9:17:35 R A O U L S</p> <p>9:17:36 T H A U R B T</p> <p>9:17:36 T H A U R B D</p> <p>9:17:36 T P O L</p> <p>9:17:36 M H</p> <p>9:17:36 K U R G T</p> <p>9:17:37 U F R P B</p> <p>9:17:38 T K H R E U B G Z</p> <p>9:17:38 R E L G T</p> <p>9:17:38 T O T</p> <p>9:17:39 F W U R P</p> <p>9:17:40 T P H P B L G S</p> <p>9:17:41 S K P</p> <p>9:17:41 R E L G T</p> <p>9:17:41 T O T</p> <p>9:17:41 R A O U F L S</p> <p>9:17:42 E F D</p> <p>9:17:43 T H A U R B D</p> <p>9:17:43 K R</p> <p>9:17:44 * F P L T</p> <p>9:17:44 T P O L G</p> <p>9:17:44 T H A</p> <p>9:17:45 R B G S</p> <p>9:17:45 E U R B L</p> <p>9:17:45 S R</p> <p>9:17:45 T O</p> <p>9:17:46 T K W A O E U P B</p> <p>9:17:46 T P O U</p> <p>9:17:46 S K W R U S</p> <p>9:17:46 M H A T</p> <p>9:17:47 T K A O U T S</p> <p>9:17:47 S K W R F T</p> <p>9:17:47 S K W R E U R</p> <p>9:17:48 H R B</p> <p>9:17:48 S K P</p> <p>9:17:49 M H A L</p> <p>9:17:49 B</p> <p>9:17:49 T</p> <p>9:17:50 S H A O R</p> <p>9:17:51 S H A O S</p> <p>9:17:51 T P O U F R P B</p> <p>9:17:52 S T K E U G S</p> <p>9:17:52 * F P L T</p> <p>9:17:52 A F</p> <p>9:17:53 T K O G</p> <p>9:17:53 T H A</p> <p>9:17:53 R B G S</p> <p>9:17:53 E U R B L</p> <p>9:17:54 T H E P B</p> <p>9:17:54 S K U S</p> <p>9:17:54 W U</p> <p>9:17:54 T</p> <p>9:17:55 S H * E R P L</p> <p>9:17:55 K W R A * B G T</p> <p>9:17:56 S K P T</p> <p>9:17:56 S H * E R P L</p> <p>9:17:57 T P H * U B T</p> <p>9:17:57 H R A U S</p> <p>9:17:57 F P L T</p> <p>9:17:57 E U L</p> <p>9:17:57 S K U S</p> <p>9:17:58 T H A</p> | <p>9:17:58 T P E U R S</p> <p>9:17:59 R A E R</p> <p>9:17:59 F W R A O E F L</p> <p>9:17:59 T O</p> <p>9:17:59 T K E W * E U F</p> <p>9:17:59 U</p> <p>9:18:00 T</p> <p>9:18:00 F W R O U P B D</p> <p>9:18:00 F T</p> <p>9:18:01 K W R A B G T</p> <p>9:18:01 F P L T</p> <p>9:18:01 T P O L G</p> <p>9:18:01 T H A</p> <p>9:18:02 R B G S</p> <p>9:18:02 E U R B L</p> <p>9:18:02 T H E P B</p> <p>9:18:02 S K U S</p> <p>9:18:03 W U</p> <p>9:18:03 T</p> <p>9:18:04 K P E P L G S</p> <p>9:18:04 *</p> <p>9:18:04 K P E P L G S</p> <p>9:18:04 F T</p> <p>9:18:04 H R A E U B</p> <p>9:18:05 O R G E</p> <p>9:18:05 T P R P</p> <p>9:18:06 K W R A B G T</p> <p>9:18:06 * F P L T</p> <p>9:18:06 A F</p> <p>9:18:07 S K * U F G</p> <p>9:18:07 T H A</p> <p>9:18:07 S K P</p> <p>9:18:08 S P H R A E U P B G</p> <p>9:18:08 T H A</p> <p>9:18:08 T O U</p> <p>9:18:08 R B G S</p> <p>9:18:09 E U R B L</p> <p>9:18:09 T H E P B</p> <p>9:18:09 W A P B T</p> <p>9:18:10 T O * F B G S</p> <p>9:18:10 W U</p> <p>9:18:10 T</p> <p>9:18:11 H R A U</p> <p>9:18:11 F</p> <p>9:18:11 S K P A O E R Z</p> <p>9:18:12 S W R E U T</p> <p>9:18:12 P H A E U</p> <p>9:18:13 P E R T</p> <p>9:18:13 T O T</p> <p>9:18:13 S H A O S</p> <p>9:18:14 T P H P B L G S</p> <p>9:18:15 * F P L T</p> <p>9:18:15 T P O L G</p> <p>9:18:15 T</p> <p>9:18:16 S K * U F G S</p> <p>9:18:16 F T</p> <p>9:18:16 H R A U</p> <p>9:18:17 F</p> <p>9:18:17 S K P A O E R Z</p> <p>9:18:17 R B G S</p> <p>9:18:17 E U R B L</p> <p>9:18:18 T H E P B</p> <p>9:18:18 R A O E R P B T</p> <p>9:18:18 T O T</p> <p>9:18:19 S H * E R P L</p> <p>9:18:19 K W R A * B G T</p> <p>9:18:19 S K P</p> <p>9:18:19 S K U S</p> <p>9:18:20 P H O R</p> <p>9:18:20 T P H R O E U</p> <p>9:18:21 W U</p> <p>9:18:21 T</p> <p>9:18:22 P R O * E F G Z</p> <p>9:18:22 F T</p> <p>9:18:22 S H * E R P L</p> <p>9:18:22 K W R A * B G T</p> <p>9:18:23 S K P T</p> <p>9:18:23 R A O U L S</p> | <p>9:18:24 T H A U R B D</p> <p>9:18:24 T P O L</p> <p>9:18:24 T P H</p> <p>9:18:25 F H R A O E U G</p> <p>9:18:25 T H A</p> <p>9:18:25 K W R A B G T</p> <p>9:18:25 T O T</p> <p>9:18:26 E F D</p> <p>9:18:26 T P H P B L G S</p> <p>9:18:27 * F P L T</p> <p>9:18:28 A F P</p> <p>9:18:28 R B G S</p> <p>9:18:28 E U R B L</p> <p>9:18:28 S R</p> <p>9:18:29 S E R P B</p> |
|---|---|--|

Folds 1 through 4

11/16/06 10:42:37

Legal Opinion Speed Contest Notes - Lesia Mervin, 2nd Place

Page 1

2006 Lesia Legal Opinion.SGSTN

Case GATalyst

9:17:31 F P L T
 9:17:31 A F
 9:17:31 S U P L
 9:17:31 RAO EU E
 9:17:32 G
 9:17:32 T
 9:17:32 K E PB G S
 9:17:32 S
 9:17:33 F T
 9:17:33 P A E R TS
 9:17:33 R B G S
 9:17:33 T H E PB
 9:17:33 EU
 9:17:34 S H A L
 9:17:34 S K U S
 9:17:34 W U
 9:17:35 S E RPB
 9:17:36 S K W R E PB
 9:17:36 RAO U L E
 9:17:36 T H A U
 9:17:36 S P H
 9:17:37 +
 9:17:37 S H
 9:17:37 T P O L
 9:17:37 MH
 9:17:38 K U B GT
 9:17:38 G
 9:17:38 K W R O U R
 9:17:39 TK HR EU B G S E
 9:17:39 R E L T
 9:17:39 G
 9:17:39 T O
 9:17:39 T
 9:17:40 PW U RP
 9:17:41 T P H EU B G
 9:17:41 S KP
 9:17:42 R E L T
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Legal Opinion Speed Contest Notes - Charlotte Freeman, 3rd Place

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CCRASPEEDCONTEST2006.SGS TN

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Adjusting élan Mira® Key Contacts

By Vickie M. Main, Development Product Manager

To get the most out of your élan Mira, you want to make sure your keyboard tension, depth of stroke and key contacts are adjusted to the way you write. Although you need to set aside a little time to make these adjustments, the benefit will be worth the time. The following is a simple set of instructions to get you started.

1. Open the cover of your élan Mira.
2. As you are facing the machine, in the upper left hand corner you will see a white wheel. This is the keyboard tension adjustment wheel. This adjusts the “feel” of the keys to either be a soft touch or a firmer touch.
3. To adjust, do the following:
 - a. For a softer touch, turn the wheel clockwise.
 - b. For a firmer touch, turn the wheel counterclockwise.

(Please note that the keyboard tension adjustment wheel does turn and turn so if you continually turn it and do not immediately reach a stopping point it is functioning properly.)

4. Once the keyboard tension is adjusted to your writing style, you need to adjust the depth of stroke. In other words, you need to adjust the height of the number bar and steno keys for how you write – a deep stroke or a short stroke or somewhere in between. As you are facing the machine, lean forward a little and look at the lower left corner of the inside of the machine and you will see a red wheel. This is the depth of stroke adjustment wheel.
5. To adjust, put one hand on the 10 keys on the right hand side of the keyboard and press the keys down part way. This will make it easier to turn the depth of stroke adjustment wheel. Do one of the following:
 - a. For a shorter stroke, turn the wheel “down” towards the bottom of the machine.
 - b. For a longer stroke, turn the wheel “up” towards the top of the machine.

Once the keyboard tension and depth of stroke is set to your writing style, you can adjust your key contacts to avoid getting steno characters when you don't want them and getting steno characters when you want them. *Please note: the lightest keyboard tension and the shortest depth of stroke may result in some stacking.*

6. Close the cover on your Mira and turn it On. At the opening menu (no file is open), press More, Diag, and then Key Test.

7. Starting with the initial S, you want to slowly press the S (and I mean s-l-o-w-l-y) so that you hear the beep corresponding with the key hitting the stopping point on the downstroke. You must press the key very slowly so that you can “feel” the stopping point and hear the beep to see if they correspond.
8. To adjust a key, do the following:
 - a. If you hear the beep and feel the stopping point at the same time, your key is properly adjusted.
 - b. If you hear the beep before you feel the stopping point, move the appropriate dial to a higher number. For example, if it is currently set at 5 ½ move it to 6.
 - c. If you feel the stopping point before you hear the beep, move the appropriate dial to a lower number. For example, if it is currently set at 5 ½ move it to 5.
9. Repeat this for each key including the number bar. To exit the Key Test feature, press the first button twice.
10. Here comes the best part – turn On CNN or MSN and write as fast as you can for about a half hour or so to see how everything is translating. Minor adjustments will likely be necessary to suit your writing style.

Key contact adjustments are not a one time adjustment, after “schlepping” your machine to and from your jobs day after day, adjustments will be necessary again. 🌐



Depo Daze - Swearing in the Witness

By Sheri Turner, VP Freelance, Depo Advisory Chair

I remember the nervous feelings I had driving to my very first deposition. I wasn't worried about my machine skills. I wasn't even worried about producing my first transcript. But what I was worried about was administering the oath to the witness. I knew that fumbling and bumbling through the oath would certainly peg me as a brand new reporter on her first assignment! So I had the oath on a laminated 3x5 card and I held it in my sweaty hand while driving and repeating it out loud over and over all the way to the deposition.

Now administering the oath to the witness is second nature and most of us can probably do it without much thought. However, I do try not to hurry through the oath, even with the frazzled doctor who walks into the room with his right hand in the air at the same time he's trying to flip through his chart as he sits down. I make a conscious effort to look the deponent square in the eye and hit them with the full import of the solemnity of the oath they are taking. I guess I feel that is the least I can do as the deposition officer to contribute to the truthfulness and veracity of the testimony and further the cause of justice.

Occasionally I still have an attorney comment on the fact that we don't say "swear" anymore in the administration of the oath. For those of you old-timers out there who haven't changed the oath you administer in all these years, it is delineated in the code as follows:

CCP 2094(a)

An oath, affirmation, or declaration in an action or a proceedings, may be administered by obtaining an affirmative response to one of the following questions:

- (1) "Do you solemnly state that the evidence you shall give in this issue (or matter) shall be the truth, the whole truth, and nothing but the truth, so help you God?"
- (2) "Do you solemnly state, under penalty of perjury, that the evidence that you shall give in this issue (or matter) shall be the truth, the whole truth, and nothing but the truth?"

I have chosen to use version (2) because of more than a few times having deponents object to the "so help you God" phrase. It's easier to leave it out the first time than to re-administer the oath after they object. Every once in a while I do fumble when, without realizing it, the old words have popped into my head and out my mouth before I can stop them. Old habits die hard; right?

The other aspect of swearing in the witness causing confusion in this world of more frequent telephonic and videoconferenced depositions is the fact that the witness needs to appear before and be sworn in the presence of the deposition officer. See the code section below (emphasis added):

California Rules of Court 333

(c) A party deponent must appear at his or her deposition in person and be **in the presence of the deposition officer**.

(d) A non-party deponent may appear at his or her deposition by telephone, videoconference, or other remote electronic means with court approval upon a finding of good cause and no prejudice to any party. The deponent **must be sworn in the presence of the deposition officer** or by any other means stipulated to by the parties or ordered by the court. Any party may be personally present at the deposition.

If the deponent is a party, there is no question about the necessity of being in the presence of the reporter. Attorneys can stipulate otherwise or the court can order otherwise for a non-party witness only. But whenever possible, I insist on being in the same room with the deponent, even if all the attorneys are appearing by telephone. That way I am fulfilling my duties and responsibilities and there is no question that the person I am swearing in is actually the person testifying. I had a situation recently where a pro se party was trying to produce a witness to testify who the opposing counsel did not believe was truly that person so stated (read: he paid someone off the street to appear and state he was someone else).

Along that line, it has always been interesting to me that we don't require any kind of identification when placing someone under oath. But having a picture identification is not a prerequisite to testifying. However, the person being placed under oath is stating their name under penalty of perjury and representing that they are who they say they are. Recently it has been brought to my attention that in other parts of the country deposition reporters are routinely putting a digital picture of the deponent on the title page of the deposition. Although I don't think this is a common practice in California yet, I've been told that rarely does the deponent object to having their photo taken, and it can be a huge service to the attorneys who have piles of depositions in a case and a long time span to forget who everyone is who has testified. So having the deponent's picture not only helps refresh their memory but can verify that the person testifying in court is the same person who testified at the deposition. I suppose it's another value-added service to think about offering to our customers.

Administering the oath is an important part of our responsibility as the deposition officer and should not be taken lightly by us or by the person making the oath. Being professional and competent in our responsibilities makes us even more and more valuable to our clients, to the public, and to the entire legal process. So happy swearing, everyone! And may we all have a joyous holiday season and a prosperous new year!



Veterans History Project

By Diane Fattig, CSR

At the eleventh hour of the eleventh day of the eleventh month, 1918, an Armistice was declared, marking the cessation of fighting in World War I, known as the War to End All Wars. Despite the optimism of the signers of the Treaty of Versailles, however, the 20th Century was a century filled with successive wars: World War II, Korea, Vietnam, Iraq I (Desert Storm) and our present Iraq war.

To honor and remember the veterans of these wars, both living and deceased, the United States Congress along with the Library of Congress embarked in 2000 on the Veterans History Project. Its aim is to collect and archive the personal recollections and experiences of our veterans, those few who "gave so much for so many." The National Court Reporters Association was asked to assist in transcribing CDs and tapes made by the veterans with the goal of having 1,000 stories transcribed by Veterans Day this year.

I have always been interested in history, with a special emphasis on personal and family history, and from the first time I heard about this program I knew I wanted to participate. My initial step was to contact Beth Kilker at NCRA, who coordinates the project with the reporters. She was extremely helpful and friendly and gave me some good advice as well as sending me lots of material.

One of the questions I asked was if we could request a specific war or theater of operations to transcribe. I was told it's not possible to guarantee this, as the tapes come in from the Library of Congress marked with a name and number only; however, she sometimes listens to parts of a tape and can determine its time period. So a request can be made, but not always accommodated.

After I had made the commitment to do a transcription, I received a CD and a booklet of instructions. There are certain parameters and formats that have to be followed, but these are easy to comply with and are pretty basic. Beth also sent me a booklet on how to do a personal interview with a veteran, complete with worksheet and registration. If anyone is inter-


ested in interviewing and transcribing the story of a friend or relative who is a veteran, this booklet gives step-by-step instructions on what to do. It's also possible to share the story of a deceased veteran by sending in photographs, letters and/or other memoirs along with a biographical data form. Just ask Beth for the paperwork.



This was an interesting and rewarding undertaking. The man whose reminiscences I was transcribing enlisted in the army just after Pearl Harbor and was part of the D-Day invasion into France. Reliving these memories was very difficult and emotional for him. In fact, the interviewer had to stop the tape several times before the veteran was able collect himself and begin again.

We as reporters are in a unique position to contribute to this recording of history. While there is a digital record of all these recollections, we know from our own experience with 8-track tapes, videotapes, CDs, etc., that technology evolves daily. (Has anyone ever heard of the Record-o-Graph, circa World War II?) What may be current today is outmoded tomorrow; however, the paper trail is always accessible.

For anyone who is thinking about working on the project, I urge you to make the commitment and give Beth Kilker a call or an e-mail. She can be reached at 800-272-6272 or bkilker@ncrahq.org. In addition, since it can be challenging to find spellings on some of the place names and locations of various battles, not to mention regiment numbers, military slang, etc., my husband has volunteered to be available as a resource. He has a Ph.D. in history with a specialty in WWII and is also a Vietnam-era veteran. Please don't hesitate to e-mail him with any spelling questions you may have. He can be reached at rfattig@surewest.net.

In addition, there is the added bonus that NCRA gives .1 CEU credits for transcribing a tape. Interesting, rewarding and free. What could be better? 



Adobe Acrobat 8 Professional

By Leigh Ann Orozco, CCRA Technology Committee

There is a robust product just released by Adobe that offers many solutions for our profession as we move into the electronic future. Below are some of the features in Adobe 8 Professional.

- Combine multiple files from multiple applications into a single PDF file
- Create PDFs from Office, e-mail, a web site or from any file that prints
- Take PDF files or other documents from Word, Excel and other programs and convert them to fillable forms
- PDFs can include video clips, digital audio and 3D models
- Apply advanced document security and controls
- Apply digital signatures
- You can use a certificate to encrypt PDFs so that only an approved list of users can open them
- Use of passwords to restrict access to your documents
- The ability to set document permissions to restrict who can print, save, copy or modify a document.
- Anyone with the free Adobe Reader can review a PDF file

I encourage you to learn more about this great new product and its features by taking the Product Tour following the link below and to spend a few minutes reading through the White Paper by David L. Masters. Just imagine all the possibilities for its use within our industry.

<http://www.adobe.com/products/acrobatpro/>

Click "View the Feature Tour."

IAcrobat 8.0 for Legal Professionals Whitepaper - http://www.adobe.com/products/acrobat/solutions/pdfs/Acrobat8_foLegalPros.pdf

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Note: CCRA does not endorse any product.

Training

Acrobat 8.0 Experience Flash Demo:
http://www.adobe.com/go/acrobat8exp_uk

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Acrobat 8.0 Product Family Detailed Comparison Matrix:
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The Morning After *(Yes, it's over, finally)*

To the clients of Capitol Strategies Group (CCRA's Lobbyists)

Just a year ago, Governor Arnold Schwarzenegger took an absolute beating at the polls over a four-initiative package that was strongly opposed by organized labor and public employee groups. He then limped into the 2006 Legislative Session and without missing a beat, redefined his person and his politics. He took a left turn and embraced solutions to global warming, increased the minimum wage, and signed far-reaching legislation in foster care and consumer protection. But would it be enough to take on Steve Westly or Phil Angelides? Now you know the answer.

Yes.

On Tuesday, with 48.5 percent of California's voters casting ballots, Schwarzenegger beat Angelides by a 16-point margin. With the governor moving to the left on key Democratic issues, Angelides couldn't permanently affix the "Bush clone" image he sought early in the campaign. In the end, when Schwarzenegger's handlers believed he was safe, he then turned to campaigning for an infrastructure bond package that also tasted success. Some \$40 billion from the sale of bonds will be spent over the next decade to improve highways, build more houses, fix levies, improve the school system's physical plant and provide environmental enhancements to California's parks and open space.

It was quite an election, for Arnold that is.

For the remainder of the Republican candidates, both statewide and those in competitive congressional and state legislative seats, the picture wasn't quite so rosy.

With the exception of Schwarzenegger and Steve Poizner, who defeated Lieutenant Governor Cruz Bustamante for Insurance Commissioner, all statewide races were won by Democrats. The governor, who had focused on his own re-election, provided little "coattail effect" for the rest of his slate.

In Washington, DC, the Democrats regained control of the House of Representatives and appear to have the Senate, pending outcomes in Montana and Virginia. Midterm elections are generally poor for the incumbent White House, but throw-in a plethora of personal scandals, corruption and the less-than-positive news coming from Iraq, the translation was a recipe for disaster, forcing Republicans to play defense.

During the last reapportionment, both congressional and legislative seats were brutally gerrymandered to the point that on election day, just a handful of seats in the state Assembly were competitive and only one in the state Senate. And this is out of 100 races between the two houses. Look for some major reform on redistricting and an attempt to modify term limits in a fashion to allow a legislator to spend more time in one house, but less than the 14 years currently in the term limit law. This would be a very positive change.

The most contested seat in the state Senate was in the 34th SD replacing termed-out Senator Joe Dunn. Republican Assemblymember Lynn Daucher squared off against Orange County Supervisor Lou Correa. Big money came in on both sides in a district that leans Democrat by less than two points. In the end, Daucher maintains a seven-vote margin and a recount will occur.

Without a doubt, the most unruly race was waged in the Coachella Valley between incumbent Republican Assemblymember Bonnie Garcia and former-Assemblyman Steve Clute, a Democrat. The district, at least on paper, favors Dems by a 47-38 margin, but Garcia has held the office for four years and was seeking her final term.

Garcia is a go-getter of Puerto Rican heritage that says what she thinks. She has been a fighter for children's rights, Indian sovereignty and health issues for women. Clute, who was a fighter pilot during the Vietnam War, benefited from a couple of slips that can be described as "Garcia speaking frankly." In the end, it wasn't enough to upset her. More than \$2 million was spent by both sides and Bonnie Garcia will return to Sacramento for her final term.

The close races:

| <i>District</i> | <i>Registration</i> | <i>Outcome</i> |
|----------------------|---------------------|---|
| Senate District 34 | (40.8D/38.3R/18DTS) | Daucher, Rep. (50.1%) def. Correa, Dem. (49.9%) |
| Assembly District 17 | (47.1D/38.2R/14DTS) | Galgiani, Dem. (59.7%) def. Machado, Rep. (40.3%) |
| Assembly District 30 | (47.4D/36.2R/11DTS) | Parra, Dem. (51.8%) def. Gilmore, Rep. (48.2%) |
| Assembly District 80 | (45.6D/37.4R/14DTS) | Garcia, Rep. (51.1%) def. Clute, Dem. (48.9%) |

Continued on page 16

The Morning After, Continued

What does all this mean for business in Sacramento? Politically, we will most likely experience the equivalent of entering the “twilight zone” over the next two years. No less than 35 new faces will fill the 80 desks on the Assembly Floor when they meet in Sacramento on December 4 and are sworn-in. This is unprecedented. The Senate will be less chaotic since their new members are moving from the Assembly, for the most part.

How will the second term of Arnold Schwarzenegger unfold? Many in the Republican Party “held their nose” as Arnold embraced non-Republican issues in 2006. Their goal was simple. They wanted to re-elect a Republican. Look for a thornier relationship between the governor and more right-leaning members of the Republican Caucus. Despite these potential difficulties, Schwarzenegger pledged Tuesday night to continue to work across the aisle to foster more bipartisanship, something the voters appear to crave.

Come January, the Schwarzenegger Administration will unveil proposals in the areas of health care and prison reform, water supply and the need to address an expected budget deficit of approximately \$5 billion. Our lobbying team will continue the “meet and greets” with the new members, exposing them to the issues important to you. For some, this process actually began during the primary election and has carried on throughout the year. You will once again see a large volume of proposed legislation that will need to be dealt with in during the legislative session. As always, we will look to you for your expert guidance.

Finally, our own Lisa Kaplan was overwhelmingly re-elected to the Natomas School Board in a tough but satisfying race. Congrats, Lisa.

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SEIU to Carry Bill for Official Reporters

Representatives of the California Court Reporters Association and the California Official Court Reporters Association recently met in Sacramento with the Service Employees International Union (SEIU) lobbyist, Michelle Castro, to strategize about how best to proceed with legislation to increase transcript fees for official reporters.

Between 1953 and 1990, transcript fees have increased an average of once every 6.1 years. As many of you know, the last time there was successful legislation to increase fees to reporters was in 1990. That was 16 years ago. Based on the history of past increases, (see chart below), we are ten years overdue for a transcript fee increase. Still, our costs continue to skyrocket: supplies, computer hardware and software, and the costs of living.

In the time since reporters have sat stagnant without a raise, the Consumer Price Index has increased 52 percent; the minimum wage has increased 76 percent; the state budget has leaped 151 percent.

During the state's recent years-long budget crisis, we wisely chose not to seek legislation to increase our fees. But now is our time. Through the State, the Courts have received a 6.7-percent budget increase for this fiscal year. We feel that it's appropriate now to move forward with our proposed legislation.

Both associations fully support SEIU carrying this bill. We believe that our collaboration will solidify our chances of success by requiring the state legislature and the Judicial Council/Administrative Office of the Courts to deal with the issues of transcript compensation in a public arena and to address our need for an increase.

The Presidents of each association are asking all reporters in California to join hands with us, to unite as one empowered entity, and to help support our joint efforts to pass this long overdue legislation.

Sandra Bunch VanderPol
President, CCRA

Kelly McCarthy,
President, COCRA



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Court Reporters Board Adopts Strategic Plan

By Sandy Bunch VanderPol, RMR, CRR, CSR, CCRA President

The Court Reporters Board of California (CRB) met for the first time this year with a full board to approve an aggressive strategic plan, among other agenda items. Governor Schwarzenegger recently appointed two of CCRA's past presidents to the CRB, Yvonne Fenner and Toni O'Neil, as the court reporter members to the board. Thus, for the first time in many months there was a full board appointed to do the business of our licensing agency, the CRB.

On October 20 and 21 the Court Reporters Board attended intense strategic planning retreat in Berkeley to formulate an aggressive plan addressing professional qualifications, practice standards, enforcement, consumer information and organizational effectiveness.


CCRA is committed to working with the CRB in achieving a successful sunset review in 2009. As a result of this commitment, Sheri Turner, V.P. Freelancers, and I attended the first day of the strategic planning. Your CCRA Board of Directors had formulated an exhaustive list of items and issues that we felt needed to be addressed by the CRB in the upcoming years to address the sunset review process. The strategic planning process involved not only the CRB's input but the input from your CCRA board and other stakeholders.

On November 10, in Sacramento, the CRB held a board meeting in conjunction with its CSR exam. The draft strategic plan was available to the public to review and was on the agenda for review and approval. The board voted to approve the plan

with slight modifications in the verbiage. It was agreed that the implementation of the strategic plan would commence immediately.

CCRA is in full support of the strategic plan and stated such during the public comment portion of the meeting. One of the first tasks of the CRB will be to form committees and/or task forces to work on the strategic goals set forth in the plan. It is conceivable that the CRB will be asking the associations for recommendations to these committees. If you feel that you have the skills and the knowledge to work on a CRB committee, please let me know.

Some of the goals set forth in the strategic plan include studying options for implementing continued competency of court reporters; determine the best approach for insuring qualifications for realtime reporting; provide a technical bulletin regarding proper use of audiosync and/or a legal opinion; work with schools to address the proper use of audiosync in course curriculum; meet with Department of Consumer Affairs (the umbrella agency for the CRB) representatives to discuss privacy issues associated with the use of electronic files and to identify options for insuring consumer protection; increase awareness among licensees and consumers regarding the CRB enforcement activities and processes, and many more goals.

You may obtain the CRB Strategic Plan goals in their entirety at <http://www.courtreportersboard.ca.gov>. 

Blast from the Past - circa 1989

Editor's Note: I have a fairly useless, but well-loved, collection of old CaliGrams magazines in my home. (Not even close to what Gary Cramer has, I know.) I thought it would be fun to randomly pick a year and grab some interesting tidbits to share with you. These were issues that were hot topics back then.

Headlines:

DNA Fingerprinting : The New Technology The Kelly-Frye motion to allow DNA into evidence in the first case in California took 4 months.

How to choose a CAT system... hint, don't pick the green or amber display, go for the white! Also, it absolutely, positively must be IBM compatible.

Reporters in Solano County get a 20% salary increase... from \$36,00 to \$44,000 OR you could work in Lassen County for \$27,546.

Practical ASCII ... to format your diskettes, type the command : **format a:/4** for the 5¼" diskettes and **format b:/n:9/t:80** for the 3 ½" diskettes.

The Best of Modern Technology at reasonable prices – HP Laserjet Series IIP, 4ppm, \$1,075; Toshiba Pagelaser, 12 ppm, \$2500.

Legislative Issues:

AB 157 – provides that a deponent shall be allowed to change answers and refuse to approve by mail. Also provides official court reporters may be appointed to committees of the Judicial Council of California.

AB 1436 – In any case in which the death penalty may be imposed, the official reporter shall prepare a daily transcript of proceedings.

AB 1437 – requires the reporter to commence preparation of the transcript upon conviction of a defendant of a felony.

AB 1854 – would expand the use of E.R. to all courts if a court reporter is unavailable, including unavailability due to the necessity of assuring prompt delivery of transcripts.

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Classified Advertising

Miscellaneous

My name is Rich Germosen. I'm an independent CRR covering high-end realtime assignments in NYC, D.C. and nationwide. My website is www.RealtimeRich.com. I think it does a great job of telling my story. Rate sheet available upon request. — Rich Germosen, CSR, CSR-R, CRR, CLR www.RealtimeRich.com 732.921.7313

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Scopist Available: I am a retired Court Reporter of over 30 years, now enjoying doing scoping for other busy reporters. I work with ProCAT Winner XP. I have extensive experience in both court and deposition work. All exchanges can be done on the computer. Please contact Betsy at Betsy@jackswebs.com

Transcriber Available: For all you dictating reporters out there. 30 years in biz; fast turnaround. ASCII's and mini; Refs. available upon request. Call Bob at (323) 851-6626.

Positions Wanted: Proofreader: If you're looking for a professional, speedy, accurate proofreader, I'm your woman. E-mail me your job at karenpulvers@yahoo.com; I'll return by mail within 24 hours. 909-982-8435.

Machines Needed: After a recent survey that showed new student enrollment up by 40%, many new students are in need of equipment and supplies. Remember what it was like to be a starving student? I sure do. Both public and private schools are asking for your help. They need used steno machines, manual or electric. Also they are asking for donations of scraps of paper, or even a whole box if you are feeling generous, and manuals that you no longer need. Here's how you can help. Go through that back corner of the closet, attic or garage and see what you can find. Or contact someone you know who has retired or no longer pursuing a career in court reporting; see if they'd like to donate their machine. Then contact a local school to make your donation. If you don't know of a school near you or you can't find a home for your precious hand-me-downs, contact me at gerie@psln.com, and I'll find one for you.



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