

CCRA *online*

Volume 12 | Issue 10&11



**BE SURE TO CHECK OUT
IN THIS ISSUE:**

Responses to NCRA's Information Requests
Regarding Court Reporter "Repatriation"
in Various States (See Page 9)

Alameda County Reporters Score A Victory!
(See Page 16)

Features

- 3-4 **President's Message — Induction Speech**
- 6-7 **Ask Mr. Modem! — www.MrModem.com**
- 9-15 **Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States**
- 16-18 **Alameda County Reporters Score A Victory!**
- 16 **Cal-e-licious — Crockpot Caccitore**
- 19 **CBS News Reports "On the Money: State Siphoning Millions from Local Court Reporter Fees"**
- 20 **Tracing Our Roots**
- 21 **2012 CCRA Annual Convention Photos**

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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 95656 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 California Court Reporters Association

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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.

President's Message — Induction Speech

By Kristi Garcia, CSR, RPR
CCRA President



I LOVE BEING A COURT REPORTER!

I actually am one of those people who loves what I do. This gift did not come easy for me. I call it a gift, as not everyone who begins court reporting school finishes. For you students, hang in there. My father used to tell people I was on the “extended program.” And for those new CSRs, it’s a fun job. You’ll love it. Whether in a courtroom, a deposition, CART for a hearing-impaired student, or captioning for my beloved Lakers, what an exciting career it will be!

I’d like you to meet my parents, Mellie and Darol Lloyd. They have been my cheerleaders through these years, helping me get to this point today. My daughter and her family, who live in Colorado, couldn’t be here as she could give birth any day. I’d also like to thank my friends from Fresno Superior Court for being here to support me. It means so much to have you all here!

And my husband Ray, who lives CCRA right along with me. He brings me dinner while I’m on conference calls, makes breakfast burritos for the CCRA meetings, cheers me on when I need it, and just listens when there’s nothing else to say. Thanks, Honey.

When I was in high school, my parents were asking me what I wanted to do with my life, as I didn’t know what I wanted to be when I grew up. I didn’t know what college to attend or even what to study. My dad will tell you, with a smirk, that I told him **“I just want to be happy.”** So he is the one who suggested court reporting. I had no idea what a court reporter actually did, but I was about to embark on this chapter of my life.

When I passed the CSR, my parents cosigned for my writer, software and computer. Some of you may remember those computers, you know, the ones where the disk was actually a “floppy!” \$17,000 later my father told me “Kristi, I do NOT want to own a computer,” which was his way of telling me I’d better make that payment. So off I went. And here I am, 21 years later. As we say in our family...who would have thunk it?

What an honor and a privilege it is to be standing here as your next president. But as we all know, one cannot do it alone. I’m lucky to have such an awesome group up here with me. But as we say hello to our new board members, we say good-bye to those who are leaving us. Kim Thayer, Therese Claussen, Erin Robinson, Debby Steinman and Kelly Roemer, we’ll miss you. Thank you for your dedication and your service to CCRA.

Our Convention committee has worked tirelessly on this convention. Thanks to John Terry, Doreen Perkins and Gerie Bunch for making this year the year to Relax, Refocus, and Revive. Thanks also to Jerry Packer, Toni Fender and Maria Lagunas. I hope you all took advantage of our specially-priced spa treatments this weekend and also enjoyed the variety of classes.

I began this CCRA journey four years ago when Doreen Perkins asked me if I was interested in being on the CCRA Board to cover our district, District C. I was scared to death. But of course I couldn’t say no to Doreen. No one says no to Doreen! If she thought I could do it, by golly I can do it!! I don’t think I even spoke at a meeting that first year I was on the Board. Here were all these people I didn’t even know who had all the knowledge and made decisions about our profession. But I can tell you, in these past four years, these present and past board members have become so much more than strangers sitting around a conference table on a weekend.

continued on Page 4

President's Message — Induction Speech

(continued from Page 3)



So my challenge today to each and every one of you is to get involved! Get involved in CCRA. Volunteer for a committee, mentor a student, write an article for our online magazine, help plan the next convention. Find your niche. The men and women on this stage and past board members pour their heart and soul into making CCRA the “go-to” association. We welcome your input and encourage your active participation. We work for YOU. We are YOUR board members. This is YOUR organization. And it will become what YOU make it.

I know we've had a rough year. We all know there are many challenges facing us again this year. We have a budget unlike ever before. I'm not going to tell you it's going to get better or our fight is over. And, yes, we need to build up our membership. There is strength in numbers. We are truly the only organization who represents ALL reporters.

Although we have been elected to be your representatives and lead, we are facilitators effecting change in the court reporting profession. I, for one, will keep on fighting for our future. I hope I can count on all of you to be right beside me.

Thank you.

Oh, and the volunteer forms are waiting for you at the CCRA table!!



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Convert PDF Files to Word Format

Q. Is there a way of converting a PDF file into a standard Word Document?

A. Yes, there sure is. I use the free online PDF to Word (www.pdfword.com) converter. It's self-explanatory and very easy to use: You browse to and select the PDF file you want to convert, provide your email address, and the converted DOC file will be emailed to you. For users who need to convert Word DOC files to PDF format, it will probably come as no surprise that there is also a free Word to PDF converter, located at www.wordtopdf.com.

Q. How can I enlarge my Quick Launch bar buttons? I'm using Windows XP and my aging vision needs more assistance. I have a large screen, but I need larger buttons. Help!

A. We can relate — and by “we,” I am referring to my trifocals and me. You can definitely enlarge the Quick Launch buttons. In fact, you have a vast selection of sizes to choose from ranging from Small to Large. On second thought, that IS the vast selection, Small or Large.

Once you have mulled the choices over and made a decision, right-click an empty area of the Quick Launch bar (to the right of the last icon that appears, for example), then select View > Large Icons. The icons will instantly enlarge — to a much more reasonable size, if you ask me. You do not have to restart your computer for this change to take effect.

Q. What is the difference between Google Earth and Google Maps?

A. Besides the spelling (I couldn't resist), Google Earth (www.google.com/earth) presents a phenomenal airborne view of the planet from which you can zoom in — like you're free-falling from outer space — to an address or other selected location.

If you want to see Google Earth in action without actually installing it, go to YouTube.com and search for “Google Earth.” There are lots of Google Earth videos that will demonstrate how it works and how it zooms in using satellite photography.

Google Maps provides road maps from which you can obtain driving directions, for example. It's Web-based, so there is nothing to install. The best way to get a handle on it is to simply visit Google Maps at www.google.com/maps, and have fun exploring.

Q. Did I dream this or did you once explain that “CYBER” is actually an acronym for five words, none of which I can remember? My son works in cyber defense and we had this conversation yesterday. Can you shed some light on this mystery?

A. The word “cyber,” as used today within the context of the Internet, is not an acronym. It derives from “kybernetes,” which is Greek for “steersman” or “governor,” and it was first used in the title of Norbert Wiener's 1948 book, “Cybernetics.”

continued on Page 7

(continued from Page 6)

During World War II, Wiener worked on guided missile technology, and in particular, how a missile changes its flight path in response to its current position and direction. He noticed that this feedback principle also applied to life forms which change their actions in response to their environment. Wiener developed this concept into the field of cybernetics.

The word “cyberspace” was coined by science-fiction writer William Gibson in his 1984 novel “Neuromancer.” It refers to the mysterious place where data resides while being transmitted from Point A to Point B via what we know today as the Internet.

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

EarthCam

In response to my invitation in a previous column, many of you sent links to your favorite WebCams, for which I thank you. There are so many interesting WebCams, I could easily fill an entire column with them — and may do that at some point. In the interim, two WebCam aggregator sites which provide links to a variety of fascinating WebCams throughout the world include the aforementioned EarthCam and WebCam Central at www.camcentral.com is another site well worth visiting.

www.earthcam.com

Neighbors

Enter your (or any) street address, and up pops a map of your area with a list of all neighbors and their phone numbers, where available. Helpful or overly intrusive? You be the judge.

<http://neighbors.whitepages.com>

Geni.com

Geni is a free genealogy service that enables families to learn about their ancestry and discover new relatives, who will undoubtedly want to borrow money or move into the spare bedroom. More than 100 million people have created their respective family trees and are sharing photos, videos, and documents by inviting relatives to join the collaboration. Geni.com is browser-based, so there is no software to install. Simply click a person’s profile in the tree, then edit, add, or delete information as you go. The Basic plan lets you add up to 100 people and offers 1GB of storage for photos, documents, and videos. Plus and Pro plans, which offer more features and storage, are available for a monthly fee.

www.geni.com

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Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States

By State Responses to the "Courts Bring Back Court Reporters After Electronic Recording Use" Document

STATE: TEXAS

Reported Findings

2001 – Brought back stenographic reporters after trying both audio and video taping methods, citing realtime court reporting and the ability to have an immediate transcript; saving money during expert witness testimony by having the experts review the transcript from the day before instead of sitting through previous days of court; time and equipment involved in reviewing video testimony — taking at least five hours to review five hours of testimony, compared to 30 minutes to review the same transcript; inherent problems and inaccuracies in transcription of recorded proceedings; unanticipated costs and additional personnel to perform all the functions that a stenographic reporter provides.

Research Findings

Note: Texas is a locally funded, decentralized system.

Texas is presumptively a steno reporting state which has only permitted very limited exceptions apparently by supreme court order.

The statute is Government Code Section 52.021(c)(4):

Sec. 52.021. CERTIFICATION OF REPORTERS

- (a) A person may not be appointed an official court reporter or a deputy court reporter unless the person is certified as a shorthand reporter by the supreme court.
- (b) A person may not engage in shorthand reporting in this state unless the person is certified as a shorthand reporter by the supreme court.
- (c) A certification issued under this chapter must be for one or more of the following methods of shorthand reporting:
 - (1) written shorthand;
 - (2) machine shorthand;
 - (3) oral stenography; or
 - (4) any other method of shorthand reporting authorized by the supreme court.

The report intimates that Texas systemically switched to recording and then switched back; assumption is the commentary reflects one or a few individual judges experimenting with recording and switching or finding those drawbacks.

The (supreme) Court has approved a handful of single courts wanting to use recording. Assumption is that one or a few courts that tried recording and switched back (possibly because a new judge reversed course).

Information provide by: Carl Reynolds, Administrative Director Texas court reporters who have been in the profession for many years advise staff that the topic of electronic court reporting continues to come up frequently especially with the advancement of technology, however no trend in that direction has been established yet in Texas. Some years back I heard of one instance where a tape recorder was used for court proceedings, and when a new Judge came on board with new staff, they found the tapes thrown in a closet, some were not labeled, and somewere not audible so that court switched back to using a court reporter. It is my understanding that in Texas, courts such as probate courts may be more likely to use recording equipment and there are a few courts who were approved to use that method to take down civil proceedings.

Information provided by:

Michele L. Henricks

Director

Court Reporters Certification Board

continued on Page 11



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Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States

(continued from Page 9)

STATE: NEW MEXICO

Reported Findings

Started using recording systems in 1982. By 1986 brought back stenographic reporters, citing unexpected costs, frustrations, backlog of cases at the appellate level, and great increases of time and additional personnel costs with the tape systems. The state abandoned the systems and returned to faster and more cost-effective court reporters.

Research Findings

New Mexico Rule 12-211 identifies the "transcript of proceedings" as "audio recordings of the proceedings and stenographic transcripts of the proceedings." This definition of the official record of proceedings has only had one change in the last 15 years; replacing in 2005 the words "tapes" and "tape recordings" with "audio" and "audio recordings."

On October 30, 2001, the Supreme Court issued Order No. 01-8500, which both reiterated the Court's "policy of encouraging the use of certified court reporters in all district court trials to facilitate the preparation of written transcripts and expedite the processing of appeals" and implemented a program to "convert" audio recorded proceedings by hiring typists to produce a written appellate transcript from the audio recordings. In 2005, the AOC raised the rate paid per page for court reporter transcripts from \$1.00 to \$2.50 to attempt to address the continuing difficulties of attracting court reporters to court cases.

In practice, the Court's hope for court reporters in every district court case never came close to being realized. We could never get court reporters on staff in most district courts outside of Albuquerque. We ended up sending court reporters all over the state to stenographically record firstdegree, capital criminal cases (death penalty cases and those with possibility of a life sentence), and otherwise continued to see most appeals (about 90%) reviewed based on the audio recording. The "conversion" process from audio recordings to paper worked adequately until fiscal year 2008, allowing the production of a written transcript from the audio recording in most of the cases with a longer record. Funding peaked that year at about \$125,000, but then began to shrink. Now few of the cases the appellate courts would like to "convert" can be converted, and most appeals are heard from digital audio recordings.

In sum, New Mexico continues to officially record most cases by digital audio recording, and this audio recording often serves as the official transcript on appeal. Some funds are available to convert a select number of these cases to a written transcript through a contract typing service. A small number of cases, including all those that may result in a capital sentence, are recorded stenographically. A few courts have a court reporter on staff, but most do not. For reasons of practicality and budget constraints, the Supreme Court may in 2010 consider rescinding the policy favoring use of stenographic recording in every district court case. — Artie

Information provided by:

Arthur W. Pepin

Director, Administrative Office of the Courts

continued on Page 12

Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States

(continued from Page 11)

STATE: FLORIDA **Reported Findings**

Florida's supreme court is currently reviewing an appellate court decision to determine what the official record is — the recording or the transcript from the recording. Digital recording systems record everything, including whispered conversations between clients and attorneys or onlookers. Keeping the recording from the public preserves the attorney-client privilege. The appellate court ruled the recordings are not an official record but are used to create the official record. If this decision is upheld, the court will be required to provide written transcripts, resulting in no cost savings to the court.

Research Findings

The information provided about Florida is only partially accurate. It is true that the Florida Supreme Court has affirmed that the written transcript of a proceeding is the official record for purposes of appeal. However, the Supreme Court also considered the question of whether the release of digital/audio/video recordings of court proceedings should be restricted (see attached opinion). The Supreme Court stated that:

"...digital recordings of court proceedings are now widely used throughout the state by those involved in the court system, as well as the media, and have proven useful, reliable, efficient, and cost effective. We agree that access to these recordings should not be denied or left to the unfettered discretion of the trial court or the chief judge."

I've also attached another document that you might find helpful- trial court profiles for court reporting services. You can see from these profiles, just how widespread the use of digital reporting is in our state- all twenty judicial circuits use digital technology. I can state with confidence that the use of this technology is now firmly ingrained into the culture of our trial courts.

Further, here's a link to a report from our Commission on Trial Court Performance and Accountability that contains recommended standards and best practices for court reporting services.
http://www.flcourts.org/gen_public/TCPACtReportingFinalReport.pdf

The report provides quite a bit of discussion on the efficiency and effectiveness of digital technology. It was the position of the Commission that digital court reporting should be used for the majority of proceedings, however stenography should be used for proceedings with a high probability of a transcript being requested. These standard and best practice recommendations are still pending before the Supreme Court, but we expect a decision soon.

As to cost savings, I would point out that there is a cost savings with the release of audio/video recordings because it is less time consuming (uses less court resources) than producing a transcript. It is also less expensive to the requestor (\$15-\$25 per CD or DVD vs. \$4-\$7 per transcript page). This increases access to the court system, a main goal of the Florida Judicial Branch. With less than 2% of cases appealed in Florida, the need for transcription for the purposes of appeal is very low in comparison to the millions of proceedings that are recorded. Further, I would point out that cost savings is also achieved during the recording of a proceeding. With stenography, you have to have one court reporter for each courtroom. With digital, you can have one court reporter monitor multiple courtrooms. So you save money not just with reducing transcripts, but also with reducing court monitoring costs.

The Florida Supreme Court issued its order promulgating court reporting standards and best practices which can be found at <http://www.floridasupremecourt.org/clerk/adminorders/2010/AOSC10-1.pdf>

Information provided by:
Sharon Buckingham
Senior Court Operations Consultant
Office of the State Courts Administrator

continued on Page 13

Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States

(continued from Page 12)

STATE: FEDERAL COURTS

Reported Findings

Appellate and trial court judges taking part in a two-year study said videotapes of trials were too cumbersome and took too long to find specific portions. As a result, the Judicial Conference of the United States voted to end the experiment in 1986

Research Findings

N/A as the comment related to video court reporting which is not the subject of any ASD-2 option.

STATE: NEW YORK

Reported Findings

2008 – Legislation carried by the chairman of the Senate Judiciary Committee would prohibit the use of recording devices — rather than a stenographic record taken by a court reporter — in Supreme Court, county court, district court and family court when delinquency cases are being heard and during jury trials in New York City Civil Court. The rationale behind the bill is based on complaints about the quality of the transcripts generated by electronic recordings, mostly in family and surrogate's courts, but also in some criminal courts

Research Findings

1. The bill introduced in the New York Legislature in 2008 was not enacted.
2. After the bill was introduced, the Office of Court Administration clarified its policy regarding electronic recording to provide that electronic recording will continue in those courts and court proceedings where it is currently in use, but it will not be expanded to additional courts and court proceedings where it is not currently used unless court reporters are unavailable and efforts to hire a reporter on a permanent, provisional or per diem basis have failed.
3. The practical effect of this policy is that in New York City electronic recording will continue in the Family Court and the Surrogate's Court, but it is unlikely that it will be expanded for the time being to other courts and court proceedings. In upstate New York, where electronic recording has been used in a wider range of courts and court proceedings and where court reporter shortages have been more acute in some places, limited expansion to additional courts and types of court proceedings may continue.

Information provided by:

Judge Larry Marks

Office of Court Administration

STATE: KENTUCKY

Reported Findings

1988 - Use of videotape recorders has resulted in malfunctions, retrials at cost to the state, and too much time spent by attorneys reviewing the tapes.

Research Findings

N/A as the comment related to video court reporting which is not the subject of any ASD-2 option.

continued on Page 14

Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States

(continued from Page 13)

STATE: ILLINOIS **Reported Findings**

1990 – Installed videotape systems tried as an experiment sit idle. Chief Justice Richard C. Ripple said use of video is very limited. Other judges refuse to use it, stating they don't want to watch television.

Research Findings

N/A as the comment related to video court reporting which is not the subject of any ASD-2 option.

STATE: OREGON **Reported Findings**

2004 – Officials are calling for the return of court reporters instead of digital recording due to a series of missing or inaudible recordings. These instances include one hour of missing key witness testimony in a 2003 murder case; a retrial of a 2002 complex civil environmental case because the DR failed to record proceedings onto a CD; attorneys handling criminal appeals saying their clients' rights are compromised by inaudible portions of recordings; and attorneys hiring their own court reporters for fear of an inaccurate record.

Research Findings

We currently have 173 judicial positions in our state trial courts (across 36 counties). Every Oregon state trial court relies primarily on digital recording, but we do have a total of seven stenographic court reporters (in three counties). One of the reporters is assigned to a hearing-impaired judge in our largest county; she is the only court reporter in a trial court that has 38 judicial positions.

We have submitted funding requests to the legislature for a project to experiment with bringing in stenographic court reporters, on a contract basis, to report in aggravated murder cases so that parties can have access to same-day rough drafts of the day's proceedings. We have not received the requested funding.

Oregon law allows parties to bring a stenographic court reporter into the courtroom for their own purposes, and also allows for the stenographic court reporter's record to be the official record of the proceedings if all parties agree. We do not have data on how often parties bring a court reporter, but anecdotally we know it is not common practice.

Our transition to digital recording has been largely an unplanned evolution, responding to current needs and budget situations. The transition really began a long time ago, with analog tape recording being used in some of our rural counties that had difficulty recruiting qualified stenographic reporters. We moved to analog recording throughout the state for our more routine types of cases that are less likely to be appealed, such as traffic violations and landlord/tenant disputes.

Eventually, some courts began to experiment with digital recording as both an improvement over analog recording and to see if it was a viable alternative to stenographic reporting. In more recent times, the transition has been driven by severe budget reductions.

As with transitioning to any new process or new technology, there have been new challenges. There have been issues with poor quality recordings and, in rare instances, with portions of the record missing entirely. The problems are not insurmountable but have pointed out the value of good planning and adequate training and monitoring. Unfortunately, budget constraints have forced changes that were not always well planned or executed.

Monica Melhorn
Oregon Judicial Department
Office of the State Court Administrator

continued on Page 15

Responses to NCRA's Information Requests Regarding Court Reporter "Repatriation" in Various States

(continued from Page 14)

STATE: HAWAII **Reported Findings**

The disastrous loss of nearly 100 grand jury indictments caused by a tape recorder system malfunction has resulted in the state's trial courts relying exclusively on court reporters, leaving tapes for minor proceedings such as motions.

Research Findings

The narrative about Hawaii is not correct. We do not rely exclusively on court reporters. We only have 30 court reporters employed by the Judiciary. In our 5th circuit (Kauai) no court reporters have been employed since around 1992 because they are not available.

The report about the 100 grand jury indictments being lost is a fabrication. Apparently, a disgruntled former court reporter wanted to discredit the use of electronic recording and provided this inaccurate information. Hawaii's court reporter situation is in transition. Through attrition and the unavailability of court reporters, I predict that we will eventually rely almost exclusively on digital recordings. When needed, transcription service contracts will be pursued.

Information provided by:
Thomas R. Keller
Administrative Director

STATE: NEVADA **Reported Findings**

Nevada Federal Courts and Commissions brought back stenographic reporters in 1995 after using tape systems for three years, citing higher costs and inferior service compared to real time stenographic reporters.

Research Findings

There was no report concerning the use of stenographic reporters in 1995. There was an effort to get judges to use recording operators that was somewhat successful, but as new judges joined the federal bench they preferred reporters and not recordings. The use of recordings or reporters is up to the judge. There is no court policy concerning the use of either. Most of the Federal judges do use court reporters, it is estimated for Nevada it about 70% court reporters and 30% recordings.

Information provided by:
Ronald R. Titus
State Court Administrator



Alameda County Court Reporters Score A Victory!

By *Connie Parchman*

The word count issue reared its head in Alameda County at the end of 2011, right on the heels of the devastating court reporter layoffs imposed on them in October. In November, Court Administration informed the court reporters that, beginning January 1, 2012, in order to be paid for transcripts, those transcripts must be converted into Microsoft Word format, from which reporters would then be required to enter the number of words into a complicated Excel spreadsheet to strip the page and line numbers from the total. Management unilaterally took the action, with complete disregard for any and all input the reporters had tried to offer. The agreed-upon page rate that had been in effect for the past two decades was put aside.

The Alameda County Official Court Reporters Association (ACOCRA), headed by Deborah Trujillo, Janelle Zepeda and Theresa Aguilar, did not roll over. After successfully fighting to get the implementation date postponed, they then filed a complaint with the Public Employee Relations Board (PERB). Their complaint was found to have merit. With the passing of legislation requiring courts to continue to pay reporters for transcripts the same rate in effect January 1, 2012, administration immediately reverted to the claim form in use before April 1, 2012.

However, their PERB Complaint was still pending, and this required settlement negotiations to commence between ACOCRA and Court Administration in order to either reach a settlement or go forward to hearing. That was when our colleagues in Alameda County decided to pursue not just settlement language, but some amount of monetary reimbursement, which in the end resulted in the award of a lump sum to be divided among the reporters who filed transcripts during that time.

CONGRATULATIONS, ACOCRA!

continued on Page 17

Cal-e-licious

By *Gerie Bunch*

CROCKPOT CACCITORE

Ingredients

1 whole chicken, cut up,
(or 8 – 10 pieces of legs and thighs)
Flour
Salt and pepper

1 purple onion, chopped
1 green bell pepper, chopped
5 cloves garlic, finely chopped
1 sm. can sliced olives
6 – 8 mushrooms, sliced
1 14 oz. can diced stewed tomatoes
1 8 oz. can tomato sauce
¾ c. red wine
½ tsp. thyme
½ tsp. oregano
½ c. fresh basil, coarsely chopped
2 tsp. sugar (to taste)
Your favorite cooked pasta

Dredge chicken (skin on) in flour seasoned with salt and pepper. Fry in a little bit of oil until browned.

Place browned pieces in crockpot. Sauté in same pan onion, pepper and garlic for about 5 minutes. Pour over chicken. Add the remaining ingredients and gently stir to mix. Cook on high for 4/5 hrs, or on low for 8 hrs. Ladle off fat. For serving, carefully remove very tender chicken pieces into a shallow bowl; place pasta in a separate pasta bowl topping with several scoops of sauce. Sprinkle both with freshly grated Parmesan cheese. Offer extra sauce on the side. Serve with steamed zucchini or a green salad. Perfecto!



Alameda County Court Reporters Score A Victory!

(continued from Page 16)

**STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD**



SEIU LOCAL 1021,

Charging Party,

v.

ALAMEDA COUNTY SUPERIOR COURT,

Respondent.

Case No. SF-CE-30-C

SETTLEMENT AGREEMENT

In the interest of promoting harmonious labor relations between the parties and to avoid the uncertainty, inconvenience, and expense of litigation, the SEIU Local 1021 and the Alameda County Superior Court, in settlement of the above-captioned unfair practice charge before the Public Employment Relations Board, agree as follows:

1. A dispute has arisen between the parties concerning the rate calculation methodology for transcript preparation by court reporters.
2. SEIU Local 1021 hereby withdraws Unfair Practice Charge No. SF-CE-30-C.
3. On April 2, 2012, Alameda County Superior Court changed the methodology for calculation of transcript fees to a word count methodology.
4. In light of recent amendments to Government Code Section 69950, on June 28, 2012, Alameda County Superior Court changed the methodology for calculation of transcript fees from a word count methodology to the methodology that was in effect at the court as of January 1, 2012. The Court currently interprets Government Code section 69950(c) as requiring the Court to: 1) Continue using the methodology for calculating payment of transcripts that was in effect at the Court as of January 1, 2012; and 2) obtain a bilateral agreement to change the Court's methodology for calculating payment of transcripts prior to making any such change. The Court will adhere to these interpretations unless and until: 1) Government Code section 69950 is amended or repealed; 2) other state law(s) and/or regulation(s) modify, amend, or repeal the requirements of Government Code section 69950; or 3) a court, the Public Employment Relations Board, and/or any other agency of competent jurisdiction determines that a different interpretation of California Government Code section 69950 is appropriate.
5. The Court will pay to court reporters represented by SEIU Local 1021 an amount totaling up to \$17,023.20. Amounts to be received by individual court reporters will be specified by SEIU Local 1021 based on its reasonable calculations. The individual payments will be in consideration for court reporters signing a written waiver agreeing to waive all

continued on Page 18

Alameda County Court Reporters Score A Victory!

(continued from Page 17)

current and future claims to recoupment of losses incurred by the Court's change in the methodology for calculating payment of transcripts from April 2, 2012 to June 28, 2012.

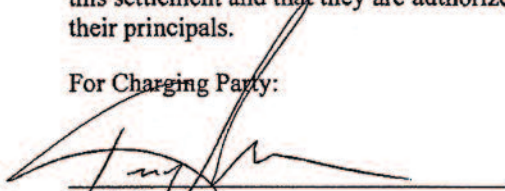
6. This Settlement Agreement does not constitute an admission of wrongdoing, contract or statutory violation, or liability on the part of any party to this agreement.

7. This Settlement Agreement shall not be used as precedent in any current or future dispute concerning whether or not SEIU Local 1021 represents court reporters as to their transcript preparation duties.

8. This Settlement Agreement represents a full and complete resolution of PERB Case No. SF-CE-30-C.

9. The undersigned parties represent that they have read and understand the terms of this settlement and that they are authorized to execute this Settlement Agreement on behalf of their principals.

For Charging Party:

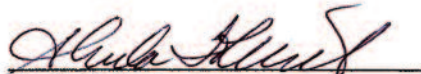


Keith Snodgrass
Field Representative
SEIU Local 1021

Date

9/13/2012

For Respondent:



Sheila Tolbert
Human Resources Director
Alameda County Superior Court

Date

9/17/2012



CBS News Reports “On the Money: State Siphoning Millions from Local Court Reporter Fees”

By Pam Katros, CCRA Director, was interviewed by CBS News. The following article was written by CBS News along with the video aired on local Bay Area stations.

To view the video, click here:

<http://sacramento.cbslocal.com/2012/09/26/on-the-money-state-siphoning-millions-from-local-court-reporters/>

Struggling courts across California are laying off court reporters, unable to afford them, a CBS13 investigation has found.

One reason may be that the state Judicial Branch is spending millions that was intended to fund those reporters.

Those filing for civil court in California are required to pay a “court reporter fee” — part of the larger Uniform Civil Filing Fee collected across the state — but \$6.5 million dollars last year went to other expenses, including basic costs like janitors.

“If it weren’t for the janitor then the court might not have stayed open in the first place,” said Zlatko Theodorovic, who oversees finances for the Judicial Council of California — the agency that runs and appropriates funding in courts across the state.

It’s perfectly legal according to government code, he said. The Judicial Council is allowed to take from the court reporter fund to make up for other budget shortages.

Assemblywoman Fiona Ma (D-San Francisco) called the reappropriating of these funds unacceptable.

“If you are paying for something, you expect to get a service,” she said.

Placer County court reporter Pam Katros knows the problems all too well, she said.

She learned this month her job may be eliminated, as the county plans to privatize its court reporters for civil cases.

“It’s crazy, what’s happening,” she said.

CBS13 has learned layoffs are happening across the state from courts in San Francisco and San Diego to San Joaquin, Alameda, Ventura and Los Angeles counties — which have all laid off court reporters in the last year.

But litigants are still required to pay the court reporter fee in those courts — and if they want a record of what happens, they’ll have to hire their own reporter at their own expense.

Katros believes it could result in a two-tiered system — those who can afford access to transcripts and those who cannot, she said.

“It’s not fair, and people are going to be hurt by this,” she said.

The Judicial Branch blames Gov. Jerry Brown’s budget — which cut Judicial Branch funding 15 percent this year. “We wouldn’t have these problems if we didn’t have the money crunch,” Theodorovic said, adding that the agency only took about 20 percent of the total money generated by court reporter fees.

Because court reporter fees are mandatory, however, Ma believes court reporters should be the last thing to go — ensuring access to justice, she said.

“People should care whether their proceeding is going to be recorded or not recorded,” Ma said.

“It’s embarrassing to me,” Katros said, “to think that we’ve gotten to where we are.”

The Judicial Council told CBS13 it plans to continue taking some of that court reporter money to cover other budget cuts and will continue to charge those court reporter fees.

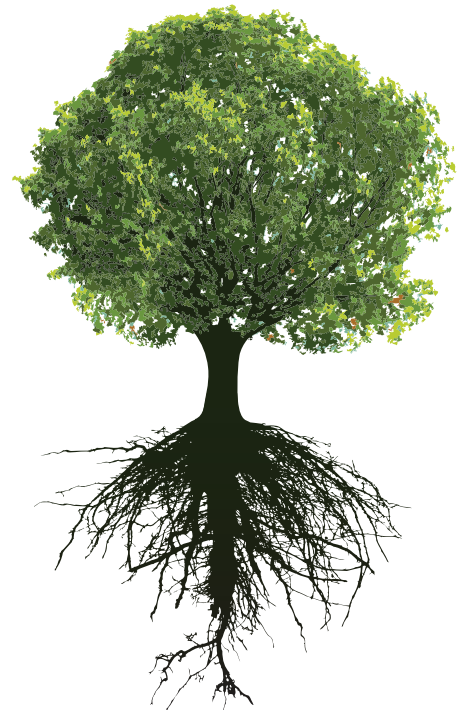
The AOC posted a response to the CBS News story as follows:

Regrettably, KOVR news has provided incomplete information. As Mr. Theodorovic specifically told the producer — and I provided detailed information in a handout — every year California courts spend vastly more money on court reporter services than they take in from fees. Last fiscal year the shortage was \$50 million; the courts had to make up the difference. Thus, court reporter services are subsidized from other court funds. The primary issue is that the state is dealing with an ongoing fiscal crisis. The Judicial Branch has had \$1.2 billion in cumulative ongoing reductions in the last four years. Courts are making the best decisions that they can, to keep the courts open for all Californians.

Leanne Kozak
Administrative Office of the Courts
Judicial Council of California



Tracing Our Roots



The Bartholomew Stenograph – 1877

Miles Bartholomew invented the first successful shorthand machine in 1877. The Bartholomew Stenograph was the first machine to attain a degree of success in the reporting field. The ten keys could be depressed one at a time (a letter at a stroke) to create a series of dots and dashes, much like Morse code.



The Anderson Shorthand Typewriter – 1889



Ireland Stenotype Shorthand Machine – 1911

This machine was produced commercially by The Universal Stenotype Company, owned by Ward Stone Ireland. It weighed 11.5 pounds, considerably less than its predecessor, which weighed 54 pounds!

2012 Annual Convention



OCTOBER 5-8, 2012
MIRAMONTE RESORT AND SPA
INDIAN WELLS, CA

CCRA
CONVENTION
2012 *Indian Wells, CA*

