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Congressman Devin Nunes with Pam Katros and Kristi Garcia February 24, 2009

NCRA Legislative BootCamp

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### **CCRA Online Copy Deadlines**

The deadline for ad and article copy for CCRA Online is the first of the month prior to the scheduled publication date. Articles, ad copy, changes of address, complaints of nondelivery and subscription requests should be directed to CCRA, 65 Enterprise, Aliso Viejo, CA 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 Electronic Magazine of 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 — Will There Be a Job for Me When I Get Out of School?

*By Sheri Turner Gray, CSR 7350 CCRA President* 



During all the budget woes and Court Reporter Board crisis, CCRA has received many inquiries and expressions of concern from court reporting students and teachers. The following is an open letter to students and teachers both about my opinions of the viability of the reporting profession:

### Dear Instructor,

Thank you so much for sharing your students' concerns. We understand that students and reporters alike have many concerns about the proposal to eliminate the CR Board. When the proposal first came out and we first met with the Department of Consumer Affairs, it was not even

clear if they intended to keep licensing intact. The one concession at that meeting is that Director Lopez agreed that there still needs to be licensing of reporters. The proposal to eliminate this and 16 other boards was not made a part of the budget deal, and this matter now moves to the hearing process for further discussion.

CCRA's position is that the optimum situation would be for the Governor to take the CRB off the hit list and leave it functioning as is, because it is working so well. We are truly hoping that our educating them on all the functions that the board does and our letter-writing campaign will convince them to leave this particular board alone. In the event that doesn't happen, we will be working closely with the Board and the Department to work out some plan whereby all of the functions of the board can be preserved. Any changes will require legislative action, because the board and its authority are mandated legislatively. There will now be time for additional input through the hearing process, and we are prepared to testify in that regard. In the meantime, we keep our ear to the ground, our finger on the pulse, our representatives in their face, and stay prepared for whatever action we need to take. Our lobbyist has daily communications on this issue with those who are in charge.

The reporting profession is not going away, and there is constantly a need for qualified, prepared reporters. I had concerns about job security when I was in school 25 years ago. It is comforting to know that CCRA has been around for 100 years, protecting and promoting our profession, and that California is the leader in the industry as far as all the states are concerned, and that we have the most legislative protections in this state for reporters than anywhere. We also have the largest and most complex judicial system, and the judiciary recognizes the need for realtime reporters as crucial to their function.

It is also encouraging that in other states across the country where there has been a move to electronic recording, they are bringing the reporters back. A live, stenographic reporter is the best way to capture and preserve the record and provide the most advanced technological services to the attorneys and the court. The attorneys found themselves hiring their own reporters to provide realtime or overnight transcripts, despite the fact that the proceedings were being recorded by the court system. Also, be aware that in many states there is no licensing of court reporters and no requirement to use a court reporter, yet the profession thrives anyway. Professional and highly skilled reporters are always in demand.

The best thing that students can do now is to not be discouraged, to continue their hard work in school, focusing on obtaining that all-important CSR license and then on becoming a certified realtime reporter. They can develop professionalism and a good work ethic. They can stay informed and involved in the larger world of reporting and the profession they will be entering when they graduate. They can join CCRA as a student member so we have their support and contact information. They can be prepared for a further call to action, whatever that may be, in our continuing efforts to protect and promote our profession.

Tell your students that if they do these things, there most certainly will be a job for them.



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# The Changing Face of the Legal Industry

### *By Sheri Turner Gray, CSR 7350 CCRA President*

Through all this recession, depression, economic stress, whatever term you choose, the legal industry is in the throes of woe just like everyone else. In my many years of freelance reporting, I have seen economic tough times come and go. And in the past, usually when the economy goes south, the lawsuit filings rise. I have not seen that trend in the last couple of years as things have slowed down. And in the litigation world, the economic situation seems like the elephant in the room that no one wants to talk about. The average reporter, I think, knows that it's bad out there generally, but do we really know how bad it is and how it affects us? Folks in court reporting agencies who attempt to sell services know these stories very well, because they are right on the front lines and in the trenches. Reporters look anxiously to their firms to provide them with work, but with work dwindling in many markets, these situations affect every one of us.

> If you subscribe to the National Law Journal, you saw an article on 2/13/09 on "Black Thursday," along with some other headlines from the past couple of weeks that are not very encouraging, that really lay out in the open what is happening with law firms. Six law firms cut more than 700 lawyers and staffers on "Black Thursday." The article says, "If you were among law firm associates or legal staffers who still had a job by the end of Thursday, consider

yourself lucky." The link to read the full article is: <u>http://findcareersuccess.typepad.com/blog/2009/02/</u> <u>black-thrusdaydisaster-or-opportunity.html.</u>

All of the articles aren't doom and gloom. But as freelance reporters who are at the mercy of the attorneys we work for, it might be time to really evaluate the way we do business and provide services. One young man commented, "However, with so much fear and anxiety in the market, this is an excellent time to take market share away from competitors. And the flat-out best way to accomplish this is to provide better service. Whether it pertains to billing, adding services, or just anticipating your clients' needs better, this crazy market can represent an unbelievable opportunity for you." Provide better service. What a concept.

Gone are the days of being able to pick and choose the type of depo you want to take each day. Picky reporters are reporters who probably sit home far more often than they would like instead of working. Don't want to do an arbitration? Cover a two-day civil trial? Do realtime hookup? I might not have a job for you then. Highly skilled reporters with a great professional attitude are always in demand. Do you need to upgrade in any of these areas to be more marketable?

And as much as we would like to and need to continue to raise our prices to cover ever-growing overhead, I do know law firms that have had to lower their hourly rates to their clients. And let's face it, depositions are expensive for clients. The money has to come from somewhere. Lawyers are scrutinizing their bills more than ever before and wanting to make sure they get the best value for the price, without sacrificing quality. What I have talked to attorneys about and what I am experiencing in my work are these changes: In "the olden days" there were always a certain number of depos automatically taken in a civil case, at least the plaintiff(s) and defendant(s), before anyone started talking settlement. Now cases are going to mediation or mandatory settlement conferences without a stitch of discovery being done beforehand. When it is clear that the case will not settle and will inevitably go to

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trial, THEN they notice the depos. So what I am seeing is fewer depos taken, but the ones that are taken seem to be more important, more critical, more are being videotaped, and the transcripts are expedited because they are on the eve of trial. More stress for everyone.

In my opinion, the key to remaining viable and relevant in our job is to be sensitive to the changes in the legal industry. Be sensitive to the attorneys and the added stresses they have. Adapt the way we do business to be more helpful, more indispensible, more vital to the judicial process. Be a team player as much as we can, within the parameters of our position as independent and impartial officers of the court. And most of all, have a good attitude. When things are stressful, the last thing everyone wants in the room is a cranky reporter. Realize what is going on out there, how it affects us as reporters, the firms we work for, and our clients, and do the best we can to help rather than hinder the situation.

And hang on to the hope that "this too shall pass."

# ELECTRONIC COURT REPORTERS <u>NOT AN</u> IMMEDIATE SOLUTION TO CUT COURT COSTS

Monday, February 23, 2009, 8:47 AM By Darwin Danielson

It doesn't look like electronic recording devices will replace live court reporters in Iowa's judicial system anytime soon. The idea is being discussed as a potential for saving money. The Chief Justice of the Iowa Supreme Court, Marsha Ternus, says there are no plans in this or the next budget year to try and make a switch.

Ternus says replacing court reporters with digital recording would be a "very complex" transition that

could not be done overnight, and not something they would do without a study of judges and lawyers who would be directly impacted.



Ternus says the switch is not something that would lead to immediate savings.

Ternus says even if they felt it was the right thing to do, it could not be implemented soon enough to impact the court system budget. Ternus says they will continue gathering information on the idea before making any decision on making a switch. She says they do plan to investigate the reliability and accuracy of the technology. Ternus says they

also will study how they would meet the needs of the judges for clerical support and courtroom assistance if they did make a switch to digital recording for the official court record.

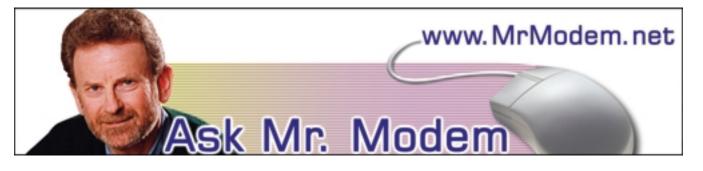
The executive director of the Iowa Court Reporters Association says they are worried about losing the 185 full-time court reporter jobs, and whether the electronic recorders would be able to "maintain the integrity of the record."

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# Ask Mr. Modem! — www.MrModem.com



**Prevent Scrolling Excel Headings** 

- Q. I am building a large Excel address file and I want to know how I can make the column headings (Name, Address, Email, etc.) appear on each page. Right now they only appear on the first page. Also, isn't there also some way to keep the column headings visible, so they never scroll off the screen? Thanks, Mr. M.
- A. Click File > Page Setup, and go to the Sheet tab. In the "Rows to Repeat at Top" field, enter 1:1, assuming your column headings are in Row 1, and click OK. This will ensure that Row 1 is at the top of every printed page.

To keep your headings visible (again, assuming your headings appear in Row 1), click to select cell A2 (yes, A2, not A1), then click Window > Freeze Panes. Once selected, you can scroll through your spreadsheet and your column headings will remain within view at all times.

# Q. How can I select the file types that my Windows Media Player will play?

- A. Open Windows Media Player (WMP) by going to Start > Progarms > Windows Media Player. Click Tools > Options > File Types tab. Select the check box next to the file type(s) that you want to open automatically using WMP, such as .WMA, .WMV, .MP3, MIDI. If you want to use WMP as your exclusive media player, click the Select All button to choose all file types. Click OK to save your changes and exit.
- Q. When I visit Web sites using Internet Explorer, a small screen pops up stating a line error has been encountered. It asks if I want to

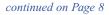
debug it. If I click "No," the pop-up disappears, but it comes back. If I click "Yes," it goes to a debugging page of some type, but I don't know what to do from there. How can I get rid of this?

A. If you disable the debugging function, you won't encounter those pesky pop-ups in the future. The debugging function is intended for programmers and developers, so by disabling it you won't be adversely affecting your computing life. To turn it off, click Tools > Internet Options > Advanced. Scroll down to the Browsing section and remove the check marks beside "Disable script debugging (Internet Explorer)," "Disable script debugging (Other)," and "Display a notification about every script error." Finish up by clicking Apply > OK, close then reopen IE, and you should be all set.

### WANTED: Positive Customer Service Experiences

I'm working on an article about the ethereal concept of customer service. Examples of abysmal service abound, but if you have had an outstanding experience with customer service — it need not be related to computing or tech support — tell me about it. Be sure to include the name of the company, what your call (or email) concerned, and what you most appreciated, or what most impressed you, about the service you received.

Published submissions will be edited, so don't be concerned about grammar, punctuation or spelling. If your submission is selected and approved for publication, you will receive a copy of the published work. (What, you were expecting cash?) Please send your experience(s) to me at MrModem@mrmodem.com. Thanks very much.



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### Mr. Modem's DME (Don't Miss 'Em) Sites of the Month

### **Little Known Facts Show**

This family-friendly site features short stories and vignettes about Americana. The site includes fun facts about American presidents, inventions, sillybut-real laws, amusing town names, and trivia fans without a life can read a new "Little Known Facts" story every day. These stories are similar to Paul Harvey's world-renowned "The Rest of the Story" feature. www.littleknownfactsshow.com

### Plot-O-Matic

Have you ever sat in a movie theater, robotically consuming a \$27 tub of popcorn and thinking to yourself, "I can write a better movie than this drivel"? Judging from what's passing for entertainment these days, you probably could. In fact, it's even easier than you might think. Using the Plot-O-Matic (patent pending), select your characters and the plot elements you would like to include in your movie. When you're satisfied with your choices, click "Lights! Camera! Action!" http://tinyurl.com/6n42xd

### **Unusual Hotels**

As its name implies, this is the place to turn if you're seeking non-traditional hotels. Perhaps you have mole-like tendencies and would like to stay underground, or inside an igloo, in a tree, or even underwater? If so, you'll find the opportunity here. Categories include Art Galleries, Lighthouses, Underground Caves, and even Prisons. Yes, for \$150/night you can stay in a fabulous Turkish Prison. See, dreams do come true! Hotels are rated on a scale ranging from "Different" to "Wow," though I'm surprised there isn't a "Get-me-out-of-here!" category. www.unusualhotelsoftheworld.com/

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# Senator Joe Lieberman Questions Federal Pacer Fees and Redaction of Information

WASHINGTON — Homeland Security and Governmental Affairs Committee Chairman Joe Lieberman, ID-Conn., sent the following letter to the policy-making body of the Federal Court system requesting proper compliance with the E-Government Act of 2002 on transparency and privacy issues as they relate to court documents:

February 27, 2009

The Honorable Lee H. Rosenthal Chair, Committee on Rules of Practice and Procedure Judicial Conference of the United States Washington, D.C. 20544



Dear Judge Rosenthal:

I am writing to inquire if the Court is complying with two key provisions of the E-Government Act of 2002 (P.L. 107-347) which were designed to increase public access to court records and protect the privacy of individuals' personal information contained in those records.

As you know, court documents are electronically released through the Public Access to Court Electronic Records (PACER) system, which currently charges \$.08 a page for access. While charging for access was previously required, Section 205(e) of the E-Government Act changed a provision of the Judicial Appropriation Act of 2002 (28 U.S.C. 1913 note) so that courts "may, to the extent necessary" instead of "shall" charge fees "for access to information available through automatic data processing equipment."

The goal of this provision, as was clearly stated in the Committee report that accompanied the Senate version of the E-Government Act, was to increase free public access to these records. As the report stated: "[t]he Committee intends to encourage the Judicial Conference to move from a fee structure in which electronic docketing systems are supported primarily by user fees to a fee structure in which this information is freely available to the greatest extent possible. ... Pursuant to existing law, users of PACER are charged fees that are higher than the marginal cost of disseminating the information."

Seven years after the passage of the E-Government Act, it appears that little has been done to make these records freely available — with PACER charging a higher rate than 2002. Furthermore, the funds generated by these fees are still well higher than the cost of dissemination, as the Judiciary Information Technology Fund had a surplus of approximately \$150 million in FY2006. Please explain whether the Judicial Conference is complying with Section 205(e) of the E-Government Act, how PACER fees are determined, and whether the Judicial Conference is only charging "to the extent necessary" for records using the PACER system.

In addition I have concerns that not enough has been done to protect personal information contained in publicly available court filings, potentially violating another provision of the E-Government Act. A recent investigation by Carl Malamud of the non-profit Public.Resource.org found numerous examples of personal data not being redacted in these records. Given the sensitivity of this information and the potential for indentify theft or worse, I would like the court to review the steps they take to ensure this information is protected and report to the Committee on how this provision has been implemented as we work to increase public access to court records.

I thank you in advance for your time and I look forward to your response.

Sincerely, Joseph I. Lieberman Chairman





# MAJOR SPONSOR OF CCRA AND A PARTNER IN YOUR BATTLE AGAINST ER.

What has your vendor done for you?



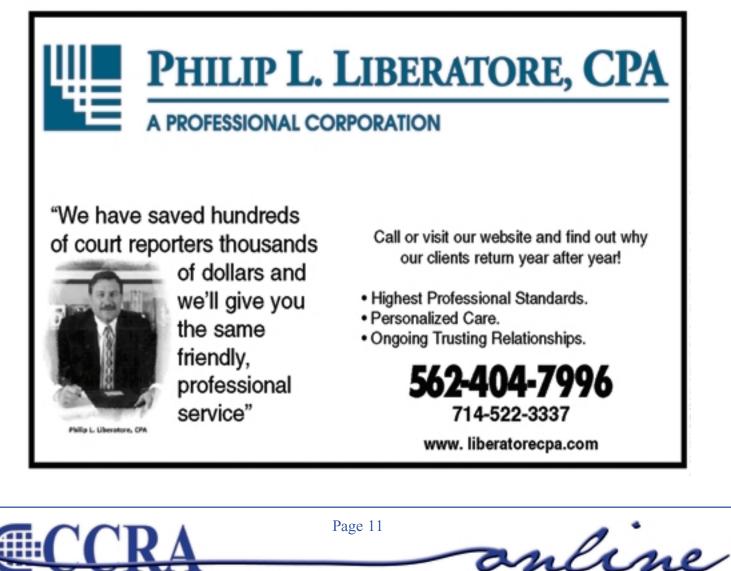
# **Freelancers Stand United with Our Official Associates to Fight ER/DR**

### By Lynden Glover

We continued the united front against electronic/digital recording in the courtrooms of California, and we won - one more time. I know for some freelancers, the possibility of officials being replaced by other means of obtaining a record seems far removed from having an impact on freelancers. Freelancers get caught up in the dayto-day frenzy of traveling to a different location to work every day, at different times, different deadlines to keep track of, different preferences of our clients to fulfill, and the stress of dwindling calendars in these tough economic times. But we freelancers understand very well how much tougher it would be if the official reporters were forced to seek work in the independent contractor world.

I believe it is also clear that if ER/DR were implemented in the courtrooms, it would only be a very short matter of time before freelancers working in the public sector would experience the same fate.

The good news is having a live stenographer manage and produce the record is still the most efficient, accurate, and tamperproof means available, and we have testimony and documentation of the failings of ER/DR to prove it. But we cannot let our guard down or let apathy get the better of us. There is strength in numbers. And with our diligent effort and the united front of all stenographic reporters, we will continue to be successful in our battle against ER/DR.





# **California Action Team Training**

### By Sandra Lynch, CSR, CRR, RMR

It all started with a message from my friend, Julie, asking me if I had seen the contest that LACCRA was sponsoring to win a trip to CCRA's California Action Team Training and encouraging me to enter. Thanks, Julie!

The next day I submitted my entry, answering the three questions posed on the entry form. It had been a long day at work, with some twists in the courtroom, which made answering the question of why court reporters are superior to digital recording very easy. Much to my utter delight and surprise, I later learned I had won the contest and was on my way to Sacramento, courtesy of LACCRA.

Upon my arrival in Sacramento, I quickly realized this wasn't going to be your ordinary conference requiring passive involvement. Saturday morning, various speakers from Toastmasters International gave us tips about public speaking, including body language, how to answer questions effectively, how to dress for success. This was a foreshadowing of the day ahead. Thanks for getting me into this, Julie!

Saturday afternoon we heard from lobbyists Jim Cassie and Michelle Castro. We learned about the California State Legislature and how it operates. I realized what warriors for court reporters Jim and Michelle are, day in and day out. Thanks, Jim and Michelle!

We were split into groups on Saturday, and, at day's end, we were informed that the following day, our group would be appearing in front of various mock entities, including the formidable Administrative Office of the Courts, a disinterested Republican Senator's Chief of Staff, and a Senate subcommittee. We had to be prepared to argue against replacing court reporters with digital recording in the courtrooms and the Court's ownership of reporter's transcripts. Julie, what kind of a friend are you anyway? Sunday dawned bright and early with a breakfast meeting with my group. We were down one member due to illness, so there were three of us left to play tag team and present our arguments with precision. We had practically memorized the two reports written by Chris Crawford from Justice Served regarding the real cost implications of both DR and State ownership of the record. We knew the startling statistics of the error rate in transcripts prepared from DR. We knew the three states which had gone to DR and back to live reporters. We felt as ready as we'd ever be.

On the way to our first appearance scheduled with a managing partner of a law firm, we were practically assaulted by a CNN "reporter" and cameraman who stuck a microphone in our faces and asked about those double-dipping court reporters. Julie, don't ever call me again.

I found myself answering the questions with surprising ease. Double-dipping? Let me just give you a brief little lesson, Ms. CNN Reporter. My fellow team members chimed in seamlessly. We had sailed over our first hurdle and I felt invigorated.

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The rest of the morning was spent in 20-minute sessions before the various mock entities, ending with an appearance before a Senate subcommittee comprised of: "Senator" Tom Pringle; "Senator" Arnella Sims; "Senator" Gary Cramer; "Senator" Lesia Mervin. While these senators were really some of court reporting's greatest advocates, they played their roles of tough critics with convincing realism. My palms were sweating as I tried to calmly and succinctly answer their pointed and sometimes facetious questions. My team members brilliantly answered questions just at the right moment.

We walked out of the room feeling as if we'd just won the Superbowl. We knew our stuff and we had nailed it! Thanks team members Melanie Wilkins and Karen Kronquest!

After lunch on Sunday, we were all given very helpful critiques of our performances (note to self, NEVER mention reelection to a senate subcommittee member.) Sunday closed with an inspirational speaker who told us how we are all leaders.

Today, one day later, I feel like a new woman. I am more confident than I was when I left my home on Saturday morning. I have new friends from all over California. I have a renewed energy to continue the fight that surely lies ahead to save this noble profession which has served my family and me so well. Mostly, I have a deepened gratitude to those who have given so tirelessly to educate the public and promote and preserve court reporting.

### Thank you, Julie!

Thank you, LACCRA, for making my attendance possible!

Thank you, CCRA, for an educational and inspiring experience!

Can't wait to see all of you at the 99th Annual Convention, October 9–12, in Indian Wells to "rejuvenate and educate."

### SHE SOUNDS LIKE A WINNER. GET HER ON THE BOARD!

# **CCRA'S CALIFORNIA ACTION TEAM TRAINING**





# **California Action Team Training**

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# **California Action Team Training**

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**Cal-e-licious** *By Gerie Bunch* 

### I took this to a beer tasting party and it was quite a hit!

### **Sausage Braid**

For the filling: 4 green onions, chopped 6 lg. mushrooms sliced 1 lb. regular bulk sausage 4 basil leaves, torn in bits 3/4 c. dried cranberries Pepper to taste. 1 c. grated mozzarella For crust: 1/4 c. cream cheese 1/4 c. butter (1/2 stick) 2 c. baking mix 1/4 c. milk 1/4 c. yogurt Extra sour cream if needed



Cut cream cheese and butter into baking mix until crumbly; blend in milk, yogurt; add a dollop of sour cream if dough is too dry. Turn onto a floured surface and knead for 1 minute. Roll out into a 12" x 8" rectangle and place on a well-greased cookie sheet.

Filling: Sauté onions and mushrooms over medium heat, about 3 minutes. Remove to a medium bowl and add pepper and basil, toss and set aside. Sauté sausage until crumbly and no longer pink. Drain.

Spread sausage narrowly down the center of the dough, long ways; top with onion-mushroom mixture and sprinkle with dried cranberries. Top with grated cheese. Cut protruding crust in 1 inch strips from filling out, then lap over the filling one side then the other creating a braid. Bake @ 350 for 30 minutes until well browned. Cut in bite-sized pieces as an appetizer or large servings as a breakfast entree.





Looking for a quick brief for those hard to write words or common phrases? If you have a word or phrase that you would like a brief form for, let me know, and I will publish your requested brief in the next CCRA Online. If you have briefs that you would like to share with our members, please send them to Doreen Perkins, CortReptr1@aol.com or 1100 Van Ness, Dept. 50, Fresno, CA 93724-0002

If you find yourself assigned to Family Law you will enjoy these great briefs:

### **BRIEF FORMS AND PHRASES:**

Alimony Annulment Biological Brother Care, custody and control Children Child support Child support guidelines Child support order Child support payment Conference Conference call Custody Custody and visitation Date of separation Declaration Disposable income Dissolution Dissolution of marriage DissoMaster Divorce Exchange Exemption Family Court Services Family home Father Furniture & furnishings Genetic Grandfather Grandmother Grandparent Grandparents Head of household Irreconcilable Irreconcilable differences Joint custody Joint legal custody Jurisdiction Jurisdictional

LOM NUMT BLAL BRO K-KD KHIRN KHORT SGLINS KHORD KHORMT **K-FRNS** K-FRK KUD or KUFT KUFGS DRAIGS **DEL or DLAIRGS** SPOIK DOLGS DAIRJ DMAFR DWOF KPAIJ **KPEJ or KPEMGS** FAEMSZ FO\*EM FA F-FGS GENT **GR-FR** GRAMD GR-PT **GR-PTS** HEFLD RAOIBL RAOIBLDZ JOID JOILD

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Maternal	MAERNL
Mediate	DMAIT
Mediation	DMAIGS
Mediator	DMAIRT
Minor child	MOIRLD
Minor children	MOIRN
Mother	MOER
Order to show cause	SHOERK
Orientation	OERNGS
Parental	PARNLT
Paternal	PARNL
Paternity	PIRNT
Readiness	R*NS
Reconciliation	RILGS
Restraining order	RO
Separation	SPRAIGS
Settlement agreement	SGREMT
Settlement conference	SK-FRNS
Single-family	SFAEM
Sister	SIS
Sole custody	SOID
Sole legal custody	SO*ILD
Spousal support	SPORPT
Supervised visitation	SPRIFGS
Supervised visits	SPRIFS
Temporary restraining order	TRO
TRO	TR*O
Visitation	VIFGS



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Pamela A. MacLean, Staff Reporter March 2, 2009

# California courts may see cut hours, furloughed workers New judges, probate reforms will be delayed.

In California's budget crisis, the nation's largest state judiciary will be hit by severe budget shortages that may prompt shortened court hours, furloughed employees, loss of 50 new judgeships, and less money for state-funded lawyers.

Even before the current budget crisis, Riverside County, near Los Angeles, had too few judges to handle its criminal caseload and imposed a moratorium on civil trials.

That ended with the sending of a statewide judicial swat team to pick up the slack, but the problem could resurface there and in other counties, according to William Vickrey, Administrative Director of the Courts.

The state's trial courts, with more than 1,600 judges, will face nearly \$250 million in cuts from spending based on reduced allocations for lawyers appointed to represent dependent children, less money to cover increased pay and health expenses, higher rents, and increased costs for security officers.

For the second year, the judiciary must delay a \$17 million allocation to reform the probate courts after reports two years ago exposed corruption in handling of some estates.

The judiciary budget was set at \$3.84 billion for fiscal year 2009-2010, which starts July 1, in the state's \$96 billion spending plan signed by the Governor Feb. 20.

'Dire circumstances'

While the overall budget is roughly the same as last year's, that does not account for increases in pension contributions due to poor investment performances. higher rents, and existing wage increase requirements, according to Vickrey.

"I think it is what could be achieved in these economic times, which are dire," said Judge Mary Wiss,

president of the California Judges Association and a San Francisco trial judge.

California's judicial branch fields nine million filings annually, spread among more than 2,000 judicial officers and 22,000 court employees in 500 buildings spread around the state, according to the state Administrative Office of the Courts.

This makes California the largest state court system in the nation.

The state faced a \$41 billion budget hole when housing prices dropped, foreclosures soared, and residents began losing jobs. The original 2008 budget expenses of \$103 billion had to be pared back to \$92 billion, and the new budget for 2009 came in at \$96 billion.

Although Judiciary branch employees, as an independent branch of government, were spared the furloughs imposed on other government offices, nearly 50 of the 850 employees of the judiciary's administrative office agreed to voluntary furloughs of one day a month as a cost saving measure, according to the Administrative Office of the Courts.

"Courts may be open fewer hours. The irony is that in economic downturns, the courts get more childsupport disputes, foster-care filings, and landlordtenant problems," Vickrey said.

As recently as December, state Supreme Court Chief Justice Ron George talked about a commitment from Gov. Arnold Schwarzenegger to get 50 new judges on the state's 1,600-judge trial courts in 2009. But it now appears the new judges are on hold.

The situation is increasingly dire in some parts of the state. Riverside's civil trial moratorium ended only when visiting judges were brought in as a stopgap measure. They continue to hold civil trials in closed

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# **National Law Journal**

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schools and other buildings to shorten the backlog that had grown to four years, Vickrey said.

The trial courts face enormous pressures due to population growth without a corresponding increase in judges. Central Valley counties, such as Fresno, Sacramento, and San Bernardino Counties, are likely to be hit with the same problems that faced Riverside, he said.

"When you look at the number of judges per 100,000 in population in other major urban states such as Pennsylvania, Michigan, Florida and New York, then California is at the bottom," he said.

"We sent the team into Riverside, and some prisoners had been sitting in prison four years waiting for their cases to be tried," he said.

# Thank You, CCRA Members!

Here is a sampling of the many thank you letters CCRA has received after the last budget victory.

Thank you, CCRA Members! We could not do any of this without you!

### **☞ From: Rebecca Remsen**

Awesome!! A Big thanks from this CCRA member and court reporter.

### **From: Stuart M. Simen**

Just count this as one more win for our side as we have been doing for the past 50 years. In one way we must thank our ex-president Nixon for the 17 minutes of lost tape, which is something that I have used over and over again to explain to the public that tapes can be erased very easily. Thanks to CCRA AGAIN for a fight well fought.

### **From: Carol S. Denny**

Thank you, Mr. Cassie, for the fine work you have done on our behalf.

"Criminal cases take priority and must be handled, but when civil litigants can't be heard, that is not fair to them," Wiss said.

The state is also hoping for \$10 billion in federal funds, but if the bailout falls short, an additional \$900 million in cuts will be triggered. Vickrey said that will include a \$100 keep together million cut to the courts. Most of it would pay for the new judges.

The bright spot is in courthouse construction. Although the budget cut \$40 billion out of court construction, there will be 15 courthouses moving ahead based on funding approved a year ago, he said.

He said the judiciary will start immediately to try to negotiate for land or get it donated by counties and begin design plans.



### Image: From: Tamara Baron

Thank you for your hard work — and for keeping us informed!!

### **From:** Julia Barton

Thank you to CCRA and Mr. Cassie because without you making the Court Reporters aware that we need to help, we wouldn't get things done.

Thank you again.

### **From: Linda Pugliese**

Great work! Thank you for your efforts.

mlino



E. Kent Snyder, Kent Snyder to a lot of reporters in Los Angeles, and Kent to the hundreds of reporters who worked with him over the past many years. Kent Snyder, California CSR 693, a gentleman who took the first CSR exam in California, owner of Snyder Heathcote Court Reporters in Los Angeles, born December 7, 1921, passed away on Saturday, February 7, 2009. Kent will be remembered by many student reporters and new reporters for the classes he used to conduct in his office during the evenings where he taught new reporters and some still students about the business of working in the real world, the kind of education that you cannot receive in school. Snyder Heathcote Court Reporters will continue under the direction of Kent's daughter Page who for the past 30 years has worked at the firm. The mantra of the firm will still be Kent's favorite: courtesy, consideration and communication.

Kent was a marine and fought in World War II, and after the war he came to California, he was a boy from Iowa, Strawberry Point, and he met his wife to be before he went to war, and when he came back he married Lynn and they were married for 60 years before Lynn passed on. Kent never remarried. They had two daughters, Page and Tina who both worked in the firm. Kent had three grand children and one great grand child at the time of his demise. This was a sudden occurrence, and no one knew that this was about to happen.

Kent was the gentleman of gentlemen, a professional's professional, and he would give you the shirt off his back, and if he wasn't wearing one, he would go out and buy one for you.

Kent will be missed by his family and friends and many reporters to whom he helped get through rough spots, including trying to read through bad notes with them. Though he was not a very active reporter in reporting associations, he supported all reporters in California and the United States with his donations and his time. Kent didn't know how to use the word "no." He would help out anyone in any means that he could.





mline

### *The following poem was written by W.C. (Casey) Jones for the 1964 meeting of the Kansas Shorthand Reporters Association*

"Who Am I? My profession stems from man's desire and his necessity to preserve the happenings of yesterday and today for tomorrow. My profession was born with the rise of civilization in ancient Greece. I was known as a scribe. I was in Judaea, Persia and the Roman Empire before Christ. I preserved the Ten Commandments for posterity. I was with King Solomon while building the Temple and recorded the origins of Masonry. My hand labored upon the scroll that set forth the Bill of Rights wrested from the King of England at Runnymede. I was with the founding fathers when the Declaration of Independence was drafted. I witnessed the signature of John Hancock. I wrote the Dred Scott Decision for Justice Taney. The immortal Abraham Lincoln entrusted me to record the Emancipation Proclamation. I was commissioned to be with Roosevelt at Yalta. I was with Eisenhower on D-Day; with MacArthur at Tokyo. I have kept confidence reposed with me by those in high places as well as those in lowly positions. I protect the truthful witness, and I am a Nemesis of the perjurer. I am a party to the administration of Justice under the law and the Court I serve. I discharge my duties with devotion and honor. Perhaps I haven't made history, but I have preserved it through the ages for all mankind."





online

# Sync Your Life Everywhere with Dropbox

Reprinted with permission from The 2.0 Life Web site By David Pierce



I've talked about a couple of different backup services before. After experiences I've had with losing data, I can't recommend highly enough finding a way to back up your files.

The irritating thing about document backup is that it's just one more thing for you to remember to do — a web page or application to launch, and a task you've always got to have at the back of your mind. The reason that's great is that it's integrated perfectly into your normal workflow. Instead of uploading documents to your backup service, just save them or drag them into the Dropbox folder (which has replaced my Documents as my default save location). They're automatically uploaded to your account and are accessible from anywhere. Every synced file gets a green checkmark next to it, just so you can feel all warm and snuggly knowing your files are safe with Dropbox.

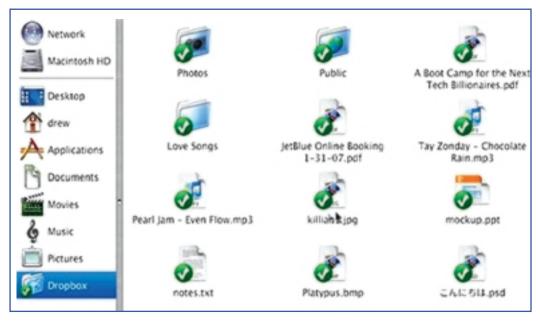
Your files are always kept up to date by Dropbox, so you're sure to always have the most recent version of your files available to you. If you're on another computer, with or without Dropbox installed, you can easily upload and download those files for editing and viewing.

One cool thing that I don't understand in the least, but is enormously helpful: when you change a file that's in your Dropbox folder, Dropbox only uploads the part that was changed: that saves you bandwidth and time, particularly when you're backing up large files.

Pictures can be viewed and shared from your Dropbox account, making it your own personal photo-sharing tool. You can also choose a subfolder within Dropbox to share with others — perfect for collaborating or working with a group.

Well. no longer. The solution has been around since September, and is called Dropbox. It's the perfect solution for the mobile professional, student, or anyone else multiple who uses computers or devices.

When you download **Dropbox**, it installs a new folder in the Documents section of your computer. That folder, and all its contents, are constantly synced with Dropbox.



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Dropbox is multi-platform, so you'll be able to use it anywhere — Linux, Mac OS, Windows, or the Web. It's always in sync, and can essentially replace your Documents folder on every computer you use.

Accounts are free, and you get 2GB of storage-perfect for tons of Word documents and the like, but that fills up fast when you're sharing pictures or uploading Photoshop documents. For \$10 a month (admittedly a lot), you get 50GB of space — also a lot. Dropbox is the perfect solution for the person who can't be bothered to remember to back up their files, or put them on their flash drive. **Dropbox does it all for you**, and you can access and edit your files anywhere, from any device.

David Pierce is a college student, freelance writer, and lover of all things Web-based. He blogs about thriving in a digital world at The 2.0 Life (<u>www.the20life.com</u>).

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### By Candis Bradshaw

Dropbox is a quick, easy, and painless way to synchronize files and folders between multiple computers. Here are a few ways court reporters can use this powerful tool:

- Synchronize CAT user files between multiple computers. Most reporters have at least two, if not more, computers. Instead of manually backing up files, such as your personal dictionary, job lists/dictionaries, user settings files, macros, and index templates, set Dropbox to automatically sync the folders between computers!
- Use Case Catalyst Work Units in conjunction with Dropbox. If you have an expedited/daily copy job, getting the audio and text files to your scopist has never been easier. Share your Dropbox folder with your scopist, then set Case Catalyst to save the Work Unit files to your Dropbox. You will never have to stop the proceedings to upload another file to your scopist again! Once your scopist completes the file, he/she can put the completed file in your Dropbox.
- Send jobs to your scopist in a snap. Even if you do not use Work Units, you can drop files for your scopist into Dropbox. Once the file is uploaded, your scopist will receive a pop-up notification that a file has been uploaded, and the file will automatically be downloaded to his/her computer.
- Sync wordlists, job dictionaries, and fill-in fields lists across an entire agency. Unlimited people can share your files on Dropbox. So synchronizing files between an entire agency, no matter how small or large, is a snap.
- Upload files directly to Dropbox. If you are on a computer that does not have the Dropbox client installed, you can still upload and download files from your Dropbox. Go to <u>www.getdropbox.com</u>, log in, and voila, you can view files in your Dropbox or upload new ones.

To share a folder on Dropbox:

- 1. Go to <u>www.getdropbox.com</u> and log in.
- 2. Click on **Share** at the top of the screen. Then move down and select the folder you wish to share.



3. Type invitee e-mail addresses in the **Share This Folder** section on the right side of the screen (under the **Members** section). Click the **Invite button** when completed.

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The invitee(s) will receive this e-mail from Dropbox with a link:

I shared some files with you using Dropbox — get them here:

https://www.getdropbox.com/link/17.Icvj3YcFWd?k =ab1234559601234abadasd

- (your name)

The invitee(s) **must** click on this link and create an account (if they do not already have one) to view and sync files. Once the invitee creates an account, he/she can download the desktop Dropbox client.

Candis Bradshaw is a contributing editor for the JCR. You can reach Candis at <u>candisbradshaw@gmail.com</u>.

anline





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Friday, October 9

Saturday, October 10

overlooking the resort. Cocktail Party and Barbeque by the pool with live entertainment followed by a reception in the Presidential Suite.

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Please contact the CCRA office for more information. (949) 715-4682 • www.cal-ccra.org • info@cal-ccra.org

### By Sandy Bunch VanderPol, CSR #3032

AB 5 (Evans [D]) Civil discovery: Electronic Discovery Act. Status: 03/04/2009-From committee: Do pass. To Consent Calendar. (March 3). Current Location: 03/04/2009-A CONSENT CALENDAR Calendar Events: 03/10/09 6 ASM CONSENT CALENDAR-SECOND LEGISLATIVE DAY ASSEMBLY MEASURES

> Summary: The Civil Discovery Act permits a party to a civil action to obtain discovery, as specified, by inspecting documents, tangible things, and land or other property in the possession of any other party to the action. Existing law requires the party to whom an inspection demand has been directed to respond separately to each item or category of item by any of certain responses, including a statement that the party will comply with the particular demand for inspection by the date set for inspection pursuant to a specified provision. This bill would establish procedures for a person to obtain discovery of electronically stored information, as defined, in addition to documents, tangible things, and land or other property, in the possession of any other party to the action. This bill would permit discovery by the means of copying, testing, or sampling, in addition to inspection, of documents, tangible things, land or other property, or electronically stored information. This bill contains other related provisions and other existing laws.

### AB 48 (Portantino [D]) Private postsecondary education: Dept. of Consumer Affairs Status: 03/03/2009-In committee: Set, first hearing. Hearing canceled at the request of author. Current Location: 02/05/2009-A HIGHER ED. Calendar Events: 03/31/09 1:30 p.m. – Room 437 ASM HIGHER EDUCATION

Summary: This bill would express the intent of the Legislature to enact legislation to establish a Bureau for Private Postsecondary Education and to encourage the Department of Consumer Affairs to receive and respond to student complaints and provide information to students and prospective students private of postsecondary educational institutions, until a Bureau for Postsecondary Private Education is established. The bill would continue the existence of the Private Postsecondary and Vocational Education Administration Fund under the administration of the Department of Consumer Affairs and would appropriate \$1,000,000 from that fund to the department for the above purposes.

# <u>AB 170</u> (Mendoza [D]) Court reporters: rough draft transcript.

Status: 03/04/2009-Referred to Com. on JUD.

Current Location: 03/04/2009-A JUD. Calendar Events: 03/17/09 9 a.m. – Room 4202 ASM JUDICIARY

Summary: Existing law provides that the report of the official reporter or official reporter pro tempore of any court, as specified, when transcribed and certified as being a correct transcript of the testimony and proceedings in a case, is prima facie evidence of that testimony and proceedings. Existing law specifically provides that the report, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. Existing law also provides that the rough draft transcript may not be cited or used to rebut or contradict the official certified transcript and that the production of a rough draft transcript shall not be required. This bill would provide, until January 1, 2017, that the instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, distributed, or

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transcribed as the official certified transcript of the proceedings. The bill also would prohibit the citation or use of the instant visual display of the testimony or proceedings, or both, to rebut or contradict the official certified transcript of the proceedings.

AB 176 (Silva [R]) Maintenance of the codes. Status: 03/04/2009-Referred to Com. on JUD Current Location: 03/04/2009-A JUD. Calendar Events: 03/17/09 9 a.m. – Room 4202 ASM JUDICIARY

**Summary:** This bill would provide for minor changes to Business & Professions Code Section 8027, as relates to court reporting schools, among other things. This bill is proposed by the Law Revision Commission.

### <u>AB 250</u> (Miller [R]) Criminal procedure: trials: timing.

**Status:** 03/04/2009-Referred to Com. on PUB. S. Deadline pursuant to Rule 61(b)(17). (Last location was DESK on 08/07/2008)

Current Location: 03/04/2009-A PUB. S.

**Summary:** Existing law requires that a defendant be brought to trial within 60 days of arraignment in a felony case, as specified. Under existing law, the case must be dismissed if the defendant did not waive that time limit or consent to an extension of time, as specified, and the case is not brought to trial within the time limit. Under existing law, the defendant may withdraw his or her waiver of time and then the case is required to be brought to trial within 60 days of the withdrawal of the waiver. This bill would require the withdrawal of the waiver to be done in open court, as specified.

### AB 484 (Eng [D]) Franchise Tax Board: professional or occupational licenses. Status: 02/25/2009-From printer. May be heard in committee March 27. Current Location: 02/24/2009-A PRINT

Summary: The bill would require the Franchise Tax Board, if an individual licensee fails to pay taxes for which a notice of state tax lien has been recorded, as specified, to send a preliminary notice of suspension to the licensee (including a CSR licensee). The bill would provide that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended, except as specified, would require the Franchise Tax Board to mail a notice of suspension to the applicable state governmental licensing entity and to the licensee, and would provide that the suspension be canceled upon compliance with the tax obligation. The bill would require the Franchise Tax Board to meet certain requirements and would make related changes. The bill would make implementation of its provisions contingent upon appropriation of funds for that purpose in the annual Budget Act.

### AB 996 (Anderson [R]) Courts: continuous hours of operation. Status: 03/02/2009-Read first time. Current Location: 02/27/2009-A PRINT

**Summary:** Existing law requires all offices of every state agency to be kept open for the transaction of business from 8 a.m. until 5 p.m. of each day from Monday to Friday, inclusive, other than legal holidays, but provides that any state agency or division, or branch or office thereof, may be kept open for the transaction of business on other hours and on other days. This bill would authorize the Chief Justice of the Supreme Court, the presiding justice of a court of appeal, or

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the presiding judge of a superior court to order the court to operate on a continuous and ongoing basis, 24 hours per day, 7 days per week.

### AB 1040 (Strickland, Audra [R]) Appeals: notice: class action settlements. Status: 03/02/2009-Read first time. Current Location: 02/27/2009-A PRINT

**Summary:** Existing law provides that an appeal is to the court of appeal, other than in a limited civil case, and specifies certain judgments and orders from which an appeal may be taken. This bill would require the appellant, upon filing a notice of appeal, to state if the appeal is from a lower court's approval of a class action settlement. If so, then the appeal shall be entitled to expedited briefing and preference in setting the date for oral argument within 120 days after the notice of appeal has been filed.

### <u>AB 1168</u> (Carter [D]) Professions and vocations. Status: 03/02/2009-Read first time. Current Location: 02/27/2009-A PRINT

**Summary:** Existing law provides for the licensure and regulation of various professions and vocations by boards and bureaus within the Department of Consumer Affairs, and places the department under the control of the Director of Consumer Affairs. Existing law authorizes the director to request specified reports from these boards. This bill would make nonsubstantive, technical changes to that provision. (Could be a spot bill — watch)

### AB 1338 (Anderson [R]) Arraignment courts. Status: 03/02/2009-Read first time. Current Location: 02/27/2009-A PRINT

Summary: Existing law provides, when a criminal complaint is filed, for the arraignment of the defendant on those charges before the court in which the complaint is filed, as specified. This bill would authorize the presiding judge of the superior court, or a judge designated by the presiding judge, together with the district attorney and the public defender, to establish and conduct an arraignment court program. The bill would authorize the presiding judge of the superior court to establish extended hours for the operation of an arraignment court program, and would require the proceeds of any pecuniary orders issued during those extended hours to be distributed by the court among the participating prosecutorial. defense. probation, and arresting agencies.

### AB 1461 (Ruskin [D]) Shorthand reporting. Status: 03/02/2009-Read first time. Current Location: 02/27/2009-A PRINT

Summary: Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California and makes a violation of these provisions a crime. Existing law prohibits a shorthand reporting corporation, as defined, from doing or failing to do any act that constitutes unprofessional conduct under any statute, rule or regulation pertaining to shorthand reporters or shorthand reporting. This bill would additionally prohibit a firm, partnership, sole proprietorship, or other business entity providing or arranging for shorthand reporting services from doing or failing to do any act that constitutes unprofessional conduct under any statute, rule or regulation pertaining to shorthand

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reporters or shorthand reporting. By expanding the scope of a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

### <u>SB 377</u> (Corbett [D]) Courts: judgeships. Status: 02/27/2009-From print. May be acted upon on or after March 28. Current Location: 02/26/2009-S PRINT

**Summary:** Existing law specifies the number of judges for the superior court of each county and for each division of each district of the court of appeal. This bill would, upon the Legislature's appropriation in the Budget Act of moneys expressly identified for the purpose of initially funding the costs of additional new judges, authorize 50 additional judges, to be allocated to the various superior courts pursuant to uniform criteria approved by the Judicial Council.

### <u>SB 544</u> (Committee on Judiciary ) Civil law: omnibus bill. Status: 03/02/2009-Read first time.

Current Location: 02/27/2009-S PRINT

**Summary:** Existing law, the Civil Code, is composed of 4 divisions relating to persons, property, obligations, and general provisions relating to persons, property, and obligations. This bill would declare the intent of the Legislature to enact technical and noncontroversial statutory changes relating to civil law..

### <u>SB 638</u> (Negrete McLeod [D]) Regulatory boards: operations. Status: 03/02/2009-Read first time. Current Location: 02/27/2009-S PRINT

Summary: Existing law creates various regulatory boards, as defined, within the Department of Consumer Affairs, with board members serving specified terms of office. Existing law generally makes the regulatory boards inoperative and repealed on specified dates, unless those dates are deleted or extended by subsequent legislation, and subjects these boards that are scheduled to become inoperative and repealed as well as other boards in state government, as specified, to review by the Joint Committee on Boards, Commissions, and Consumer Protection. Under existing law, that committee, following a specified procedure, recommends whether the board should be continued or its functions modified. The bill would authorize the appropriate policy committees of the Legislature to review the boards, bureaus, or entities (including the Court Reporters Board) that are scheduled to have their board membership or bureau chief so terminated or reviewed, as specified, and would authorize the appropriate policy committees of the Legislature to investigate their operations and to hold specified public hearings. The bill would require a board, bureau, or entity, if their annual report contains certain information, to post it on its Internet Web site. The bill would make other conforming changes.

For information concerning this report or the information contained herein, you may contact California Court Reporters Association, Attn. Sandy Bunch VanderPol, CSR #3032, at 65 Enterprise, Aliso Viejo, California 92656, (949) 715-4682 or by e-mail at RealtimeCSR@calweb.com.



