

**Meet Pam Katros,  
New CCRA Board Member,  
District A**



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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

*By Lesia J. Mervin, CSR #4753, RMR, CRR  
CCRA President*



It's been my pleasure to serve as CCRA's president this year. Even when it was overwhelming at times, it was truly a pleasure. Sacrifices were made, but worth every minute of it. I can say that it has been the most stressful yet rewarding experience of my life. Of course, I could never have done it alone, and I'm very thankful for a board that gives their 100% support. I always knew I wasn't alone, and each one of them was only an e-mail away.

This year was particularly difficult at the start, when our executive manager, Sandy Virago, retired at the beginning of my tenure as president of CCRA. But our new executive management company, The Droz Group, worked diligently to get all the kinks worked out efficiently, and soon we were back to business as usual, and not a minute too soon. As soon as the transition was running smoothly, the budget crisis hit. I am very thankful we had The Droz Group behind us during this crisis. Their skills and leadership were a very valuable asset to CCRA during this time of crisis.

It's time to turn over the helm of CCRA to president-elect Sheri Turner Gray. I believe CCRA is in very capable hands with Sheri at the helm. Having Sheri as my right-hand man this year was a very important part of her training to take over the presidency, and Sheri has been a wonderful help to me during the whole year.

I can't pass up the opportunity to thank immediate past president Sandy Bunch VanderPol, who guided me all along the way this year. Her shoes were tough to fill, but it really helped knowing she was right by my side.

CCRA will remain vigilant in protecting our profession. I have just received notification that the Governor vetoed AB 2189, the mandatory continuing education bill, which was something I hoped would be implemented before I turned over the reins to Sheri. We will work with the Court Reporters Board this next year in working to get mandatory continuing education implemented.

It has been a tumultuous year for the profession. It's not our first, and I'm positive it won't be our last. The outlook for next year's state budget looks as bleak as this year's budget. California is not alone in the bleak economy. States all over the nation are experiencing similar budget crises. I expect more trouble brewing next year, but rest assured that CCRA has a team in place and ready to begin the battle anew when the time comes. Thanks to each and every one of you for your support this year!

The saying is that life is not measured by the number of breaths you take, but by the moments that take your breath away. This year has certainly been one of those moments for me. Thank you!

Signing off,



Lesia Mervin  
CCRA - President

# YOU CAN SHAPE THE FUTURE OF YOUR PROFESSION

Here's your chance to help lead the Association dedicated to advancing the court reporting and captioning professions.

NCRA's Nominating Committee is seeking reporting professionals to serve in leadership positions on its Board of Directors.

## THE BENEFITS TO YOU

- A role in advancing your profession
- Exposure to a new world of professional and personal contacts
- The chance to exchange ideas and perspectives with other innovative thinkers in the reporting community
- The chance to strengthen your professional résumé or curriculum vitae

## THE QUALIFICATIONS YOU BRING

- Demonstrated commitment to NCRA and the reporting community
- The ability to share your time and energy for the benefit of the profession
- Willingness to be accessible to the members
- The ability to weigh all sides of an issue objectively
- Experience with committee work

## WHO IS ELIGIBLE FOR ELECTIVE OFFICE

Article III, Section 9 (c) of the NCRA Constitution and Bylaws states, "Only Registered Members shall be eligible to hold an elective office of the Association."

## SERVICE AS AN OFFICER (EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS)

These positions, as a rule, are filled by those who have served or are currently serving on the NCRA Board. Since NCRA has a membership of 24,000 and a budget of nearly \$9 million, you can understand that service as a director is essential in order for the candidate to understand and fulfill the duties that come with such responsible positions.

## WHO MAY RECOMMEND CANDIDATES

Only voting members of NCRA may submit individuals for candidacy. These include Registered, Participating, Retired Lifetime, and Honorary Members who have been verbatim stenographic reporters.

When recommending yourself or another for a directorship, remember that some of the criteria the Nominating Committee looks for are:

- Dedication and commitment to the profession
- Good team player
- Excellent communications skills
- Outstanding reputation and character
- Strong leadership



Board service is uncompensated and requires significant time commitments. Most expenses involved in Board service are reimbursable.

Now's your chance! If you are interested in serving or know someone who would make a great Board member, submit the Declaration of Candidacy/Candidate Recommendation form today!

## THE ELECTION PROCESS

As provided in the Constitution and Bylaws, the Nominating Committee will meet at least 90 days prior to the August 2009 Washington, D.C. Convention to draw up a slate of nominees for the following offices of the Association to be elected at the Annual Members Business Meeting:

- President-Elect
- Vice President
- Secretary-Treasurer
- Three Directors (three-year terms)

## MEMBERS OF THE 2008-2009 NOMINATING COMMITTEE

Chair: Kathy DiLorenzo, RDR, CRR, CBC

Members: Dolores (Dee) Doubet, RPR  
Lillian Freiler, RMR  
Cassy Russell, RPR, CRR, CCP  
Christine Willette, RPR

Alternate: Mary Jones, RDR

**TERMS OF OFFICE**

No elected officer shall serve for more than one full term in the same office except the Secretary-Treasurer, who may serve for no more than three consecutive terms. Directors may only be re-elected if at least one year has elapsed since the end of their prior term.

**DIRECTORS WITH TERMS EXPIRING IN 2009**

William S. Greenley, RDR, Petaluma, Calif.  
Richard Greenspan, FAPR, RMR, CRR, Palm Beach Gardens, Fla.  
Teresa A. Kordick, FAPR, RDR, CRR, CBC, CCP, CRI, CPE, Des Moines, Iowa

Secretary-Treasurer R. Douglas Friend is eligible for renomination as Secretary-Treasurer during 2009-2010. All current Board members, including those directors whose terms expire in 2009, are eligible for election to higher office.

**DECLARE YOUR CANDIDACY OR RECOMMEND A CANDIDATE**

Take this opportunity to make a difference in the future of reporting. Declare your candidacy or send the names of your recommended candidates to Nominating Committee Chair Kathy DiLorenzo, RDR, CRR, CBC, c/o NCRA headquarters, postmarked no later than November 21, 2008.

Contact Laura Butler for further information at 800-272-6272.

**DECLARATION OF CANDIDACY/CANDIDATE RECOMMENDATION FORM**

To: Kathy DiLorenzo, RDR, CRR, CBC, Chair  
NCRA Nominating Committee  
8224 Old Courthouse Road  
Vienna, VA 22182-3808  
FAX 703-556-6291

Print or type your own name and address below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Membership ID No. \_\_\_\_\_



May the Nominating Committee contact you by phone if further information is needed?

Yes       No

Home \_\_\_\_\_ Office \_\_\_\_\_

I am declaring my candidacy for the office of \_\_\_\_\_

I am recommending the following individual for the office of \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Describe your qualifications to serve on the Board of Directors or explain why you support the recommended individual for service (attach additional pages as necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

Copies of this form or your own personal stationery may be used to submit additional recommendations. **Recommendations close November 21, 2008.**

*NCRA's 2008-2009 Board of Directors. Back row (l-r):  
Front row (l-r): Kathy DiLorenzo, Melanie Humphrey-Sonntag, Karen Yates, SueLynn Morgan, Doug Friend.  
Second row (l-r): Adam Miller, Rick Greenspan, Kimi George, Teresa Kordick, Shirley Ann Hall, Tammie Shedd, Tami Smith, Judy Lehman, Bill Greenley, Mark Golden.*

## Shop at the CCRA Store!



Mini Mouse = \$25



Paper Holder = \$5



Travel Mug = \$15



Keychain = \$25



Highlighter = \$4



Mouse Pad = \$15



Wall Clock = \$20



Freelance & Official  
Compendiums = \$25



Sunshade = \$15

## 2007/08 CCRA Officers

### Officers

**President**  
Lesia Mervin

**Vice President  
Officials**  
Jim Partridge

**President-Elect/  
Vice President Freelance**  
Sheri Turner

**Secretary-Treasurer**  
Carolyn Dasher

### Board of Directors

**District A**  
Tom Pringle  
Tel: (530) 225-5447  
tepredding@aol.com

**District D**  
Natie Alvarado  
Tel: (626) 938-0042  
alvaradocr@aol.com

**District B**  
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Tel: (510) 451-1580  
kroemer@aikenwelch.com

**District E - (At Large)**  
Judith Gillespie  
Tel: (951) 682-5686  
grdm@earthlink.net

**District C**  
Doreen Perkins  
Tel: (559) 488-1949  
cortrepr1@aol.com

**District F - (At Large)**  
Lynden J. Glover  
Tel: (714) 542-6500  
lynden@lyndenj.com

### Committees and Chairpersons

**Bylaws**  
Arnella Sims

**NCRA Testing**  
Doreen Perkins

**CCRA Online**  
Connie Parchman

**Nominating**  
Sandy Bunch VanderPol

**Continuing Education**  
Carolyn Dasher

**PACCRA**  
Jim Partridge

**Depo Advisory**  
Kelly Roemer – chair  
Sheri Turner – co-chair

**Public Relations**  
Sheri Turner

**Finance**  
Lynden Glover

**Support  
Our Students**  
Judith Gillespie

**Judicial Procedures**  
Tom Pringle

**Technology**  
Sandy Bunch VanderPol  
LeighAnn Orozco

**Legislative Advisory**  
Sandy Bunch VanderPol

**Visionary**  
Tom Pringle

**Past Presidents**  
Sandy Bunch VanderPol

## The Gadget Guy

*Eric Johnson, CSR, RPR*

*Owner of Depobook Court Reporting Services and Depobook Court Reporting Products, located in Modesto, California*

I use a TON of really cool software that does marvelous and useful things. I have some very cheap and some very expensive graphic, video, and audio editing software that I use almost daily. Some of the best software that I use is even totally free.

One really handy piece of software that I use often is Camtasia ([techsmith.com](http://techsmith.com) — around \$300), which allows me to create, edit, and produce videos of what is happening on my computer screen as I talk and move the cursor. I can create short video tutorials for clients on how to use an e-Transcript or give a Livenote demonstration which can then be posted to my site for the client to view. This software is a little expensive for the casual nongEEK, and typically works best when you can host your own server files, etc.

The reason I mention this company and their great software is because they are currently offering some very sophisticated, easy-to-use software that is FREE to use. Their project site can be found at [www.JingProject.com](http://www.JingProject.com). You can download the Jing application and be up and running, doing static image “screen captures” or full motion and sound video captures right from your computer, that will then upload seamlessly to their advanced hosting site (also FREE for now) at [www.screencast.com](http://www.screencast.com).



So what good is software like this to the average freelancer, official, proofreader, or scopist? Well, let's say you've had a terrible time creating a particular macro, or your software keeps acting funny when you try to spell check onomatopoeia. You may just want to demonstrate for a colleague or client some new technique or service that you've implemented. Now you can recreate those scenarios with the software running, recording all that you do and say, and quickly upload that to your ScreenCast account for a software tech or client to see. The possibilities really are endless. I would give the Jing Project two big thumbs up.

Have a question or product suggestion?  
Email me at [eric@depobook.com](mailto:eric@depobook.com)



## The CR Board Needs Your Help!

The CR Board is looking for newly licensed CSRs to participate in the Passing Score workshop scheduled for Friday, October 24, 2008, and Saturday, October 25, 2008, in Sacramento.

Participants must hold a current CSR license in good standing, currently working in the profession, and have no more than five (5) years' experience.

All participants receive \$150 per day (reimbursed) to cover meals and incidentals. Airline and hotel, reimbursed at the state rate, are covered for those outside of the Sacramento area. We provide airline tickets up front. The remaining expenses are paid for by the volunteer and reimbursed by the Board with a voucher/travel form. Due to the full-day schedule, it has been standard practice to arrive the night before the first day of the workshop. Training specific to the subject of the workshop is provided at each event.

If you are interested in participating, please contact Kim Kale at (877) 327-5272.

Additional information can be found on the following link.  
<http://www.courtreportersboard.ca.gov/applicants/passscores.shtml>



HELP!

# California State Budget Update: What Happened?

*By the CCRA Legislative Committee*

California is one of only three states that requires 2/3 legislative approval to pass a budget. This let a handful of legislators control negotiations and our futures, not to mention the small number of Budget Conference Committee members deciding the fate of court reporters in the state.

New judgeship appointments may be further delayed, impacting the number of reporter employees needed, and impacting the workload of the courts.

According to union representatives, by not finding real revenues and enacting spending caps, legislators created an annual crisis in services, creating yearly revenue instability in our local government that could mean layoffs, hiring freezes, and increased workload.

## What's next?

As court reporters, we will have much work to do this year and next year:

- There is a high likelihood that we will have to fight off digital recording proposals on two fronts: a regular bill in the legislature and, once again, a dangerous attempt through the budget process, where we barely claimed a victory this year BY ONLY ONE VOTE!
- Each local court needs to start planning now for local contract negotiations and what impact the budget crisis will have on individual contracts.
- The state budget will again be in disarray next year, which will have an impact on all of the above.

**One person cannot do all this alone.  
Your CCRA Board cannot do all this alone.**

That's why many officials belong to a union. But the union is YOU. We need every court reporter,

freelance and official, tuned in, educated, and ready to help win these upcoming battles. You will have many opportunities to get involved.

- **October 10-12 — CCRA Annual Convention in Las Vegas.** Educate yourself with the many seminars planned to tell you what you can do to help next year. Learn what you can do to help us lobby legislators and why it's necessary. Officials will "talk it out" and discuss what's going on at the local level.
- **October 13 — Legislative Council meeting, Las Vegas.** Bring your legislative proposals to the meeting and help CCRA determine what legislation can be put forth to the legislature to ensure the court reporting profession remains a viable means of making the record in California.
- **Be informed.** Immediately read all important update information disseminated from CCRA through Cal-e-grams and the CCRA Online news magazine. Check the CCRA Web site often for important information.
- **Be part of the Action Team**, the grassroots team of reporters "working in the trenches," disseminating information in a fast and efficient manner.
- **Tell CCRA** what's happening in your local courts.
- **Attend local and statewide meetings** held throughout the year.
- **Knowledge is power.** Know what's happening.
- **Encourage your colleagues to join CCRA.** CCRA can't do this without YOU.

**CCRA is counting on you!**

**The reporting profession is counting on YOU!**

**Be a part of the solution.**



## Meet Bob Killion, VP Freelance

*By Bob Killion*



**Bob Killion and  
Misty May,  
Olympic Volleyball  
Gold Medalist**

I've been a reporter for 44 years, 24 of which were in Los Angeles split between federal court and freelance. My wife, who is also my partner, and I owned Killion Court Reporters in Los Angeles. We moved to Eureka, California and opened a deposition agency. We sold the L.A. office to LegalLink in 1997, and have been living and working in northern California since 1988. I am an RPR, RMR, and TDOTBDT (Too Damned Old To Be Doing This). I'm still reporting, but now I work for my former partner (still my wife). I play golf as often as I can, about three times a week, and do some fishing.

My goal is to retire and still be alive.



## Meet Pam Katros, New CCRA Board Member, District A

*By Pam Katros, CCRA Board Member, District A*

I started court reporting school a little later than most, the age of 30, after working at Pacific Bell for ten years. I began Argonaut Court Reporting School in 1987, graduated in May of 1991, and passed the November 1991 test. Started working as a reporter in February of 1992. Did some depositions and pro tem work up in Auburn, Placer County, and got hired on by them as a contract employee reporting family law and juvenile court. I became an official in 1994 and have been there ever since.

I am now the senior court reporter for Placer County assigned to a trial department. I have actually reported several of our high-profile cases, and I just made the move from the historic courthouse in Auburn to the Santucci Justice Center in Roseville, a beautiful new facility. We can finally hear!!!!

I have been a member of NCRA, CCRA, and NCCRA since I was a student, and have enjoyed my membership, especially in the local and state associations. I was the legislative representative for NCCRA for two years and enjoyed seeing how the process worked, and especially meeting all the leaders of the association and seeing how much time and energy everyone puts in to this profession and association.

I've spent the last eight years or so sponsoring my niece in gymnastics and volunteering to help pay for her endeavors, so I haven't been as involved with CCRA as I would have liked; however, her gymnastics career is over, and my responsibilities there are done, so I decided to get involved again with CCRA and volunteer my time for this great association. I am looking forward to my tenure on the Board and working with our new president.

In my spare time, I play golf. I am a member of the Executive Women's Golf Association and I am trying to improve my game and lower my handicap. I am also a season ticket holder for the Sacramento Monarchs, and really enjoy watching women's basketball.

I also have a new puppy, Rascal, aka Devil Dog, to go along with my old gal Lucky, so I spend lots of time trying to train him, taking them on walks and to the dog park.

I live with my two four-legged kids in Fair Oaks and my long-time friend, Shelley. I look forward to serving as the District A Director.



# Minimum Transcript Format Frequently Asked Questions



**COURT REPORTERS BOARD OF CALIFORNIA**  
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS  
2535 CAPITOL OAKS DRIVE, SUITE 230  
SACRAMENTO, CA 95833  
PHONE: (916) 263-3660 • FAX: (916) 263-3664  
INTERNET: [www.courtreportersboard.ca.gov](http://www.courtreportersboard.ca.gov)



The CRB has continued to receive questions on when the Minimum Transcript Format (MTF) applies. The key to most of the answers to MTF questions goes back to the necessity for using what California has set out as a minimum format UNLESS the jurisdiction where the matter being reported is venued has its own mandated format. With that in mind, here are some of the more recent questions and Board responses:

**Q1. Does the CA CRB have the legal authority to discipline a CA CSR for NOT following another jurisdiction's format?**

*Answer:* Yes. Under 16 CCR, section 2473, the reporter must use the Minimum Transcript Format (MTF) standards set out in that section UNLESS he or she is employed by a court as an official reporter or as a pro tempore official reporter in a jurisdiction which has adopted its own MTF. In all other legal proceedings, the MTF found in section 2473 rules.

**Q2. Is the legal authority to enforce another jurisdiction's format held by that other jurisdiction's CRB or reporter supervising entity?**

*Answer:* The CRB has jurisdiction to enforce all California laws and regulations related to the practice of certified shorthand reporting. For example, if under 16 CCR, section 2473, a CSR is required to use the MTF of another jurisdiction, and does not, the California CRB, as well as the enforcing authorities in that other jurisdiction, would both have jurisdiction to discipline the licensee.

**Q3. Would the CRB discipline a CA licensed freelance reporter if a transcript format complaint is received from another jurisdiction's CRB or reporter supervising entity?**

*Answer:* It depends. The CRB has the authority and jurisdiction to investigate complaints from any source which allege violations of California laws and regulations. Discipline is one of several possible outcomes after a complaint is investigated.

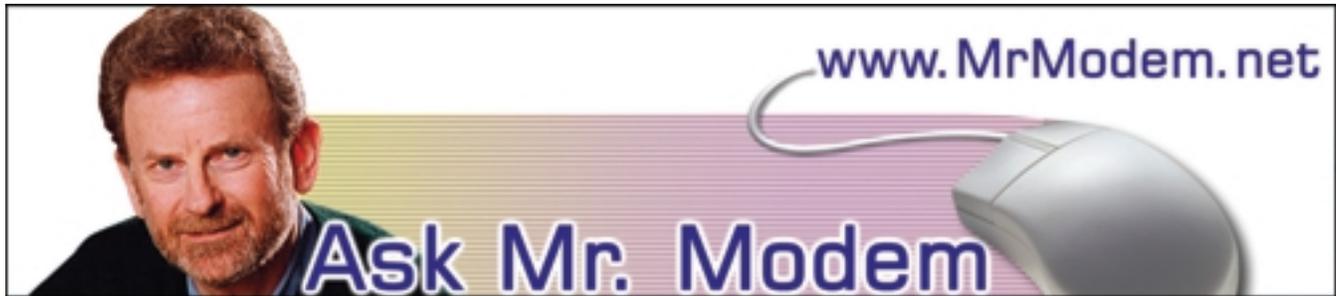
**Q4. If a California freelance CSR reports a deposition that is venued in federal court, is that considered another jurisdiction under Title 16, Section 2473?**

*Answer:* Yes. Under 16 CCR, section 2473, the federal courts are considered another jurisdiction. If that court has its own MTF, a California CSR uses those standards from that jurisdiction.

**Q5. If a CA freelance CSR uses the CA MTFs for a federal court deposition instead of the federal court format and a complaint was made to the CA CRB, would the CA CRB discipline the licensee?**

*Answer:* The licensee would be subject to discipline for violation of 16 CCR, section 2473. See Q3 response above.





### Create Fill-In Forms with MS Word

**Q.** I do volunteer work and have to fill out lots of paper forms. Using Word, I tried to create a fill-in-the-blanks type of form, but when I try to type new data into my blank form, the lettering in each field moves to the right. How can I get the form to stay in place so I can just add my new data to each field?

**A.** With your Word document open, look at the bottom of your screen to the narrow status bar. This status bar tells you what page you are on, how many pages there are in the document, etc.

Near the middle of the status bar there is a small section with the letters REC TRK EXT OVR, which usually appear faint or “grayed out.” “OVR” stands for “overwrite,” which is a mode that will replace existing text, as you type, instead of having your new text shove existing text to the right. You want to be in OVR mode when entering your new data into the form you created. There are three ways to enable the Overwrite function: You can double-click the grayed out “OVR” box, which will cause the letters to become dark, indicating it is enabled. Double-click it again to disable it.

As an alternative, press the “INSert” key on your keyboard, usually located near the “DELeTe” key. Press the INSert key a second time to toggle the Overwrite function off.

Lastly, from the main Word toolbar, click Tools > Options > Edit tab. In the Editing Options section, click to clear the “Overtyping mode” check box. Click OK to save your changes.

**Q.** I’ve read a lot about computer viruses, worms and Trojans. Are they all the same thing and if not, what differences are there between the three? Thanks, Mr. M.

**A.** Besides the spelling (insert rimshot here), a computer virus is a potentially damaging program that can destroy data or alter the way a computer performs. Once a virus takes up residence, it can spread throughout a system, infecting other files and potentially damaging the operating system itself.

A worm is a program that repeatedly copies itself and while similar to a virus, the primary difference is that a virus uses an executable file to spread. A worm is a self-replicating file and typically sends (via email) copies of itself to other computers and gobbles up a lot of bandwidth in the process, not to mention infecting many other systems.

A Trojan horse is a program that hides within another program. Though it looks like a legitimate program, its purpose is to trick a user into launching it, which will then infect the computer. A specific action usually triggers a Trojan horse, but unlike viruses and worms, Trojan horses do not replicate or copy themselves.

**Q.** Whenever I insert any sort of device (flash drive, back-up device, or CD) into my notebook computer, a box pops up stating, “Windows can perform the same action each time you insert a disk or connect a device of this kind.” Is there a way to turn off this feature?

**A.** Go to My Computer, right-click the device’s icon (flash drive, back-up device, etc.), select Properties > AutoPlay tab. You’ll see where you

*continued on Page 13*

(continued from Page 12)

can select the default action to perform in whatever manner you prefer. For example, if it's a CD, you'll probably want to select "Play".

After making your selection, look at the bottom of the Properties window and you'll see a check box for "Prompt me each time to choose an action." Remove the check mark, then click Apply > OK, restart your computer, and you'll be all set.

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

### Cute Core

Unbelievably cute things, including lots of pictures of fuzzy animals, mostly rabbits, kittens and puppies. Awwwwwww.... [www.cutecore.com](http://www.cutecore.com)

### TelePixie

A free service that provides wake-up calls, reminders, stock and weather alerts, and just about anything else you could possibly want, including a Joke-of-the-Day. Because the service is free, each call you receive will be

accompanied by a "short ad." If your idea of a perfect morning includes being awakened by a ringing phone and listening to an advertisement, then you won't want to miss this service. [www.telepixie.com](http://www.telepixie.com)

### Vector Ball

If you're seeking a three-dimensional cerebral exerciser — and who isn't — you won't want to miss Vector Ball, also known as CurveBall. Created by Cognitive Labs for Mind, Body, and Cognition, use your mouse pointer as a paddle and left-click to serve the ball. I got a nosebleed within the first 30 seconds, took a Dramamine after a minute, and paramedics were on scene shortly thereafter. Press "Replay" to play again, and again, and again.

<http://tinyurl.com/y769rz>

Mr. Modem's weekly newsletter delivers helpful computer tips, great Web sites and his personal answers to your questions! Trial offer: Subscribe online using Promo Code MODEM and receive one free month with your six-month subscription (28 issues!) To view a sample issue or subscribe, visit [www.MrModem.com](http://www.MrModem.com)





## PHILIP L. LIBERATORE, CPA

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"We have saved hundreds of court reporters thousands of dollars and we'll give you the same friendly, professional service"



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# From the Desk of David Brown, Court Reporters Board Executive Director

*By David E. Brown, Executive Officer  
Court Reporters Board of California*

September 25, 2008

Although we now have a state budget, please be aware that the Governor's Executive Order S-09-08, link attached, is still in effect. This order calls for the cancellation of all personal services contracts, i.e, the use of certified shorthand reporters through the Department of General Services, Master Services Agreement. What does this mean to you?

If you or your membership has these contracts, all work has stopped and, according to recent news releases, contracts may be stalled the remainder of this fiscal year (ending June 2009) to provide continued savings to the current budget.

The state Office of Administrative Hearings, the body that tries disciplinary cases for California occupational licensees, has not asked for an exemption to this Executive Order and has, instead, asked its licensee organization's permission to use tape recordings versus a live reporter to record these hearings. Since this venue does not mandate the use of a CSR, I suspect most organizations will proceed with recordings to continue with a timely disciplinary hearing process.

The CRB has requested an exemption to hire reporters for our hearings scheduled at OAH for this fiscal year. We will know in the next couple of weeks the position of Agency/Governor's office on this exemption request.

Stay tuned.

Governor's Executive Order S-09-08  
<http://www.gov.ca.gov/executive-order/10606/>

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# The Words *Too* and *Also*

By Margie Wakeman-Wells

The words *too* and *also* generally do not need commas with the exception of *also* at the beginning of the sentence.

## At the end of the sentence

Historically *too* and *also* had commas before them at the end of the sentence. Since the words are just plain adverbs, there was never a need to use those commas, and they have been dropped.

I went with him too.  
She needed another copy of it also.

## In the middle of the sentence

In the middle of the sentence, they are simple adverbs, and there is still no need for commas.

He too needed the exam.  
The contract also needs to be read.

## At the beginning of the sentence

Though *too* would rarely be used at the beginning of a sentence, if it were, it would not take a comma after it.

*Also*, on the other hand, when it occurs at the beginning of a sentence, is a conjunctive adverb of more than one syllable and needs a comma.

Also, we will take a look at his health.



The advertisement features two side-by-side screenshots of software interfaces. The left screenshot is for 'TurboCAT' and includes buttons for 'Job Menu', 'Realtime', 'Utility Menu', '[F10] Exit', 'Dictionary Menu', 'Litigation Support', 'CAPticator Online', and '? [F1] Help!'. The right screenshot is for 'SmartCAT' and includes buttons for 'Job Menu', 'Realtime', 'Files in Work Directory', 'Help!', 'Dictionary', 'Import Notes', 'Style Sheet', and 'Quick Start Guide'. Below the screenshots is the text 'Why Gamble- Move to SmartCat' and '(Come see SmartCAT for Windows w/Bonus features... but only if you want to use them)'. At the bottom, there is the Cheetah International logo with a cheetah and globe, the website 'www.cheetahinternational.com', the phone number '1.877.333.2287', and the Windows logo.

## Can You Transcribe That in Spanish?

*By Roselin Mills, CSR, RMR, CRR*

Q. What did you tell him?

A. After reading him his rights?

Q. No, sir. What rights in Spanish did you read to him?

A. The Miranda waiver, sir.

MR. SMITH: Your Honor, I'm going to ask the witness to state on the record in Spanish the rights --

THE COURT: My reporter is not required to transcribe Spanish. She transcribes in English.

MR. SMITH: Well, your Honor, what I would then request, sir, is not that this witness testify in Spanish and have a direct record made, but that the Court provide a court interpreter so that the deputy may state in Spanish what was stated to my client.

THE COURT: Denied. He can testify what he told him.

BY MR. SMITH:

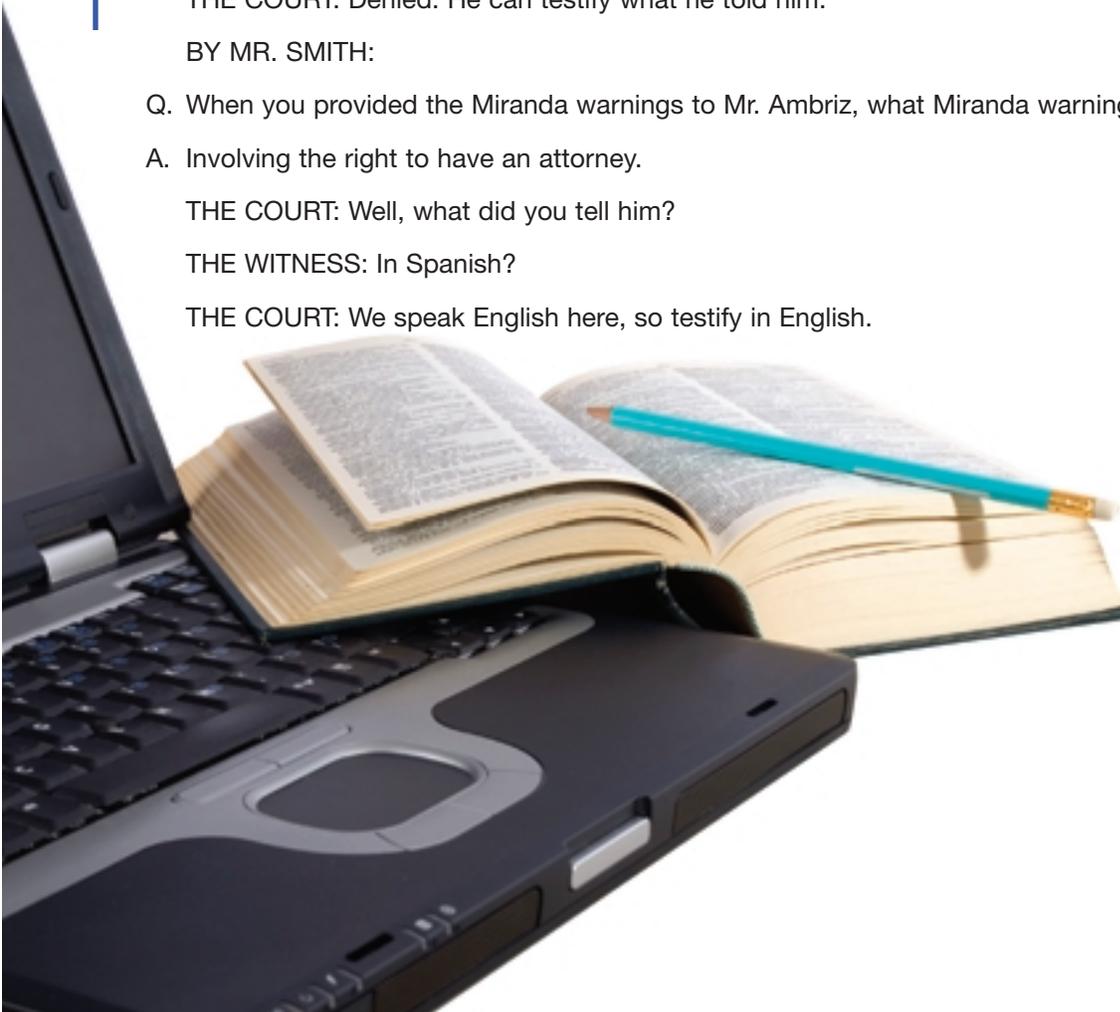
Q. When you provided the Miranda warnings to Mr. Ambriz, what Miranda warnings did you read?

A. Involving the right to have an attorney.

THE COURT: Well, what did you tell him?

THE WITNESS: In Spanish?

THE COURT: We speak English here, so testify in English.



# Vocabulary Building

1. impeach — **im·peach**  
Function: *vt*  
to bring an accusation against; to charge with a crime or misdemeanor; *specif* : to charge (a public official) before a competent tribunal with misconduct in office
2. incognito — **in·cog·ni·to**  
Function: *adv* or *adj*  
with one's identity concealed
3. incontrovertible — **in·con·tro·vert·ible**  
Function: *adj*  
not open to question; indisputable
4. inculcate — **in·cul·cate**  
Function: *vt*  
to teach and impress by frequent repetitions or admonitions
5. infrastructure — **in·fra·struc·ture**  
Function: *noun*  
the underlying foundation or basic framework (as of a system or organization)
6. interpolate — **in·ter·po·late**  
Function: *vb*  
to alter or corrupt (as a text) by inserting new or foreign matter
7. irony — **iro·ny**  
Function: *n*  
a pretense of ignorance and of willingness to learn from another assumed in order to make the other's false conceptions conspicuous by adroit questioning
8. jejune — **je·june**  
Function: *adj*  
lacking nutritive value
9. kinetic — **ki·net·ic**  
Function: *adj*  
of or relating to the motion of material bodies and the forces and energy associated therewith
10. kowtow — **'kow·tow**  
Function: *vi*  
to show obsequious deference
11. laissez faire — **lais·sez·faire**  
Function: *n*  
the doctrine that government should not interfere in commercial affairs
12. lexicon — **lex·i·con**  
Function: *n*  
language user's knowledge of words
13. loquacious — **lo·qua·cious**  
Function: *adj*  
full of excessive talk
14. lugubrious — **lu·gu·bri·ous**  
Function: *adj*  
mournful



# Legislation Update

By Sandy Bunch VanderPol, CSR #3032

## **AB 1569 (Mendoza [D] ) Court reporters: rough draft transcript.**

**Status:** 09/27/2008-Vetoed by Governor  
**Current Location:** 09/27/2008-A VETOED

**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, 2016, that the instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, or 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 1925 (Eng [D] ) Franchise Tax Board: professional or occupational licenses.**

**Status:** 08/31/2008-Failed  
Deadline pursuant to Rule 61(b)(17).  
(Last location was REV. & TAX on 07/03/2008)  
**Current Location:** 09/24/2008-S DEAD

**Summary:** This bill would require a state governmental licensing entity, as defined, including the Court Reporters Board, issuing professional or occupational licenses, certificates, registrations, or permits to provide to the Franchise Tax Board the name

and social security number or federal taxpayer identification number of each licensee of that entity. 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 applicable state governmental licensing entity and to the 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, and 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 cancelled upon compliance with the tax obligation. The bill would require the Franchise Tax Board to meet certain requirements with regard to such a suspension, and would make related changes. To prevent financial hardship, Section 19265 of the Revenue and Taxation Code, as added by this act, grants a delinquent taxpayer the opportunity for an additional hearing for financial hardship prior to the suspension of a professional or occupational license. The bill would make implementation of its provisions contingent upon appropriation of funds for that purpose in the annual Budget Act.

## **AB 2189 (Karnette [D] ) Shorthand reporters: continuing education requirements.**

**Status:** 09/28/2008-Vetoed by Governor  
**Current Location:** 09/28/2008-A VETOED

**Summary:** Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California in the Department of Consumer Affairs, and provides for the regulation of shorthand reporting schools by the board. Existing law provides for the renewal of a shorthand reporter's certificate if specified

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# Legislation Update

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requirements are met. This bill would require the board to establish, on or before July 1, 2009, minimum approved continuing education requirements for renewal of a shorthand reporter's certificate, with certain exceptions, and would require the board to establish a procedure for approving providers of continuing education courses, as specified.

**AB 2299 (Silva [R] ) Maintenance of the codes.**  
**Status:** 09/27/2008-Vetoed by Governor  
**Current Location:** 09/27/2008-A VETOED

**Summary:** Existing law establishes the California Law Revision Commission. Existing law authorizes the commission to recommend changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law and bring the law into harmony with modern conditions. This bill would make changes to the terms used to describe recording technology to effectuate the recommendations of the commission to CCP 2025.560 and B&P 8027. The bill would make additional technical, nonsubstantive changes.

**AB 2357 (Duvall [R] ) Courts: private information.**  
**Status:** 08/31/2008-Failed  
Deadline pursuant to Rule 61(b)(17).  
(Last location was DESK on 08/07/2008)  
**Current Location:** 09/24/2008-S DEAD

**Summary:** This bill would require the Judicial Council to develop and implement policies and procedures for the protection of personal information, as defined, maintained by a superior court and processed or stored by private service providers, consistent with the best interests of the public. The bill would require the council, as part of the process of developing these policies and procedures, to consider, among other things, the effect and advisability of prohibiting the outsourcing of data entry services outside the United States.

**AB 2448 (Feuer [D] ) Courts: access to justice.**  
**Status:** 09/27/2008-Chaptered by the Secretary of State, Chapter Number 462, Statutes of 2008  
**Current Location:** 09/27/2008-A CHAPTERED

**Summary:** This bill would, beginning July 1, 2009, revise and recast these provisions to provide, instead, that an initial fee waiver shall be granted by the court at any stage of the proceedings at both the appellate and trial court levels if an applicant meets specified standards of eligibility and application requirements. The bill would authorize the court to reconsider the initial fee waiver and to recover fees and costs that were waived under specified circumstances. Among other things, the bill would impose a lien in favor of the court against any settlement, compromise, award, or other recovery in excess of \$10,000 by a party in a civil case whose court fees and costs were initially waived in the amount of those waived fees and costs. The bill would require the Judicial Council to adopt rules and forms to establish uniform procedures to implement these provisions, and would require applicants for an initial fee waiver to complete application forms under penalty of perjury. (By the court being able to recover fees that were previously waived, it helps maintain the portion of the filing fees that are charged by the AOC to offset the court reporters in civil.)

**AB 2619 (Calderon, Charles [D] ) Civil actions and proceedings.**  
**Status:** 09/25/2008-Chaptered by the Secretary of State, Chapter Number 303, Statutes of 2008  
**Current Location:** 09/25/2008-A CHAPTERED

**Summary:** This bill would expand the actions or special proceedings that may be treated as limited civil cases by increasing

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# Legislation Update

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the limit on the amount in controversy to not exceed \$50,000. (2) Existing law sets forth numerous provisions governing discovery in civil actions and proceedings.

**SB 797 (Ridley-Thomas [D] ) Professions and vocations.**

**Status:** 06/23/2008-Chaptered by Secretary of State — Chapter No. 33, Statutes of 2008

**Current Location:** 06/23/2008-S CHAPTERED

**Summary:** Existing law authorizes the Court Reporters Board to, among other things, appoint an executive officer and employ other employees as may be necessary. These provisions will become inoperative on July 1, 2008, and be repealed on January 1, 2009. This bill would extend those dates, making the provisions inoperative on July 1, 2011, and repealing them on January 1, 2012. Other consumer boards are included in this bill.

**SB 823 (Perata [D] ) California Private Postsecondary Education Act of 2008.**

**Status:** 09/30/2008-Vetoed by the Governor

**Current Location:** 09/30/2008-S VETOED

**Summary:** The Private Postsecondary and Vocational Education Reform Act of 1989 generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, INCLUDING PRIVATE COURT REPORTING SCHOOLS, as defined. The act establishes in the Department of Consumer Affairs the Bureau for Private Postsecondary and Vocational Education, which, among other things, is required to review and investigate all institutions, programs, and courses of instruction

approved under the act. This bill would recast, revise, and reenact the provisions of the Private Postsecondary and Vocational Education Reform Act of 1989 as the California Private Postsecondary Education Act of 2007. The bill would establish the Board for Private Postsecondary Education in the Department of Consumer Affairs, and would provide that the board would generally succeed to the duties assigned to the bureau under the 1989 act. The bill would repeal the California Private Postsecondary Education Act of 2007 on January 1, 2015. This bill contains other related provisions and other existing laws.

**SB 963 (Ridley-Thomas [D] ) Department of Consumer Affairs: regulatory boards.**

**Status:** 09/27/2008-Chaptered by the Secretary of State, Chapter Number 385, Statutes of 2008

**Current Location:** 09/27/2008-S CHAPTERED

**Summary:** Under existing law, excess funds, as specified, generated by the initial certificate fee collected by the Court Reporters Board of California are used to provide shorthand reporting services for indigent persons, as defined, and are transferred from the Court Reporters' Fund into the Transcript Reimbursement Fund for expenditure for that purpose. Existing law provides that these provisions become inoperative on July 1, 2009, and are repealed on January 1, 2010. This bill would change the dates on which these provisions are to become inoperative and repealed to January 1, 2011. This bill also extends the sunseting of the Court Reporters Board to January 1, 2011.

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# Legislation Update

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**SB 1182 (Ackerman [R] ) Trial courts: restructuring.**

**Status:** 07/01/2008-Chaptered by Secretary of State - Chapter No. 56, Statutes of 2008

**Current Location:** 07/01/2008-S CHAPTERED

**Summary:** Existing law provides for the restructuring of the trial court system, including the abolition of municipal courts, the unification of those courts with superior courts, and state funding of trial courts. This bill would delete provisions that have become obsolete as a result of that trial court restructuring.

**SB 1407 (Perata [D] ) Court facilities: financing.**

**Status:** 09/26/2008-Chaptered by the Secretary of State, Chapter Number 311, Statutes of 2008

**Current Location:** 09/26/2008-S CHAPTERED

**Summary:** The Trial Court Facilities Act of 2002 establishes the State Court Facilities Construction Fund and provides that moneys in that fund may be used to acquire, rehabilitate, construct, or finance court facilities, as defined, and to implement trial court projects in designated counties, as specified. This bill would extend the purposes for which moneys in that fund may be used to include the planning, design, construction, rehabilitation, replacement, leasing, or acquisition of court facilities. The bill would establish the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, the proceeds of which would be used for the planning, design, construction, rehabilitation, renovation, replacement, or acquisition of court facilities, for the repayment of moneys appropriated for lease of court facilities pursuant to the issuance of lease-revenue

bonds, and for the payment for lease or rental of court facilities. The bill would require the Judicial Council to collect and make available information regarding moneys in the account, as specified, and to make recommendations to the Governor and the Legislature for projects based on its determination that the need for a project is most immediate and critical, as specified. The bill would authorize the Judicial Council to acquire sites for the replacement of deficient court facilities in four specified counties and would appropriate up to \$61,584,000 from the State Court Facilities Construction Fund to the Judicial Council for this purpose. The bill would require any moneys remaining in, or that would otherwise be payable into, the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, to be transferred to the Controller for deposit into the State Trial Court Operations Trust Fund, as established by this bill, upon the retirement of any bonded indebtedness that may be incurred in connection with immediate and critical trial court projects, the proceeds of which would be available upon appropriation by the Legislature only for trial court operations. This bill contains other related provisions and other existing laws.

**SB 1583 (Corbett [D] ) Employment: independent contractors.**

**Status:** 09/28/2008-Vetoed by Governor

**Current Location:** 09/28/2008-S VETOED

**Summary:** Existing law creates a rebuttable presumption that certain workers performing services for which a license is required are employees rather than independent contractors. This bill would provide that a person who, for money or other valuable consideration, knowingly advises an employer to treat an individual as an independent contractor to

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# Legislation Update

*(continued from Page 21)*

avoid employee status for the individual shall be jointly and severally liable with the employer if the individual is not found to be an independent contractor. This bill would exempt from the provisions regarding joint and several liability a person who provides advice to his or her employer or an attorney who provides legal advice in the course of practicing law.

## Governor Vetos AB 2189, Continuing Education Bill

To the Members of the California State Assembly:

I am returning Assembly Bill 2189 without my signature.

The proposed continuing education requirements in this bill impose an additional burden on the regulated profession without justifying a compelling need.

For this reason, I am unable to sign this bill.

Sincerely,  
Arnold Schwarzenegger

### AB 1569 — (Mendoza) Rough Draft Transcript Bill Vetoed

The Governor has vetoed the rough draft transcript bill that would have amended the Code of Civil Procedure to provide that the “instant visual display” of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. It would have prohibited 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.

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](mailto:RealtimeCSR@calweb.com).

