

# CCRA *online*

November 2006



California Court Reporters Association  
2006-2007 President

Sandy Bunch VanderPol, CSR, RMR, CRR

# FEATURES

- 3 **President's Page**
- 4 **PACCRA Walk/Run**
- 4 **CCRA Directors & Committee Chairs**
- 5 **Realtime Troubleshooting Scenarios**
- 5 **Toxins**
- 6 **National Court Reporters Association Nominations Sought**
- 8 **Briefs Online**
- 9 **Legislative Year in Review**
- 9 **The Incredible Three - Speed Contest Winners**
- 10 **CCRA'S "Synergize, Energize and Socialize" 2006 Convention**
- 10 **Depo Daze**
- 11 **Professional Standards of Practice**
- 12 **Student Mentoring  
– You Think it is to Benefit the Student?**
- 13 **(Audio)Sync or Swim**
- 14 **Audiosync – If You Use It, Don't Abuse It!**
- 14 **CCRA Legislative Proposal Activity  
as of October 23, 2006**
- 16 **Best-in-the-West Jailhouse Fundraiser**
- 17 **Cal-E-Licious**
- 18 **Computer Housekeeping**
- 19 **Reporters Reference**
- 21 **Classified Advertising**

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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, 2400 22nd Street, Suite 110, Sacramento, CA 95818 or call 916/443-5090. Advertising inquiries also should be directed to the Association office. Photographs accompanying articles should be RGB color JPEG files with a resolution no less than 120 ppi.

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#### **CCRA MISSION STATEMENT**

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

## Thanksgiving!

As the fall season deeply entrenches into our everyday activities, dark mornings, early sunsets, morning dew, maple trees changing color, and much more, we are reminded that one of our most important American holidays is fast approaching...Thanksgiving. As Americans, we can appreciate and be thankful for the true meaning of Thanksgiving!

Personally, I am thankful for the love of my family, my husband, two daughters, son-in-law, my eleven siblings and many nieces and nephews. I am truly blessed on a personal level, and I give thanks every day to the wonderful life I am blessed with.

Which brings me to the heart of my message...being thankful for what this profession brings to each and every one of us. We often forget about the basic foundation that our profession provides for us. As court reporters, there are many reasons to be thankful for our profession, and during this time of Thanksgiving, my favorite holiday of the year, I'd like to share a few of the reasons why I am thankful.

I am thankful for...

- the flexibility it provided me as a single mom;
- the income potential it provided me and my two girls as a single mom;
- the opportunity to be the owner of a business;

- the opportunity to work at home;
- the awesome responsibilities this profession provides as being the guardian of the record;
- the challenges and opportunities that technology has provided the profession;
- the many passionate court reporters I have met;
- the opportunity to serve my profession in association activities;
- the opportunity to mentor students;
- the opportunity to learn about the legislative process;
- the opportunity to work with learned counsel;

-the diversity of the profession: CART, captioning, hearing reporter, depo reporter, court reporter...and much more

I would encourage each of you during this time of Thanksgiving to take a moment and ponder in a positive way what your profession has done for you and your family.

From the bottom of my heart, I wish you a very happy Thanksgiving.



*Sandy Bunch  
VanderPol  
CSR, RMR, CRR*



*By Carlos Martinez, CSR, RPR, CCRA Secretary/  
Treasurer*

Dan Feldhaus shows his feet are as fast as his fingers.

In the wee early hours of October 7, 2006, a handful of brave and somewhat twisted souls arose after a late evening of convention activities to participate in the yearly 5k, give or take 1 or 2 k's, PACCRA Walk/Fun Run at CCRA's 96<sup>th</sup> annual convention in Santa Clara. This year's participants were treated to the sights of Paramount Great America's towering rollercoaster facilities and the tree-lined streets of Silicon Valley. The weather was perfect for running making it easy for all the participants to enjoy the annual event.



Dan Feldhaus won this year's event with Carlos Martinez coming in second and newly elected CCRA President Sandy VanderPol rounding out the top three.

The PACCRA Committee would like to thank all of those who participated and all of those who helped to make this even a success. We're looking forward to next year's event possibly being held in Palm Springs.



***"I'm a great believer in luck and I find the harder I work, the more I have of it."***

**- Thomas Jefferson**

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### Committees

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**Tom Pringle**

Legislative Advisory

**Carlos Martinez**

Membership

**Anne-Marie Cole**

NCRA Testing

**Carolyn Dasher**

Nominating

**Doreen Perkins**

PACCRA

**Jim Partridge**

Public Relations/Support Our Students

**Gerie Bunch**

Technology

**Lesia Mervin**

## Realtime Troubleshooting Scenarios

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

I have already shared three realtime troubleshooting scenarios with you, now for the fourth. This particular scenario can happen at both the reporter's computer on input and output and in the attorney's/judge's receive computer. I will focus for this troubleshooting scenario on the attorney's computer.

Occasionally, less often now than before, you will get the error message on the attorney's computer for "Com Port Not Available." Simply put, the software setting in the attorney's or judge's computer is not set to the correct com port. If the receive computer has a 9-pin connector, a serial port, the setting for the com port is usually 1, 2 or 3.

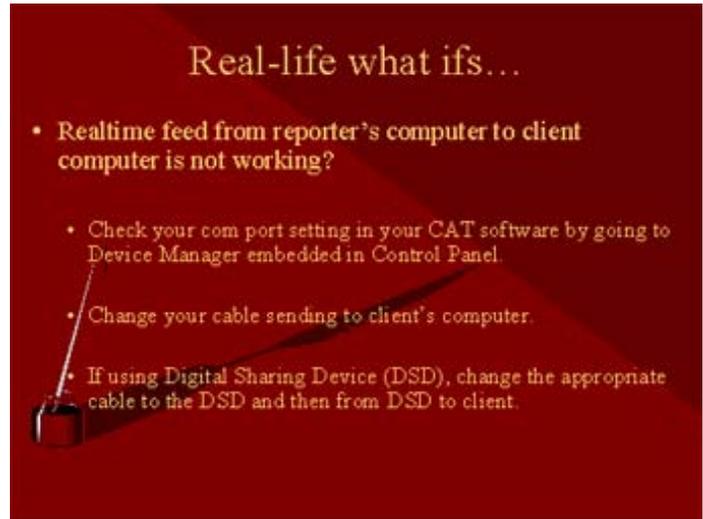
To correct the problem of "Com Port Not Available," you can change the com port on the realtime receive end, the client's computer, by guessing whether the correct com port is 1, then 2, then 3, and so on. You can do this in the software that is used by your client.

I would suggest going to Device Manager, which is outside the receive software program, and in your Windows Operating System. You can get to the Device Manager any number of ways. One such way is to click on "Start," then "Control Panel," then "System," then "Hardware," then "Device Manager." This will finally bring you to the screen that lists your com ports and what device is connected to each com port available.

## Toxins

By Carolyn Dasher, CSR, RPR, CCRA Director

We may think toxins are in the air as smog or in processed food as "natural flavorings," but as Reporters, we take in toxic words and/or emotions from the cases we hear. Whether you're listening to a hair follicle expert on a murder case or absorbing the energy of civil lawyers arguing over monetary amounts, you are absorbing their negativity. We have to stay centered in ourselves and our spiritual nature to protect ourselves from the toxins, or negative energy, that we work in. One way to do that is to eat healthy. If we keep our bodies strong, we won't allow the toxic words to penetrate us, making us easy targets for colds and other ailments. Another way is to stay hydrated. I don't mean coffee or tea; I mean water, plain and simple. Our bodies are comprised of fluid and it makes sense that we flush our systems with plenty of water. If we stay centered and healthy, we will be more productive and cheerful at work!



At this point you will click on the box with the plus sign in it next to "Com," which then lists the serial port number. After verifying the com port that the serial cable is connected into on the receive computer, simply change the com port setting within the realtime receive software program on the attorney's/judge's computer, and your client is ready to receive the realtime feed.

If the realtime is not being received by the client's computer, check your cables!



## From the Court Reporters Board... A Invitation to Bid for Court Reporting Services

The state Department of General Services has an advertisement for a state contract for court reporting services on the following website: [http://www.cscr.dgs.ca.gov/cscr/contract\\_ads/display/contract\\_ad\\_detail.asp?GUID=](http://www.cscr.dgs.ca.gov/cscr/contract_ads/display/contract_ad_detail.asp?GUID=)

Click on "Miscellaneous" and go to "Secretarial Services/Court Reporting/Transcribing/Proofreading/Telephone Answer" for the details.



## 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 themselves or another individual for candidacy. These include Registered, Participating, Retired Lifetime, and Honorary Members who have been verbatim stenographic reporters.

### DEADLINE FOR SUBMISSIONS:

NOVEMBER 17, 2006

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 2007 Dallas 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)

# National Court Reporters Association Nominations Sought

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 2007 are:

- Jerry L. (Will) Callaway, RDR, CRR, CPE, Dallas, Texas
- R. Douglas Friend, RMR, CRR, Portland, Ore.
- Tami Smith, RPR, CPE, Lansing, Mich.

Secretary-Treasurer SueLynn Morgan is **not** eligible for renomination as Secretary-Treasurer during 2007–2008. All current Board members, including those directors whose terms expire in 2007, are eligible for election to higher office.

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 Marilyn Marquardt-Sanchez, RMR, CRR, c/o NCRA headquarters, postmarked no later than November 17, 2006.

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



NCRA's 2005–2006 Board of Directors: Back row (l-r): Jerry (Will) Callaway, Tami Smith, Melanie Humphrey-Sonntag, R. Douglas Friend, Nancy Glynn-Braswell, Jason T. Meadors, Karen Yates, President-Elect Reesa Parker, Marianne Cammarota, Laurie Shingle Front row (l-r): Secretary-Treasurer SueLynn Morgan, Immediate Past President E. Duane Smith, Vice President Kathy DiLorenzo, President Marilyn Marquardt-Sanchez, Executive Director Mark J. Golden

## DECLARATION OF CANDIDACY/CANDIDATE RECOMMENDATION FORM

To: Marilyn Marquardt-Sanchez, RMR, CRR, 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.

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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):

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Signed \_\_\_\_\_

Date \_\_\_\_\_

Copies of this form or your own business or personal stationery may be used to submit additional recommendations. Recommendations close November 17, 2006.

# Briefs Online

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

## REQUESTED BRIEFS AND PHRASES:

Date and time .....	DAET or DA*IT	In this action .....	NAX
Daytime .....	DAO*IM	In this case .....	NIK
In and out of .....	NAOUF	In this event .....	NIFT
In and out of the .....	NOUFT	In this matter .....	NIRMT
In an effort to .....	NAOFRT	In the afternoon .....	NAFRN
In an effort .....	NEFRT	In the evening .....	NAOENG
In any way, shape, manner or form .....	NOFRM	In the morning .....	NORNG
In any way, shape or form .....	NOFM	In the meantime .....	MAOENT
In terms of .....	NERM	Year-old .....	YERLD
In terms of the .....	NERMT	Year-olds .....	YERLDZ
In terms of these .....	NERMZ	Years of age .....	YAOERJS
In terms of those .....	NERMS	Years old .....	YAOERLD
		Yes or no .....	YOERN
		“Yes” or “No” .....	YO*ERN



# CCRA's Legislative Year in Summary

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

As legislative advisor, I am proud to say that it was a very successful year legislatively for our profession. First and foremost, I want to thank the full board and our lobbyists for their dedication to a successful year in the legislature.

AB 1293 (Oropeza), was a bill introduced by CCRA. This bill revises the definition of indigent person for purposes of obtaining funds from our Transcript Reimbursement Fund. This bill was signed into law by Governor Schwarzenegger on September 25.

SB 56 (Dunn) was signed into law approximately September 20. This bill authorized the appointment of 50 additional judgeships, along with the funding for staff positions. CCRA will work on your behalf next year to insure that the funding goes to the hiring of certified shorthand reporters for each new judgeship.

SB 1476 (Figueroa) as of the time of this report, is in enrollment, awaiting the governor's signature. This bill, among other things, would extend the life of the Court Reporters Board by one year, until January 1, 2010. This one-year extension is important because the sunset review of the Court Reporters

Board would then be consistent with the functioning of the Transcript Reimbursement Fund, which as of now expires on January 1, 2010.

Throughout the year, CCRA has deflected several bills that would have affected our profession, writing opposition letters and having our lobbyists meet with appropriate legislators and/or stakeholders.

Also of utmost importance to all reporters, and especially official reporters, CCRA has begun the groundwork for a folio rate increase. We will actively be pursuing passage of such legislation next year, along with the support of the unions that represent you at your local level and of COCRA.

In the freelance arena, CCRA has drafted language to pursue legislation that would make the attorney responsible for payment of deposition reporter's products and services. We are hoping to move forward with the legislation in the upcoming year, along with the support DRA and their lobbyist.

We at CCRA and our lobbyists wish to thank you for your support, both in membership and our PAC.



## The Incredible Three

By Nancy Patterson, CSR

CCRA hosted the 2006 speed contest on Friday morning, October 6, at the annual convention. For the first time ever, the winners, placing first, second, and third, were separated by as little as 1/100 of a percent.

1st place	Daniel p. Feldhaus	98.27
2nd place	Lesia Mervin	98.26
3rd place	Charlotte Freeman	98.19

The testimony material, read by Ned Branch and Nancy Patterson at 270 wpm was a gang stabbing at a party.

1st place	Daniel P. Feldhaus	99.77
2nd place	Charlotte Freeman	
(A tie)	and	99.62
	Lesia Mervin	

The jury charge, dictated by Nancy Patterson, was about the Tennessee Coal Company's labor problems (220 rpm).

1st place	Daniel P. Feldhaus	99.82
2nd place	Charlotte Freeman	99.64
3rd place	Lesia Mervin	99.45



And now the ghastly literary take at 210 wpm.

Ned branch read about pervasive noise pollution where screaming cheers caused tinnitus as each doubling of energy added ten decibels. Believe it or not, all three qualified.

1st place	Lesia Mervin	95.71
2nd place	Charlotte Freeman	95.33
3rd place	Daniel P. Feldhaus	95.24



# CCRA'S "Synergize, Energize and Socialize" 2006 Convention

*By Renee Grove, CCRA Director*

Adrenalized! Electrified! Camaraderized! That's how I was left feeling at the conclusion of this year's annual convention. It was a huge success. I feel it was interesting, informative, and motivating. Many thanks to California's Secretary of State, Bruce McPherson, and NCRA's president, Reesa Parker, for their supportive and encouraging speeches at our luncheon.

I have a whole new appreciation for CCRA, its members, their dedication and teamwork towards preserving our profession's integrity and our role as CSR's. I was installed as a new board member at the annual luncheon and had an opportunity

to meet many of you afterwards. I have an inflated sense of pride knowing I work in the company of many esteemed colleagues.

I am a small fish in a big pond, but I feel we can accomplish our goals through education, volunteering to help at any level, and exhibiting camaraderie. I want to give back to a career that has afforded me many wonderful opportunities. I am excited about being a board member and look forward to serving for the next two years.



## Depo Daze

*By Sheri Turner, VP Freelance, Depo Advisory Chair*

### DID YOU KNOW...

When is the last time you saw a depo notice that noticed the depo "before a notary public duly authorized to administer oaths in the State of California"? I just saw one again yesterday. For those of you who have been reporting since time immemorial, like me (or at least it seems like it) you remember the days when you had to get your CSR and your notary license to be able to report depositions and swear in the witness. For you newer reporters, you probably don't even know we used to have to do that. Well, sometime oh, about ten years or so ago, that law was changed and we were given the authority by virtue of our CSR license to administer oaths without having also to be a notary public. But somewhere in the passage of time there are attorneys who never got the message. Probably their depo notice template has been on their computer unchanged all these years. Check the notice each time you see one, and if the notice still calls for a notary, use this opportunity to pull the attorney aside at a later time and let him or his secretary know that they can update their deposition notices to be "before a Certified Shorthand Reporter" or "before a person duly authorized to administer oaths for the State of California." I'm sure they will appreciate the advice and the attention and respect you even more for your professionalism. Empower yourself!



## Rose Goni, New CCRA Director

Rose Goni has been a court reporter for the last 17 years, receiving her merit license in 1996. She has worked the majority of that time in the Sacramento area but enjoys traveling and working throughout Northern California so as to allow time for visiting family and friends. She started out working as a pro tem reporter in court and then moved into depositions predominantly but still does a combination of both. She has previously been the CCRA liaison for the Northern California Court Reporters Association and looks forward to serving on CCRA's board.



# Professional Standards of Practice

By Tom Pringle, CSR, RPR, CCRA Past President

For the past two years or so, the California Court Reporters Board (CRB) has been developing language for a code of ethics for the reporting profession. After the public review process and much discussion with CCRA resulting in several changes, the CRB has approved a final version of California Code of Regulations Title 16, Division 24, section 2475, which is titled "Professional Standards of Practice." It will now be forwarded to the Department of Consumer Affairs (DCA) for review and potential approval.

Subsection (a) reads: "(a) Consistent with any action that may be taken by the Board pursuant to Sections 8025 and 8025.1 of the Code, the Board may cite or discipline any certificate holder, including suspending, revoking, or denying the certification of a certified shorthand reporter, for violations of professional standards of practice." So, this is important for you to know.

The DCA has 30 working days to review and approve or reject the proposed regulation. If and when approved by the DCA, the proposed section 2475 then goes to the Office of Administrative Law (OAL) and they have another 30 working days in which to act on the proposed regulatory changes.

If and when approved by the OAL, the proposed changes are sent to the Secretary of State's Office for filing and will become effective 30 calendar days thereafter. Based on that time line, this should take effect about February of next year.

The balance of section 2475, Professional Standards of Practice, reads:

(b) Every person under the jurisdiction of the Board who holds a license or certificate, or temporary license or certificate, shall comply with the following professional standards of practice:

(1) Truthful and accurate public statements when advertising professional qualifications and competence and/or services offered to the public.

(2) Maintaining confidentiality of information which is confidential as a result of rule, regulation, statute, court order, or deposition proceedings.

(3) Performing professional services within the scope of one's competence, including promptly notifying the parties present or the presiding officer upon determining that one is not competent to continue an assignment. A licensee may continue to report proceedings after such notification upon stipulation of all parties present or upon order of the presiding officer.

(4) Complying with legal and/or agreed-to delivery dates and providing prompt notification of delays.

(5) In addition to the requirements of Section 2025.220(a)(5) of the Code of Civil Procedure, promptly notifying all known parties in attendance at a deposition or civil court proceeding, when reasonably able to do so, and/or their attorneys of a request, other than from the court, for preparation of all or any part of a transcript, including a rough draft, in electronic or paper form.

(6) Acting without bias toward or prejudice against any parties and/or their attorneys.

(7) Not entering into, arranging, or participating in a relationship that compromises the impartiality of the certified shorthand reporter, including but not limited to a relationship in which compensation for reporting services is based upon the outcome of the proceeding.

(8) Neither directly or indirectly giving to nor receiving from any attorney, employee of an attorney, client, witness, insurer, underwriter, any other person or entity associated with the litigation, or any agents or representatives thereof, any gift, incentive, reward, or anything of value, except: (A) items that do not exceed \$100 in the aggregate per recipient per calendar year; or (B) providing services without charge for which the certified shorthand reporter reasonably expects to be reimbursed from the Transcript Reimbursement Fund, Sections 8030 et seq. of the Code, or otherwise for an "indigent person" as defined by Section 8030.4(f) of the Code.

NOTE: Authority cited: Sections 8007 and 8025, Business and Professions Code. Reference: Sections 8025, 8025.1, 8030, 8030.2, 8030.4, 8030.6, and 8030.8, Business and Professions Code."

Section 8007 gives the CRB the authority to "Adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions of this chapter."

Section 8025 gives the CRB the authority to revoke, suspend, or deny a certificate for a number of causes, including violating regulations.

And section 8025.1 describes additional causes for discipline and, more importantly, the process for disciplining the licensee and the rights of the licensee.

So, now you know.



# Student Mentoring – You Think it is to Benefit the Student?

Charlotte Freeman, CSR, RDR, CRR, CMRS

I have been ever so blessed. I had no idea when I became a student mentor, that I would be the one to reap so many benefits.

My student and I connected at a time when I was finishing up classes for my CMRS from the NCRA. I am embarrassed for myself to say that my student had been to more NCRA conventions in her two or three years as a student than I had been in my almost 28 years of reporting. I was so impressed with the fact that as a student, she was attending the Annual Convention, and that it was not her first convention. We had a great evening of conversation and fun at the Saturday Night President's Party. I gave her my phone number so she could sit in with me at work in the courts as soon as she was ready. I did not have in mind that I would actually become a student mentor. Actually the truth is, as my student tells me, she grabbed on to me and was not going to let go until she became a court reporter — and she might not let go even then. I guess she saw more in me than I saw in myself, and she wanted me as her mentor.

I have learned so much from my student. She has made it easy to be a mentor, as she has the desire, the drive, and the passion for becoming a court reporter. When my student first sat with me, I was amazed with her natural ability to visualize words and abbreviate words immediately. As a result **I have learned from my student** that I should be writing in a more

abbreviated style, and I have been learning hundreds of new briefs on a regular basis.

During the time of mentoring my student, our discussions have allowed me to analyze in great detail just what it is I do as a court reporter and how I do it. It has made me realize that I know my job extremely well and that I am always learning to do it more precisely.

I have seen court reporting through a very eager student's eyes. My student reminds me constantly what a great profession court reporting is. As I had settled in to just doing my job without much thought of it being anything other than "just a job," my student has given me renewed excitement and pride about my job as an official court reporter. I strive to be the best reporter I can be so I am a good example to my student.

My student qualified to take the November 2006 CSR exam. Although she tells me she "sleeps with her machine" to totally saturate and immerse herself into the focus of being totally prepared for the exam, I know it is her diligent effort and persistence towards achieving her goal that has allowed her to reach a point of comfort and success in pursuing that wonderful CSR license.

I know my student will be an outstanding asset to our profession, and I thank my student for allowing me to be her mentor.



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## (Audio)Sync or Swim

By *Connie Parchman, CRR, CCP, CSR 6137*

When the case of *The People of the State of California versus Stuart Alexander* (aka *The Sausage King*) was assigned to our department in May of 2003, I had no idea this death penalty case would consume the better part of the next two years of my life. This case garnered not only local media coverage, but some amount of national attention, including comments by then-President Bill Clinton. The case involved a local linguist who was so fed up with the FDA Food Safety Inspectors and State of California Department of Agriculture “meddling” in his sausage-making process, he decided to do something about it. He then turned on his security cameras and videotaped himself arming himself with three pistols and then killing two federal inspectors and one state inspector. As those three lay dying, the fourth was chased down the street and around the corner, being fired upon. Luckily, he was not hit and survived with only a sprained knee and survivor’s guilt.

On about the second day of this case, the defense attorneys made a motion to allow them to record the proceedings on a digital recorder. Oh, great! My judge granted the motion, with the proviso the recording may only be used as “attorney notes” and was not to be used to challenge the official transcript. (Oh, yeah, that’s gonna happen!) I was now faced with having to report the biggest case of my career, strong-arming a capital case daily, writing against a tape recorder. I had three options: Use my own audiosync, do my best and give them every spoken word including false starts, or bow out. I opted for number 2.

I chose not to use audiosync for fear that I would, in a weak moment, rely on the audio file instead of my ears. Interrupting witnesses, attorneys, or even the judge, is not very comfortable when the courtroom is packed with media, family members of the victims and defendant, and FDA representatives. However, when I certify a transcript, I am certifying that every audible word appears in the record; that human ears have verified those words are forever preserved. If I miss something and instead rely on audiosync, I’m taking a huge chance that those words actually made it into that digital audio file. What if it’s not there? It probably wouldn’t be in the defense counsel’s audio either, so I’m safe right? Not in my mind.

“Guardian of the Record” is more than a catch phrase to me. My status as a good reporter, a licensed professional, is more important to me than the momentary embarrassment of saying, “I’m sorry, you’re talking too fast” or “Could you repeat that?” Besides, the microbiologist with the foreign accent is going to sound the same on tape as in person. I might as well make sure I understand now, while he’s here and can clarify misunderstandings for me.

Bottom line, in my opinion, if you use audiosync, use it responsibly and sparingly; don’t rely on it to make the record. You are the professional. If a tape recorder were good enough to make the record, we’d all be out of a job.

(How did I do? 25,000 transcript pages, a year of motions, nine months of testimony, several interruptions by the court reporter, one argument from defense counsel that the transcript had the wrong word.)



# Audiosync – If You Use It, Don’t Abuse It!

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

Technology is an asset in our profession. Realtime reporting has saved our profession. Interactive realtime reporting has garnered the respect of your client, whether judge, counsel or hard of hearing. Web streaming realtime text to the remote viewer has opened up another opportunity to garner even more respect from your client. Post-deposition services, such as Web repositories, scanning and linking exhibits to transcripts, syncing video tape to our electronic transcript file are all technological services that are available to the reporter to pass on to your client.

Audiosync can either be an asset or a liability, depending on how you use it!

So why the different slant on the audiosync technology? I personally believe this is the only technology available to the CAT reporter that can be abused to the detriment of you, your client and the profession...depending on how you use it.

If you use audiosync, I would like each of you to examine how you implement it in your duties: Reporting the verbatim record; creating the certified transcript and being the Guardian of the Record. I would challenge each of you to consider appropriate guidelines when using your audiosync technology and implement those guidelines in your everyday practice of court reporting.

On a personal level, I use audiosync only when the deposition is being video taped. I have the videographer run a direct audio feed from his equipment into my computer, creating the best audio file available to me at the deposition.

My personal guidelines and/or standard of practice in reporting the deposition does not change in any way whatsoever when I use audiosync. I continue to ask for clarification of testimony if I cannot understand or hear what counsel or the witness have said. I continue to interrupt counsel and the witness if they speak over each other. I continue to interrupt and request counsel and the witness to slow down if they are speaking too fast. I read back from my computer screen when asked to read back. I do not play the audio for read back.

When producing the certified transcript, I occasionally click on my audio to double-check testimony, especially if it seems unintelligible. Since I did not rely on the audiosync technology to capture the verbatim record, I do not rely on it to produce the certified transcript. I use it as a tool to verify an occasional question or answer.

In closing, I would urge each of you when reporting the proceedings to not rely on the fact that the audiosync technology is creating an audio file for your use in the preparation of the transcript. We all know that recordings fail. We also understand that if we cannot hear the testimony, it’s more than likely that the audiosync will not either. Don’t potentially put yourself in a position of unprofessional conduct by abusing audiosync technology.



## CCRA Legislative Proposal Activity as of October 23, 2006

By Carlos Martinez, CSR, RPR, CCRA Secretary/Treasurer

CCRA Legislative Proposal Activity as of October 23, 2006

Below are listed the proposals that CCRA has forwarded to our Lobbyist for consideration and plans of action.

### CCRA Leg Proposal

Rationale: Continuing Education credits for Certified Shorthand Reporters is appropriate as it pertains to staying up to date on the ever-changing laws that affect the production of transcripts. Technology is an important component in the services expected by the consumer in both the deposition and courtroom setting. Education in regards to technology is of paramount importance to maintaining a level playing field for all litigants.

Conceptual Language for Continuing Education: All Certified Shorthand Reporters shall certify completion every three years of four hours of mandatory continuing education in court reporter ethics and four hours of mandatory continuing education in general subject matters pertaining to court reporters.

### CCRA Leg Proposal

Rationale: No language is currently in place to allow for just compensation to court reporters transcribing either criminal daily transcripts, death penalty cases, or transcribing expedited transcripts requested by counsel for the People or the defense for either ongoing cases or for past dates needed immediately.

Conceptual Language for Transcript Income: For the purposes of transcript compensation on daily transcripts in a criminal case, the reporter may charge an additional 50 percent for special daily copy service. For the purposes of transcript compensation on expedited transcripts in a criminal case, the reporter may charge an additional 35 percent for special expedited copy service. For purposes of this proposal, “expedited” is defined as a period of three (3) calendar days or less.

FYI – The proposed audiosync language requested to be forwarded to our lobbyist and the CRB, which subsequently was, is now on hold. At this moment, we are taking no action on this as an association but are allowing the Court Reporters Board to take the lead on this proposed language.



# CCRA Legislative Proposal Activity, Continued

This is the Legislative Proposal presented to the CRB Leg Committee on behalf of CCRA concerning Reporting Firm Registration.

State of California

Court Reporters Board  
Legislative Proposal  
Concept Paper

Memorandum

Date: 10/18/2006

Subject: LEGISLATIVE PROPOSAL CONCEPT PAPER 2007

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LAW/SECTION IMPACTED

B&P 8046 and 8027.5

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SUMMARY

Deposition and Court Reporting firm registration

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PROBLEM

Nowhere in the statute does it deal with the registration of a court reporting "firm." A situation could and will arise where an independent contractor is held responsible for and could be disciplined for a situation that should fall squarely on the shoulders of the depo firm, i.e., a reporting firm reformatting a reporter's tx after delivery from the reporter and yet without the reporter's knowledge.

---

PROPOSED CHANGE &  
JUSTIFICATION

Clarifying language to either of these statutes indicating the firm will be held responsible for action taken by the firm out of the reporter's purview would cure the cited issue. Electronic or digital signatures could be used to protect the reporter from the time the transcript leaves their computer forward. After that, any alterations to the transcript would render the transcript no longer the Original but an altered transcript.

8046 A shorthand reporting corporation shall not do or fail to do any act the doing of which or the failure to do which would constitute unprofessional conduct under any statute, rule or regulation now or hereafter in effect which pertains to shorthand reporters or shorthand reporting. In conducting its practice it shall observe and be bound by such statutes, rules and regulations to the same extent as a person holding a license under this chapter.

8027.5 In addition to the authority to conduct disciplinary proceedings under this chapter, the board, through its duly authorized representatives, shall have authority to issue administrative citations or assess fines for the violation of any rules and regulations adopted by the board under the provisions of this chapter.

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FISCAL IMPACT



# Best-in-the-West Jailhouse Fundraiser

By Sheri Turner, VP Freelance, Depo Advisory Chair

All desperados were shaking in their boots Saturday night as dinner was eaten, the line dancing started, and the arrest warrants were read. The outlaws were shackled by the able-bodied, rope-swinging sheriffs Mark Six-Shooter Brickman and Randy Slim Perkins, booked, and jailed in our very secure jailhouse. Thankfully we were able to corral those felons on such charges as reckless writing, possession of controlled proceedings, and impersonating the best firm owner in the Sierras. The outlaws were able to beg for bail money and the hats were passed around. Ev-

everyone was a great sport, even Sharon Cabello who was charged with a misdemeanor and had to do community service by dancing with Cowboy Adam. Thanks to everyone who participated, especially our arrestees: Sandy VanderPol, Doreen Perkins, Arnella Sims, Paula Killion, Carlos Martinez, Cheryl Redlich, Sharon Cabello, Jim Partridge, and the entire Fresno Flying Fingers Posse – Jennifer Morris, John Terry, Myra Pish, and Pamela Whaley. The event was a whoop-hollering, rousing success, and CCRA appreciates you all!



Visit [www.cal-ccra.org](http://www.cal-ccra.org)  
for more  
convention photos!



# Cal-E-Licious

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

About a year ago, my husband gave me a new cookbook: "The New Best Recipe" cookbook, and it is now one of my all-time favorites. Though it is a tomb, it has all kinds of wonderful tips on how Cook's Illustrated test kitchens arrive at the perfect recipe.

Board Member Sheri Turner asked for a good corn chowder recipe. This recipe is reprinted from "Cooks Illustrated Magazine" which makes up "The New Best Recipe" cookbook. Here you go, Sheri.

## Corn Chowder: Serves 6

### Ingredients:

- 10 mediums ears of fresh yellow corn, husks and silk removed
- 3 ounces of salt port, trimmed of rind and cut in half
- 1 tablespoon unsalted butter
- 1 large onion, preferably Spanish, chopped fine
- 2 medium garlic cloves, minced or pressed
- 3 tablespoons all-purpose flour
- 3 cups low-sodium chicken broth
- 2 medium red potatoes (about 12 oz.)  
Scrubbed and cut into ¼-inch dice
- 1 medium bay leaf
- 1 tsp minced fresh thyme leaves or ¼ tsp. dried
- 1 cup whole milk
- 1 cup heavy cream
- 2 tablespoons minced fresh parsley leaves
- 1 ½ tsp. salt
- Ground black pepper

large holes of a box grater. Then firmly scrape any pulp remaining on the cobs with the back of a butter knife. (You should have 2 generous cups of kernels and pulp.) Transfer the grated corn and pulp to a separate bowl and set aside.

1. Removing kernels from the cob: Cut the ear in half crosswise and then stand the half ears on their cut surface which are flat and stable. Then cut the kernels from 4 cobs in down strokes with a knife. Transfer the kernels to a medium bowl and set aside. (You should have about 3 cups.) Grate the remaining 6 ears on the

2. Sauté the salt pork in a Dutch oven over medium-high heat, turning with tongs and pressing down on the pieces to render the fat, until the cubes are crisp and golden brown, about 10 minutes. Reduce the heat to low, stir in the butter and onion, cover the pot, and cook until softened, about 12 minutes. Remove the salt pork and reserve. Add the garlic and sauté until fragrant, about 1 minute. Stir in the flour and cook, stirring constantly, about 2 minutes. Whisking constantly, gradually add the broth. Add the potatoes, bay leaf, thyme, milk, reserved grated corn and pulp and reserved salt pork; bring to a boil. Reduce the heat to medium low and simmer until the potatoes are almost tender, 8 to 10 minutes.
3. Add the reserved corn kernels and heavy cream and return to simmer; simmer until the corn kernels are tender yet still slightly crunchy, about five minutes longer. Discard the bay leaf and salt pork. (The chowder can be refrigerated in an airtight container for up to 2 days. Warm over low heat until hot; do not boil.) Stir in the parsley, salt and pepper to taste and serve immediately.



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<http://www.ccra.org>

# Computer Housekeeping

By Lesia Mervin, RMR, CRR, CSR, CCRA VP Officials/President Elect

Computers will become slow. This is a fact of life, unless you take the time to clean up your PC on a regular basis. You can return your computer to near new factory speeds by performing these two maintenance procedures, found below, regularly. How often is based on how much you use the Internet and how often you delete files. The more you browse the Internet the faster these trash files accumulate. The more you add and delete files, the quicker your PC will require Disk Defragmenting.

Always, always, always have a current updated virus protector program on your computer. I like AVG virus protection from <http://www.Grisoft.com> (free edition). You can purchase a supported version if you wish. I have used AVG for 6 years and never had a virus.

Always have a current updated spyware protection program on your PC. I recommend both Microsoft's Windows Defender and Spybot Search & Destroy 1.4. Both are free software downloads. I use both of these programs on all my PCs.

*Note: CCRA does not endorse any product.*

## Remove system trash files and Internet dead files

Disk Cleanup helps free up space on your hard drive. Disk Cleanup searches your drive, and then shows you temporary Internet files and unnecessary program files that you can safely delete. You can direct Disk Cleanup to delete some or all of those files.

To open Disk Cleanup, click **Start**, point to **All Programs**, point to **Accessories**, point to **System Tools**, and then click **Disk Cleanup**.

Wait for computer to delete trash file. This could take awhile, depending on your computer.

## Optimize (Defragment) your computer after above steps are completed

To open Disk Defragmenter, click **Start**, point to **All Programs**, point to **Accessories**, point to **System Tools**, and then click **Disk Defragmenter**.

Wait for computer to display finished screen. This could take hours if your computer has not been defragmented recently.



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**Superior Court of California, County of Ventura** is currently recruiting for Intermittent Court Reporters! For further information, please visit our website at [www.ventura.courts.ca.gov](http://www.ventura.courts.ca.gov). The eligibility list established from this recruitment will be used to fill any present and future regular full-time, part-time, and intermittent positions at Ventura, Simi Valley, or Oxnard court locations. If you have any questions, please contact the Human Resources Department at (805) 477-7236.

**Superior Court of California, County of Santa Cruz, Certified Court Reporters** sought for either employee status (\$5784 per month + excellent benefits) or per diem status (\$300 per day). For complete job bulletin and court application please visit [www.santacruzcourt.org](http://www.santacruzcourt.org) or call 831-454-3370.

**Bryan College** is looking for qualified Speed and Theory instructors (full/part-time/day/night) for its LA and Sacramento campuses. Sten Ed background a plus. Please contact Eric at [eevens@bryancollege.edu](mailto:eevens@bryancollege.edu) if you are ready to help shape the future of court reporting.

**Reporters needed in Bakersfield/Kern County** for very busy freelance firm. Looking for experienced reporters with 2+ years experience. Realtime experience a plus. Full-time work with employee benefits. Limited travel. Fax resume to 661-393-0851. Contact Jean Keleher or Ted Kent at 800-635-6044.

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## Miscellaneous

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

