

# CCRA *online*

Volume 13 | Issue 3



**"LOBBY DAY"**

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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 Kristi Garcia, CSR, RPR  
CCRA President



As court reporters, we are trained to be quiet and listen, which is an amazing feat for this once-upon-a-time cheerleader. Yes, I was quite the talker in my younger days. In fact, my father used to say "Show me, don't tell me" when I'd talk to him about my plans. That is how I have been approaching life since. I personally don't want glory or fanfare. I just want to work behind the scenes. But how do our members know what we are doing if we don't tell you? So from this day forward, I'm going to try harder to toot CCRA's horn. We have a team of volunteers who work countless hours on your behalf and deserve recognition.

Pam Katros, Brooke Henrickson, Arnella Sims and I, along with other court employees up and down the state, recently spent Tuesday, February 12, 2013, at our state Capitol lobbying for more money for the courts. We had been trained to do this while attending the National Court Reporters Association's Legislative Boot Camp in years past. Although it has been five years since that training, it all came back to me. We broke up into small groups, information in hand, and off we went walking the halls of the Capitol. We spoke of the nearly \$1 billion which has been cut from courts since 2008; how some courts are more severely underfunded than others; courts need more reserves than 1%; the proposed cuts of preliminary hearing transcripts; and if the May Revise shows improvement in revenue, to reinvest in trial courts.

After a quick bite to eat, we all waited for the doors to open for an informational hearing of the Assembly Judiciary Committee, "The Access to Justice Crisis Facing California Courts." Pam and I were on the agenda to speak. Also on the agenda was Bill Lockyer; Steven Jahr, Director of the AOC; Los Angeles and Alameda court administrators; presiding judges from Sacramento and San Bernardino; State President of the Interpreters; plain ol' court employees (like us); a Fresno Family Law judge, Legal Services, and Family Law Facilitator; Disability Rights and Legal Aid people; and a couple of attorneys. Everyone speaking was passionate about the fact that courts all over the state are closing, services are being cut, and the overall daily impacts to the courts.

There was a public comment section at the end for those not on the agenda, at which point Arnella spoke. One of the women on the judiciary committee said she had never even been in a courtroom. Unbelievable that these are the people making decisions on the fate of the California courts. One speaker told her she can walk into a public courtroom at any time and observe. The consensus was the courts need money out of the general fund, not one-time fixes.

CCRA is currently tracking numerous bills that affect our profession. We must take on the task of educating all who will listen about the importance of the court reporter in legal proceedings. I'd like to publicly thank Alameda and Sacramento courts for their recent donation. It's generous donations like this that allow us to fight the fights that need fighting. Today I challenge each and every one of you to also make a financial contribution to CCRA so we can keep court reporting out in the forefront and protect this profession that we love so much.





CCRA Vice President Brooke Henrickson and CCRA Advisor Arnella Sims meeting with staff of Senator Current Price on "Lobby Day" regarding the court budget and audio recording.

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# Assembly Committee on Judiciary Letter

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February 15, 2013

Kristi Garcia  
2946 Roberts Ave  
Clovis, CA 93611

Dear Ms. Garcia:

Thank you for taking the time out of your busy schedule to testify before the Assembly Judiciary Committee's informational hearing entitled "The Access to Justice Crisis Facing California Families." Your expert knowledge and thoughtful testimony significantly helped educate the Legislature about the budget cuts to the courts and the devastating impacts those cuts are having on the public and California's system of justice.

Again, thank you for giving so freely of your time and your knowledge on this very important matter. I look forward to our continued work together.

Sincerely,

**BOB WIECKOWSKI**  
Chair, Assembly Judiciary Committee

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# Court Reporters Are Vital

*By W. Kent Hamlin*

The Fresno Bee ran an editorial Feb. 3 asserting that “strong evidence and real court experience” demonstrates that electronic recordings are cheaper and more reliable than trained stenographers and that “now is the time to switch to electronic recording in every California courtroom.” Based on our years of real court experience as judges of the Superior Court, we know those statements are simply not true.

A reader might conclude from the editorial that courts, bullied by the court reporters’ union, have rejected attempts to implement available technology. In fact, nearly all courts in California use digital recording extensively. But electronic recordings cannot fully replace court reporters in a trial court, nor is it likely that their expanded use would result in significant savings to the taxpayer.

Your editorial correctly notes that the California Supreme Court and appellate courts use electronic recording devices with no significant concerns about reliability and accuracy. Those courts do not take witness testimony, but instead rely entirely on the record created in the trial court. Attorneys and justices speaking one at a time into microphones can be understood and later transcribed; the dynamics of testimony in trial courts are much different.

Witnesses mumble, speak softly and often have difficulty using a microphone. Attorneys move about to retrieve exhibits, approach witnesses or display items for the jury. Often witnesses answer a question while an attorney is still asking it, even as opposing counsel lodges an objection. Court reporters have the unique ability to obtain an accurate record in spite of these difficulties; a transcriptionist simply writes “unintelligible.”

Frequently important parts of recorded proceedings are later found to be unintelligible or missing; sometimes the recording of an entire trial is lost or destroyed. Certainly everyone suffers, including the taxpayer, if one of these proceedings has to be retried because a technical glitch prevents an adequate review of the proceedings. If witnesses and evidence are unavailable for a retrial when the error is discovered, there is a well-documented risk that persons convicted of serious crimes may be released and their charges dismissed.

How will we explain that result to victims of these crimes or to surviving family members?

Even if a trial transcript of comparable accuracy could be obtained through digital recording, it would not be more affordable. State-of-the-art equipment is expensive and requires monitoring and maintenance. Reducing a recording to a transcript requires considerable time, skill and expense. Attorneys would use this option for depositions if it were more affordable and of comparable accuracy. It is not.

In a trial court there is no substitute for contemporaneous transcription by a trained and experienced certified shorthand reporter. How are we to read back or review a digitally recorded question or answer? If a deliberating jury asks for witness testimony, shall we play a recording laden with objections, rulings, stricken testimony, sidebars or privileged attorney/client conversations? Will we allow expediency to trump due process and dispense with reading back testimony altogether?

Only the very best reporters obtain certification, after years of training and testing. Court reporters purchase, update and maintain their own sophisticated hardware, software and supplies at considerable expense. They learn the sophisticated techniques of their trade and important legal terminology. They retain notes and drafts in case a transcript is required perhaps years or decades later, and only then are they paid for the transcript, at a rate that has not increased in over 20 years.

Court reporters are indispensable to the administration of justice. They are well-paid professionals, as they should be. They cannot be replaced by existing technology, whatever the cost. To suggest otherwise does a disservice to court users already severely impacted by continued budget cuts.

**THE HON. W. KENT HAMLIN IS A FRESNO COUNTY SUPERIOR COURT JUDGE. HE SUBMITTED THIS OPINION ON HIS BEHALF AS WELL AS ON BEHALF OF THE FOLLOWING JUDGES: HON. WAYNE ELLISON, HON. JEFFREY Y. HAMILTON, JR., HON. KRISTI R. CULVER KAPETAN, HON. DAVID GOTTLIEB, HON. JAMES A.**



Student membership in CCRA benefits us by providing funds to fight for our profession, newsletters every month, fun conventions, and much more listed under “Member Benefits” on our website.

Students can also learn valuable information by being a member. Allison Wong, a scholarship award winner, finds it difficult to find time to connect with the reporting world regularly, but by being a student member, she is able to read the monthly newsletter and stay informed about what is going on in the profession.

You can sponsor a student membership for only \$30.00 a year. Just go to [cal-ccra.org](http://cal-ccra.org), click on “Students,” and then “Sponsor a Student Membership” or you can [Click Here](#). The rest is easy.

If you’re trying to think of a gift for those special students in your life, a membership would give them not only valuable information but even a boost on their way to becoming successful court reporters.



## Letter to the Editor

The Sacramento Bee and its affiliates ran an article on February 4, 2013, touting electronic recording as a cost saving measure in all courtrooms in California. In response, Gregory Stubbs, attorney in Walnut Creek, CA, responded to the Editor as Follows:

**EDITOR:** The authors of the Sacto. Bee editorial of February 4 (“State Courts must enter the electronic age”) don’t have a clue. I’ve been a trial lawyer over 40 years. Personal experience tells me that the “electronic age”(digital recorders) is not an answer. Court reporters were laid off to save court money but it does not follow that replacing them with cheaper tape recorders is a wise policy move. Recording court testimony is only half of the trial record. The other half is transcription needed to produce a written record for appeal. There is no “electronic” device that records testimony and spits out an accurate written transcript..only a human can do that. Transcribers can listen to court tapes and type testimony but their product is full of error. They are never sure who is talking and they weren’t at trial. Reporters own their notes because only they can “read” them since each reporter uses different strokes for different words. It is irrelevant that appellate courts use only electronic recording. They don’t take testimony and they decide cases upon the content of written briefs not oral proceedings. This is a crazy idea that will ruin the reliability of court records.

*Gregory E. Stubbs, Esq.  
Stubbs & Leone, PC  
2175 N. California Blvd. , Ste 900  
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# Placer County

By Pam Katros

As with many people in our state, as well as across our country, court reporters are not immune to the shortfall of funds, or the “pink slips” that are given when your service is no longer required at your job. I’ve been told when a person loses their job, they go through the five stages of grief that someone goes through when they lose a loved one. I never had to think about that until recently.

You see, I was an official court reporter with the Placer County Superior Court. I was employed there ever since I graduated from court reporting school. We were told on September 10, 2012, that due to our court’s budget problems, they were going to investigate whether having a deposition firm provide reporters instead of employees would provide them the savings they needed.

The stages of grief don’t necessarily happen in order and you can actually be in one stage several times and more than one stage at the same time. Here are the stages that we have found ourselves in:

The first stage of **DENIAL** hit us right away. When our court executive officer advised us of their plan, we were stunned. Some of us laughed out loud. We knew the court was worried about the budget, but we honestly thought they would bring ER in to record misdemeanors and lay off one or two of us. We certainly never in our wildest dreams imagined they would lay off all of us. It was shocking.

The next stage is **ANGER**. We were advised by one judicial officer to “not take it personally. It was all

about the budget.” Well, that comment fueled our fire. How do you not take this personally? We all have families to support. We loved working for this court and felt we were an integral part of our “court family,” as they like to call us. I think the hardest part for most of us is when we found out that our bench voted to follow this path. It was easier to take when we thought it was just the CEO.

**BARGAINING** comes next. We thought we had a chance at negotiations, at least that’s what our union said. However, no matter what concessions we offered, they were declined. We thought we were taking the money out of the equation by offering to take a 30% cut in pay, but were told they were still going through with contracting out. They needed permanent savings, and they could save a lot and it affected the least amount of people. We were told the savings they could achieve through contracting out would enable them to hire another manager or a couple of clerks. Boy, that made us feel the love.

**DEPRESSION** is a weird emotion. I’ve never thought I was subject to it, but we all have been affected by this in our own ways. It’s been hard to concentrate, hard to eat right and exercise. We have found ourselves making mistakes that we would have never made in the past. Transcript due dates were missed. We just didn’t care anymore, but that’s hard for a court reporter because we are such professionals. That’s what our CEO told us. They were amazed at how well we handled ourselves. We talked about all calling in sick. No one did until we knew it was over and we lost the fight. But from



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September until December, we were there going to work every day knowing things were never going to be the same. The real treat was receiving our layoff notice right before Christmas. Just appalling.

I'm not sure everyone has gotten to the **ACCEPTANCE** stage. If not, we better get there quickly as our last day is February 8th. I have been told that once I let go of the attachment to this job, other, more rewarding opportunities will arise. We are all doing the best we can to figure out what the future will bring.

Privatization of court reporting in our trial courts is a concern to the officials who will lose their jobs.

This will be another fight, along with ER, that we will have to be diligent about responding to. We hope this does not happen anywhere else, that it stops here.

One thing is for sure. I am going to miss my fellow reporters, my extended family. This was a great group of gals that I am proud I was a part of. They have always supported me in my role with CCRA. They have all been members, attended conventions, and donated to the PAC and Special Fund. We all need to stay connected through our state association. Changes are happening everywhere. Let's help each other.



## David Cramer, Deputy Public Defender in El Dorado County



January 2013

Text message exchange between Gary Cramer, retired court reporter, and his son, David Cramer, deputy public defender in El Dorado County.

**DAVID:** Hi dad. What is govt code section that addresses when a lawyer can copy a transcript. Thank u

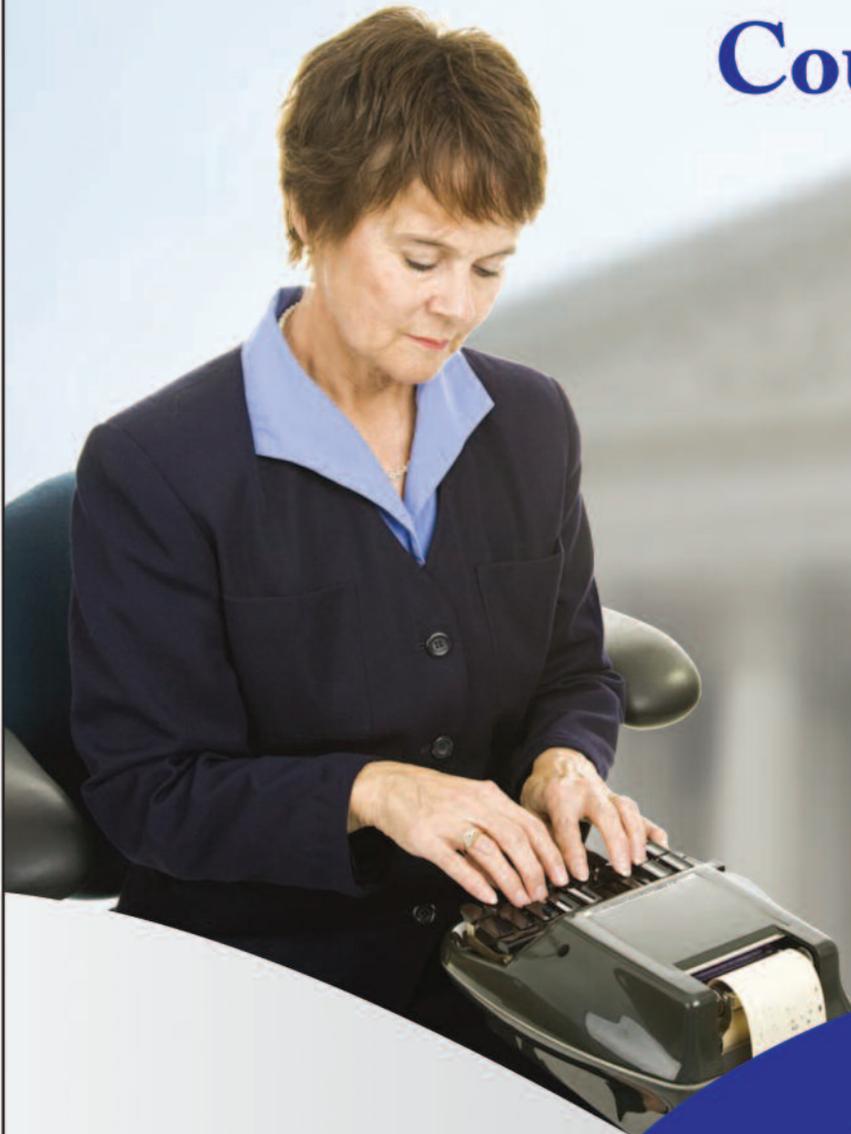
**GARY:** 69954. If not let me know and I will look it up

**DAVID:** It is it. Thank u. Had to privately admonish a person who responded on Clara (public defender statewide web site). Some guy asked if he can make a copy for client. Another guy responded just copy it and don't ask. I straightened him out. I explained transcripts are a reporters bread and butter and transcripts paid for my education. I wouldn't know the government code section if it weren't for transcripts.

Thank u dad

**We say, Thank you, David!**

# Court Reporter & Stenographer Insurance



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**What Causes >>> Marks in Email?**

**Q. I probably should not even bother you with this silly questions, but I'm curious: What causes all those >> marks that appear in the body of email? They can be very irritating and sometimes they even overshadow the text.**

A. Those angle brackets are there by design, and depending on the email program involved, you may see >> marks or vertical lines, both of which designate replies or forwards. The number of marks or lines allows you to track the "depth" of a reply or forward. One >, for example, indicates it's the first reply or forward; >> indicates it's the second round of replies or forwards, etc. That's why when you receive a joke or hoax message that's been forwarded a bazillion times, you will often see >>>>>>>>>> in front of each line.

People deal with these marks in a variety of ways: Most simply ignore them; others delete them using their software's Find and Replace feature (CTRL + F in some applications). There are also programs that can be installed, such as PaperCut's eMail Stripper at [www.papercut.com/emailStripper.htm](http://www.papercut.com/emailStripper.htm) or easy-to-use Web-based applications such as the similarly named Mr. Ed's Email Stripper at [www.mistered.us/strippler/index.shtml](http://www.mistered.us/strippler/index.shtml).

**Q. When I want to go back and look at old email I received in Gmail, only the first 50 emails will come up and I cannot figure out how to access the next 50. While I'm at it, I can't seem to locate Gmail's Help, either. Can you help me with these issues, Mr. M?**

A. When viewing the Sent Mail folder, if you look in the top right of your Gmail screen, you will see numbers such as 1-50 of 214 with < and > arrows. That refers to messages 1 through 50. If you click the > arrow, you can view the next 50, messages 51 through 100, etc.

To access Gmail's excellent Help, click the little gear icon to the far right, then select Help from the drop-down menu that appears. Gmail's Help is one of the best there is, so any time you need to learn how to do something with Gmail, be sure to search its Help section.

**Q. Please help me stop the very annoying Yahoo! Messenger from popping up when I boot the computer or receive email. It's driving me crazy!**

A. Open Yahoo! Messenger when it appears, then click Messenger > Preferences or press CTRL + SHIFT + P. Under Category, click Alerts and Sounds. In the "Alert me when" box, click "I receive email in Yahoo! Mail."

Next, uncheck the boxes next to "Display a dialog box," "Show an icon in the system tray," and "Show a message in the bottom right corner of my screen." Just to clarify these three options, "Display a dialog box" refers to the dialog box that pops up to notify you of new mail. "Show an icon in the system tray" references the little envelope that appears when new mail arrives. "Show a message in the bottom right corner of my screen," is the box that displays the subject of the message or how many messages are present.

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If you prefer not hearing the “Pow!” audible alert — and heaven knows why anybody wouldn’t want that jolting the bejeepers out of them — uncheck “Play a sound.” Lastly, click OK and you’re done.

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

### **Behind the Name**

Learn the history behind more than 18,000 first names. Search the diverse database of English, German, Spanish, Arabic, Mythological, Biblical, and African names. By gender, there are 9600 male names, 8000 female names, and 750 that could be either. Also included is a list of the most popular names in the world. The most popular name in the Netherlands? Daan. Good to know.

[www.behindthename.com](http://www.behindthename.com)

### **Google Flights**

Google has entered the flight-planning business (what aren’t they into?) with Google Flights, which you can use in two ways: Using the Google.com search engine, type search parameters such as “flights from Phoenix to Dallas” and flight information will appear at the top of the search results. If you really want to dive into flight information, go directly to Google Flights and get precise results by using the filtering options, such as your preferred airline, desired number of stops, maximum number of screaming babies, etc.

<http://google.com/flights>

### **Rentometer**

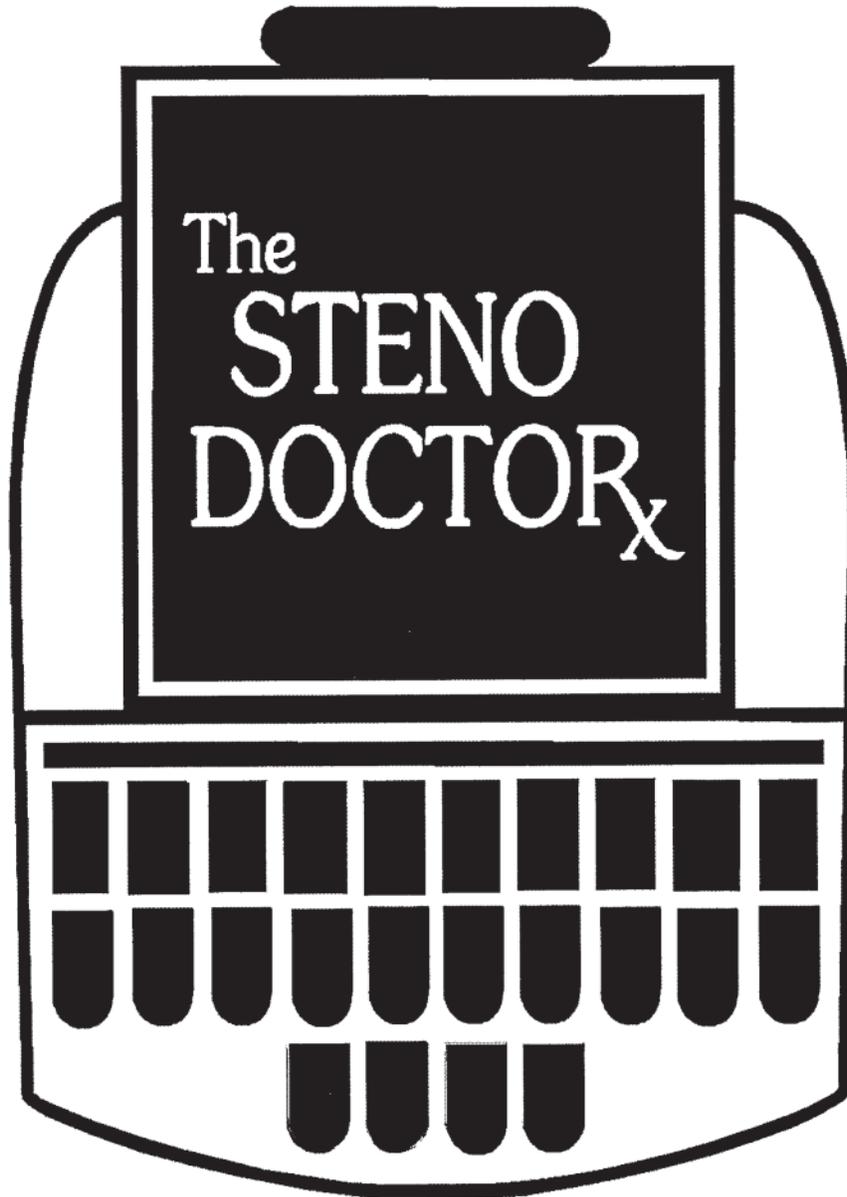
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# Windows 8 – Is It For You?

By Sandy Bunch VanderPol, CSR #3032

RMR, CRR, FAPR, CLR, Realtime Systems Administrator Credentialed

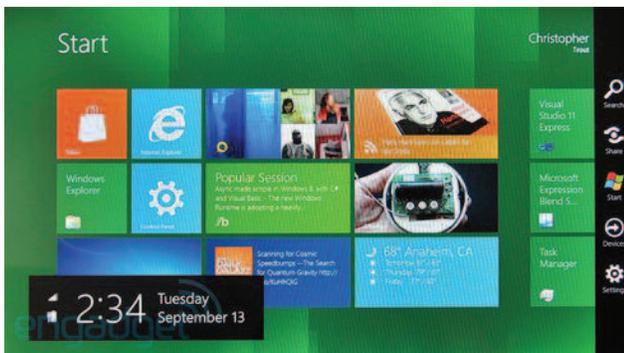
Co-Chair of CCRA Technology Committee

Microsoft's Windows 8 Operating System was released, as I so readily and vividly recall, during the World Series playoffs. Through various prime-time commercials, we were all informed Windows 8 was on a computer near you — yes, now on every computer sold in our stores since October 12, 2012.

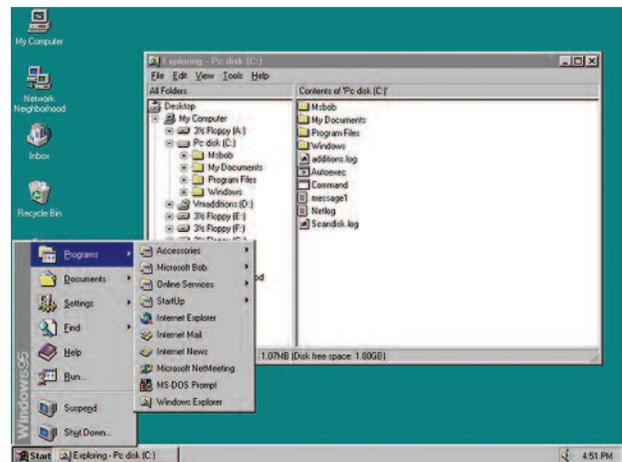
Is Windows 8 compatible with our CAT software? Yes. Every CAT vendor contacted has confirmed that their software is compatible. Besides, Microsoft claims that every program running on your Windows 7 is compatible. But just to be certain, I would recommend you run the Windows compatibility program, which scans your programs on your current computer and gives you a detailed report of compatibility. You can find the download here:

<http://windows.microsoft.com/en-US/windows-8/upgrade-to-windows-8>

Once you install Windows 8 on your current computer or purchase your new computer with Windows 8, I would suggest giving yourself a couple of hours to explore the operating system. Windows 8 introduces a radical new full-screen-sized Start menu that is designed for touchscreens (see photo below). You will likely experience some awkwardness using your mouse, but time and practice soon provides you the level of comfort you had with Windows 7. And don't forget to try the many keyboard shortcuts provided in Windows 8.



If the changeover worries you, Windows 8 provides an easy way to access your familiar desktop by clicking on the Desktop tile. Generally speaking, the Start screen is used to access any apps or programs quickly by clicking the large, colorful tiles. Many tiles are “active” tiles. It is your choice on what active tiles you want on your Start screen, whether it is real-time sports scores, financial updates, FaceBook, or your e-mail and texting tiles. If you decide to get to work, you can move to the Start screen's Desktop tile, and your traditional desktop appears, allowing you to access any programs or files (see photo below).



Some of the new features in Windows 8 relevant to court reporters lie in the backup and security features. An additional feature that I find useful is the organizational options available. Organizing your Start tiles into groups that reflect your work programs, personal programs, social media and Web programs allows you to access, with the touch of the tile or a click of a mouse, an organized structure of your most commonly-used programs.

*continued on Page 18*



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# Windows 8 – Is It For You?

*(continued from Page 16)*

Some tips when running Windows 8 for the first time:

- 1. Point your mouse cursor at the corners.** You will quickly learn the power and functionality each corner provides you: Charm bars if you click on the top and bottom right corners; a thumbnail of your last-used apps if you click on the top right corner; a thumbnail of the Start screen, which can be summoned with a click of your mouse.
- 2. Right-click a Start screen app.** While in the Start screen, all corner functions still work. However, if you right-click anywhere inside the Start screen or an app and up appears your App bar, a strip along the bottom of the screen that contains menus for the programs/apps currently on your screen at the time. Right-click again and the App bar disappears.
- 3. Slide your finger inward from the screen's right edge.** This action summons the Charms bar (a shortcut-filled strip of icons that gets you to the Control Panel, for instance, and settings). You can access the Charms from anywhere within Windows 8 (see photo below)



- 4. Slide your finger from the top edge to the bottom edge.** As you slide your finger downward, the current app you are using closes once you reach the bottom of the screen. Using your mouse provides the same result. If you continue to close all open apps, you will eventually find yourself at the Start screen.
- 5. Slide your finger inward from the left edge.** As you slide your finger inward, you will drag your last used app or program onto the screen to be used. Repeat this action and you will eventually cycle through all of your open programs and apps, including the desktop.

## Some additional tips I've learned along the way:

- W8 is less hardware intensive than W7, meaning boot-up faster (maybe not much).
- Less disk space and memory space used for W8.
- All W7 drivers are functional and plug-and-play in W8.
- W8 is faster and is stable!
- 32-bit still available in W8.
- Task Manager chock-full of interesting new features, but Ctrl-Alt-Del still works.
- Start button goes away entirely (for those not ready to change, 3rd party developers such as Start Doc have a utility to bring it back).
- Windows platform allows 3rd party developers to write programs to bring back your favorites in W8.

I could go on and on for pages. There is so much to pass along about Windows 8. So stay tuned for more tips and tricks in CCRA's next Online publication.



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# February 14, 2013 Congressional Record — Extensions of Remarks E143

*Thanks to Melinda Walker for sharing Representative Ron Kind's remarks made in the Congressional Record yesterday:*

**February 14, 2013 CONGRESSIONAL RECORD—  
Extensions of Remarks E143**

## **RECOGNIZING NATIONAL COURT REPORTING AND CAPTIONING WEEK**

**HON. RON KIND  
OF WISCONSIN  
IN THE HOUSE OF REPRESENTATIVES**

Thursday, February 14, 2013

Mr. KIND. Mr. Speaker, today I rise to acknowledge the hard work of court reporters and broadcast captioners nationwide, as well as the recognition of the National Court Reporting and Captioning Week from February 17–23, 2013.

Court reporters and broadcast captioners have the unique skill of translating the spoken word into text to record history, preserve judicial proceedings, assist individuals who are deaf and hard-of-hearing with access to audio communications, and even capture the work of Congress in committees and on the floor of the House and Senate. They are truly the guardians of the record.

The profession of court reporting is thousands of years old; its roots can be traced back to 63 B.C., when Marcus Tullius Tiro created shorthand reporting to service the Roman philosopher, lawyer, and orator Cicero.

Since the dawn of civilization, the desire to capture the spoken word and record our history has been the responsibility of the scribe, known today as the court reporter.

The scribe has been an essential part of history from times in Ancient Egypt, to the drafting of the Declaration of Independence, Bill of Rights, the Emancipation Proclamation and the recording of our entire American history.

Since the advent of shorthand machines, these scribes are now known as court reporters and have played a prominent and invaluable role in courtrooms, state legislatures, and in Congress preserving Members' words and actions.

Court reporters and captioners are also responsible for the closed captioning seen scrolling across television screens, at sporting stadiums and in other community and educational settings, bringing information to almost 40 million deaf and hard-of-hearing Americans every day.

Congress has continuously worked with the National Court Reporters Association to make increasing this access a reality and to ensure that every American has access to the spoken word.

Whether called the scribes of yesterday or the court reporters and captioners of today, the individuals who preserve our Nation's history are truly the guardians of our national record. They have a tough profession but continue to excel through their dedication and expertise.

With that, it is my honor to acknowledge February 17–23 as National Court Reporting and Captioning Week across the country.





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# Vocabulary Test No. 15

By Debby Steinman

These words came from the Commentary section of the paper, novels and court proceedings. If you have an interesting word or words you'd like to contribute, please send them to me at [dsteinmancsr@cox.net](mailto:dsteinmancsr@cox.net).

1. **argot - noun**
  - a. secret vocabulary
  - b. rare stone
  - c. a prank
2. **bestride - verb**
  - a. to glorify
  - b. to weaken
  - c. to straddle
3. **effete - adj.**
  - a. infertile
  - b. emaciated
  - c. vigorous
4. **moribund - adj**
  - a. heavysset
  - b. melancholy
  - c. dying, obsolete
5. **presage - noun**
  - a. self-confidence
  - b. omen
  - c. prestige
6. **denizen - noun**
  - a. inhabitant
  - b. informant
  - c. influence
7. **hapless - adj.**
  - a. unfriendly
  - b. unbelievable
  - c. unfortunate
8. **eschew - trans. verb**
  - a. avoid
  - b. harass
  - c. relinquish
9. **opprobrium - noun**
  - a. propaganda
  - b. contempt
  - c. opposition
10. **winsome - adj.**
  - a. modish
  - b. elegant
  - c. cheerful

Vocabulary Test Answers:

1. **argot (noun): A.** secret vocabulary
2. **bestride (verb): C.** to straddle
3. **effete (adj.): A.** infertile
4. **moribund (adj.): C.** dying, obsolete
5. **presage (noun): B.** omen
6. **denizen (noun): A.** inhabitant
7. **hapless (adj.): C.** unfortunate
8. **eschew (trans verb): A.** avoid
9. **opprobrium (noun): B.** contempt
10. **winsome (adj.) C.** cheerful

