

Supreme Court Board of Certified Court Reporters

Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference Room CLD1
12:00 p.m. - 1:00 p.m.

May 10, 2004
Approved Minutes

Members Present:

Judge Philip Hall
Douglas Brooks

AOC Staff Present:

Rhonda Simmons
Lauren Hargrave
Nina Preston

Members Absent:

Judge Jan Kearney

Members Present By Phone:

Sandra Markham
James Bouley
Jennifer Stadler
Jean Lea
William Druke
Sylvia Brandfon

AOC Staff Present By Phone:

Nancy Swetnam

Call to Order

The meeting was called to order by Sandra Markham at 12:05 p.m.

Recommendations and Board Action

Applicants for Initial Certification

The following court reporter requested he be granted Provisional Standard Certification based on staff awaiting the FBI results of his fingerprints. Rhonda Simmons informed the Board the court reporter listed below meets all qualifications for certification, but because the FBI results have not been processed and returned for him, he should be granted Provisional Standard Certification:

Miguel Benitez

A **motion** was made by James Bouley and seconded by Douglas Brooks to grant Provisional Standard Certification to the court reporter listed above based on all documents provided and because FBI results have not been processed and returned for him. Motion passed. **BCCR-04-048**

The following reporters requested they be granted Standard Certification based on documentation provided showing they passed all components of the RPR and meet all other requirements for Standard Certification.

Joyce Tripp
Scott Kindle

A **motion** was made by Jennifer Stadler and seconded by Douglas Brooks to grant Standard Certification to the court reporters listed above based on documentation provided showing they passed all components of the RPR and meet all other requirements for Standard Certification. Motion passed. **BCCR-04-049**

Executive Session #1

A **motion** was made by Douglas Brooks and seconded by Judge Philip Hall to go into Executive Session to discuss records exempt by law or rule from public inspection or for advice of counsel. Motion passed. **BCCR-04-050**

Executive Session #1 Ended

(During Executive Session the Board reviewed the confidential record of the reporter and for the purposes of the public session will identify reporter as Court Reporter #1)

Court Reporter #1

A **motion** was made by Jennifer Stadler and seconded by James Bouley to grant Provisional Standard Certification to Court Reporter #1 based on all documents provided and because FBI results have not been processed and returned for them. Motion passed. **BCCR-04-051**

Jennifer Stadler and Jean Lea joined the Board meeting by telephone.

(During Executive Session the Board reviewed the confidential record of the reporter and for the purposes of the public session will identify reporter as Court Reporter #2)

Court Reporter #2

A **motion** was made by Jennifer Stadler and seconded by Douglas Brooks to deny certification to Court Reporter #2 pursuant to Arizona Code of Judicial Administration §7-206(E)(4)(c)(5) and (E)(4)(c)(8). Additionally, the Board directed staff to notify Court Reporter #2 as to the reasons for denial. Motion Passed. **BCCR-04-052**

Continuing Education Issues

Rhonda Simmons is requesting approval of the following December ASU Downtown Lectures and is recommending 1 hour of continuing education credit for each:

Get What You Want! Powerful Goal Decisions, Focus and Commitment
40 or Better: Perspectives On Midlife and Beyond Biological and Sociological
Aspects of Aging.
Career Strategies That Work In Any Market
Mind, Money, and Emotions What WE Do and Shy ... And What Might Work
Better

A **motion** was made by Douglas Brooks and seconded by Sylvia Brandfon to approve continuing education credit for the above entitled seminar and lectures. Motion passed. **BCCR-04-053**

Topics for Discussion and Possible Code Revisions

Public Comment

Rhonda Simmons introduced public comment regarding the proposed Code revisions. Ms. Simmons received comments from three judges; one from Pima County and two from Yuma County requesting the Board consider grandfathering court reporters into certification that have not yet passed the RPR. Many other comments received by the program requested the Board consider grandfathering. The Board agreed they have previously discussed the issue of grandfathering and agrees it does not have the authority to grandfather court reporters.

The Board discussed the Code of Conduct proposed Standard 6(f) and whether the proposed language is unclear as provided in public comment. The Board agreed the language is clear and should not be changed.

Public comment was received with respect to the renewal fees. Many believe the fee is excessive. The Board discussed the issue. The program is self-funded in contrast to other states which have other sources of funding or have many more court reporters certified to assist in funding the program. The Board examined the fees. The program currently has approximately 500 court reporters paying \$200 per year, bringing in \$100,000 per year; expenses have been approximately \$90,000 per year. Additionally, healthcare benefits have increased for staff; lowering the fees is not an option. The fee is low compared to other programs within the AOC. The Board discussed a yearly accounting being posted on the website or putting this information in with the renewal packets. Ms. Simmons reported when she does receive questions regarding renewal fees she does explain the program is self-funded. Ms. Swetnam suggested the Board may want to explore the possibility of revising the statutes to allow for an every other year renewal, which would lower the renewal expense the program incurs every year.

Public comment was received regarding new students coming out of school. The Board

previously discussed this issue and does not have authority to change the requirements for newly graduated court reporters. All reporters are required to pass the RPR prior to becoming certified.

Public comment was received opposing the deadline extension for Provisional Standard certificate holder.

Code Revisions

The Board discussed the following changes:

Pages 1, 3, 4 and 6 are all technical changes made by the AOC Legal Department.

Page 13, all language regarding exemption was stricken and then added to page 9 under the renewal section.

Page 18, a title was added to the paragraph for consistency.

Page 35, technical changes made by the AOC Legal Department.

The Board discussed having another meeting at the end of May 2004 to discuss the final public comments.

Call to the Public

There was no response from the public.

Adjournment

A **motion** was made by Judge Philip Hall and seconded by Douglas Brooks to adjourn. Motion passed. **BCCR-04-054**

The meeting of the Board of Certified Court Reporters adjourned at 12:54 p.m.