

# BOARD OF CERTIFIED REPORTERS

## Meeting Agenda – Thursday, June 7, 2018

Arizona Supreme Court - 1501 West Washington Street

Phoenix, Arizona 85007 - 10:00 A.M. - Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

**CALL TO ORDER**..... *G. Allen Sonntag, Chair*

**1) REVIEW AND APPROVAL OF MINUTES** ..... *G. Allen Sonntag, Chair*

*1-A: Review and approval of the regular session minutes for the meeting of April 12, 2018.*

**2) PENDING COMPLAINTS**.....*Division Staff*

*2-A Receive legal advice concerning Board's role in the disciplinary review process for complaint number 17-C001, involving certified court reporter, Kimberly Bata and discussion and possible action regarding further instructions to staff regarding additional investigation.*

*2-B Review, discussion and possible action regarding Hearing Officer's Order concerning complaint number 17-C002, involving certified court reporter, Rochelle Dobbins.*

*2-C Update regarding the status of pending complaints.*

**3) INITIAL CERTIFICATION AND ELIGIBILITY**.....*Division Staff*

*3-A: Review, discussion and possible action regarding pending initial certification applications for the following applicants:*

- 1. Ruth Weese*
- 2. Kayla Burgus*
- 3. Lisa O'Sullivan*
- 4. Catherine Turner*
- 5. Stacy Harlow*

6. Nicole Bulldis
7. Benjamin Bamford

**4) RENEWAL CERTIFICATION APPLICATIONS.....*Division Staff***

*4-A: Review, discussion and possible action regarding pending applications for renewal of certification:*

- |                         |                             |
|-------------------------|-----------------------------|
| 1. Kathryn Andrew       | 39. Michaela Herman Davis   |
| 2. Rhonda L. Aquilina   | 40. Donna J. DeLaVina       |
| 3. Leah D. Armendariz   | 41. Jeanne Depenbrok        |
| 4. Susan P. Auletta     | 42. Brigid M. Donovan       |
| 5. Cindy Bachman        | 43. Talia Douglas           |
| 6. Laureen Badar        | 44. Jane M. Doyle           |
| 7. Jonna E. Baker       | 45. Holly M. Draper         |
| 8. Leisel Baker         | 46. Dawn Marie Duffey       |
| 9. Rossana K. Baker     | 47. Melisa Duncan           |
| 10. Michele E. Balmer   | 48. Valerie J. Eames        |
| 11. Jeri F. Barbin      | 49. M. Lisa Edgar           |
| 12. Sheryl Barker       | 50. Pamela B. Euzarraga     |
| 13. Wanda J. Bauer      | 51. Glinda Fabok            |
| 14. Linda K. Blackmon   | 52. Diane S. Fayette        |
| 15. Robin G. Bobbie     | 53. Kathy Fink              |
| 16. Karen R. Bolton     | 54. George B. Finn III      |
| 17. Deborah J. Boyette  | 55. Leslie Foldy            |
| 18. Lisa Ann Bradley    | 56. Angela Fritts, RPR      |
| 19. Laurine Brinkman    | 57. Janice G. Fuller        |
| 20. Barbara Brodrick    | 58. Adam W. Gage            |
| 21. Kristen Leigh Brown | 59. Anthony C. Garcia       |
| 22. Marianne S. Burton  | 60. Guillermina Garcia-Hunt |
| 23. Susan Kay Byrum     | 61. Vanessa Gartner         |
| 24. Patricia Calabro    | 62. Steve L. Garwood        |
| 25. Linda M. Cantrell   | 63. Patricia Gerson         |
| 26. Debra R. Carney     | 64. Pamela Joy Giffin       |
| 27. Lisa A. Chaney      | 65. Lisa L. Glennie         |
| 28. Wendell J. Chapman  | 66. Melissa A. Gonsalves    |
| 29. Jennifer D. Church  | 67. Janice Gonzales         |
| 30. Karen L. Clark      | 68. Ana Y. Goodenough       |
| 31. Deborah Cleary      | 69. Susan A. Grenz          |
| 32. Christine M. Coaly  | 70. Deborah A. Hanlon       |
| 33. Gerard T. Coash Sr. | 71. Jennifer Hanssen        |
| 34. Meri Coash          | 72. Melissa J. Hart         |
| 35. Laurie Cooper       | 73. Elizabeth Hengstebeck   |
| 36. Darla J. Coulter    | 74. Sheryl L. Henke         |
| 37. John M. Cozza       | 75. Marty Herder            |
| 38. Marjorie H. Crosby  | 76. Joni Hill               |

- |                             |                                      |
|-----------------------------|--------------------------------------|
| 77. Claudia Ann Hilton      | 116. Lisa A. Nance, RPR              |
| 78. Cathy E. Hoff           | 117. Kathleen H. O'Donnell           |
| 79. Jennifer M. Holdaway    | 118. Rebecca L. Ogle                 |
| 80. Jennifer Honn           | 119. Kelly Sue Oglesby               |
| 81. Tamara H. Howard        | 120. Kelly Olhausen                  |
| 82. Zella Mae Howard        | 121. Robin L. B. Osterode            |
| 83. Bonnie J. Humm          | 122. Julie T. Ottmar                 |
| 84. April M. Hutchinson     | 123. Stacey Palmer                   |
| 85. Tracy Jamieson          | 124. Jennifer Pancratz               |
| 86. Julie R. Jarrett        | 125. Nancy Papietro                  |
| 87. Judith Johnson          | 126. Helen Pasewark                  |
| 88. Marta M. Johnson        | 127. Shelley E. D. Pearce            |
| 89. Lisa B. Kelly           | 128. Kimberly Portik                 |
| 90. Scott A. Kindle         | 129. Lori A. Pulsifer                |
| 91. Karen Kovacs            | 130. Lori Reinhardt                  |
| 92. Marylynn LeMoine        | 131. Kelly R. Rexroat                |
| 93. Cindy L. Lineburg       | 132. Gene Richards                   |
| 94. Joseph R. Lombardi      | 133. Nancy P. Richmond               |
| 95. Linda C. Lopez          | 134. Sandra Riley                    |
| 96. Cindy Mahoney           | 135. Denice D. Ripple                |
| 97. Leo T. Mankiewicz       | 136. Barbara A. Rosado               |
| 98. Dana Mann-Chipkin       | 137. Colette E. Ross                 |
| 99. Lorena Marin-Garcia     | 138. Daunice M. Rottas               |
| 100. Jill Fulkerson Marnell | 139. Rosina K. Seymour               |
| 101. Sandy Marruffo         | 140. Raynbo Silva                    |
| 102. Karla M. Martin        | 141. Chanetta L. Sinkfield           |
| 103. Pamela J Mayer         | 142. Lisa A. Steinmeyer              |
| 104. Caryn Mazella          | 143. Carolyn T. Sullivan             |
| 105. Tanya Denae McCowan    | 144. Cathy J. Taylor                 |
| 106. Carol A. McCue         | 145. Lori L. Thielmann               |
| 107. Sharron L. McPartlin   | 146. Courtney Cooper<br>Vanderwalker |
| 108. Daeleen R. Melendez    | 147. Chelsea Voigt                   |
| 109. Mary Meyer             | 148. Laura D. Walker, RPR            |
| 110. Cathy A. Miccolis      | 149. Haley Westra                    |
| 111. Angela Furniss Miller  | 150. Christopher J. White            |
| 112. Lorraine J. Milligan   | 151. Yvonne L. Whitefield            |
| 113. Marisa L. Montini      | 152. Debbie Wilks                    |
| 114. Cyndi Morris-Crowe     | 153. Karen Niemtschk                 |
| 115. Sandra L. Munter       |                                      |

5) ADMINISTRATIVE ISSUES.....*Division Staff*

CALL TO THE PUBLIC..... *G. Allen Sonntag, Chair*

ADJOURNMENT..... *G. Allen Sonntag, Chair*

**BOARD OF CERTIFIED REPORTERS**  
**Agenda Summary – Thursday, June 7, 2018**

**1) REVIEW AND APPROVAL OF MINUTES**

*1-A: Review and approval of the regular session minutes for the meeting of April 12, 2018.*

Attached for the Board's review are the regular session minutes from the Board meeting of April 12, 2018.

**BOARD OF CERTIFIED REPORTERS**  
**Meeting Agenda – Thursday, June 7, 2018**

**2) PENDING COMPLAINTS**

- 2-A Receive legal advice concerning Board's role in the disciplinary review process for complaint number 17-C001, involving certified court reporter, Kimberly Bata and discussion and possible action regarding further instructions to staff regarding additional investigation.*

The AOC Legal Division will provide advice regarding disciplinary process questions raised at the last meeting.

# BOARD OF CERTIFIED REPORTERS

## Meeting Agenda – Thursday, June 7, 2018

### 2) PENDING COMPLAINTS

2-B *Review, discussion and possible action regarding Hearing Officer's Order concerning complaint number 17-C002, involving certified court reporter, Rochelle Dobbins.*

This complaint was initially presented to the Board on April 12, 2018 at which time the Board accepted Staff's recommendation and the Probable Cause Evaluator's determination that Rochelle Dobbins violated **(a)** ACJA §§ 7-206(J)(1)(a), 7-206(J)(2)(c), 7-206(J)(4)(c), 7-206(J)(6)(a), 7-201(H)(6)(k)(2) and (12); Court of Appeals, Division One, Administrative Order 2015-01; Rules of Criminal Procedure Rules 31.8(b)(1), (b)(2)(ii), and (d)(3)(i) and (ii) and Rule 31.9(a),(b) and (c) for failure to timely prepare and file transcripts in *State v. Parada*; **(b)** ACJA §§ 7-206(J)(1)(a), 7-206(J)(2)(c), 7-206(J)(6)(a), and 7-201(H)(6)(k)(2) and (12) for failure to timely pay the Court ordered sanctions in *State v. Parada* and for being found in criminal contempt; and **(c)** ACJA §§ 7-206(J)(1)(a), 7-206(J)(2)(c), 7-206(J)(4)(c), 7-206(J)(6)(a), 7-201(H)(6)(k)(2) and (12); Court of Appeals, Division One, Administrative Order 2015-01; Rules of Criminal Procedure Rules 31.8(b)(1),(b)(2)(ii), and (d)(3)(i) for failure to timely prepare and file transcripts in *State v. Evans*.

On April 12, 2018, the Board filed the Notice of Formal Statement of Charges in complaint number 17-C002, involving Rochelle Dobbins. Division records reflect Ms. Dobbins was served on April 16, 2018. On May 11, 2018, Ms. Dobbins filed a request for hearing.

On May 23, 2018, during the prehearing case management conference, the Hearing Officer determined that the request for hearing filed by Ms. Dobbins on May 11, 2018, was untimely filed and not compliant with ACJA § 7-201(H). The Hearing Officer dismissed the request for hearing.

Staff recommends that the Board find Rochelle Dobbins in default and enter a Final Order suspending the certification of Rochelle Dobbins for a period of 30 days.

**BOARD OF CERTIFIED REPORTERS**  
**Agenda Summary – Thursday, June 7, 2018**

2) **PENDING COMPLAINTS**

2-C: *Update regarding the status of pending complaints.*

As of June 7, 2018, there is currently one open complaint.

**CERTIFIED REPORTER COMPLAINTS**  
**COURTOOLS MEASURE 4**  
**AGE OF PENDING CASELOAD**  
Shaded Areas Represent Cases within Time Standard of 22 Months

<b>Age (Months)</b>	<b>Number Cases</b>	<b>Percent</b>	<b>Cumulative Percent</b>
0-4	0		
5-9	0		
10-14	1	100%	100%
15-19	0		
20-22	0		
23-35			
36-50			
Over 50			
<b>Total</b>	<b>2</b>	<b>100%</b>	<b>100%</b>

# BOARD OF CERTIFIED REPORTERS

## Agenda Summary – Thursday, June 7, 2018

### 3) INITIAL CERTIFICATION AND ELIGIBILITY

*3-A: Review, discussion and possible action regarding pending initial certification applications for the following applicants:*

1. Ruth Weese applied for initial Certified Reporter certification. Ms Weese successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education requirements and has provided proof of passing the RPR or the CVR.

The Division recommends approval of initial certified reporter certification for Ruth Weese.

2. Kayla Burgus applied for initial Certified Reporter certification. Ms. Burgus successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education requirements and has provided proof of passing the RPR. Ms. Burgus disclosed two underage alcohol related incidents as well as a 2015 civil case in which she was listed as the plaintiff.

The Division recommends approval of initial certified reporter certification for Kayla Burgus.

3. Lisa O’Sullivan applied for initial Certified Reporter certification. Ms. O’Sullivan successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education requirements and has provided proof of passing the RPR. Ms. O’Sullivan disclosed two civil matters and a 1986/87 D.U.I.

The Division recommends approval of initial certified reporter certification for Lisa O’Sullivan.

4. Catherine Turner applied for initial Certified Reporter certification. Ms. Turner successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education requirements and has provided proof of passing the RPR. Ms. Turner disclosed two civil matters and a 1986 D.U.I.

The Division recommends approval of initial certified reporter certification for Catherine Turner.

5. Stacy Harlow applied for initial Certified Reporter certification. On April 12, 2018, Ms. Harlow’s application was approved by the Board on a contingency that Division Staff validate Ms. Harlow’s RPR. Ms. Harlow has since stated that she has taken a position with the federal court and requests that her application be withdrawn.

Division recommends the Board accept the request of Ms. Harlow and withdraw her certified reporter certification application.

6. Nicole Bulldis – staff will provide information and a recommendation at the meeting.

7. Benjamin Bamford applied for initial Certified Reporter certification. Mr. Bamford successfully passed the program examination and has submitted a complete application demonstrating that he meets the minimum education requirements and has provided proof of passing the RPR. Mr. Bamford disclosed a 2013 criminal misdemeanor conviction for stealing a DVD at a Walmart while he was living in Utah. Mr. Bamford failed to disclose a 2011 criminal misdemeanor for excessive speeding and failing to appear in court.

During a subsequent background check it was further discovered that Mr. Bamford had been involved in three additional criminal matters involving drugs and fraudulent documents/instruments. In the first criminal case filed in August 2, 2010, Mr. Bamford was charged with two felonies for possession of marijuana and drug paraphernalia. During that arrest it was discovered that he was also in possession of a fraudulent driver's license. The second criminal charge was filed in April 8, 2010, and it involved a misdemeanor charge for drug paraphernalia-possess/use. In both cases Mr. Bamford completed a diversion program and all charges were dropped. The third case was filed in April 4, 2011 and involved a Class 4 felony with a charge for attempting to commit acquisition or administration of narcotic drugs. Mr. Bamford entered an arrangement with a law enforcement agency do get the charges dropped.

On April 12, 2018, Mr. Bamford's application was presented to the Board with a proposed consent agreement. The proposed consent agreement was to grant Mr. Bamford certification with certain stipulations to include, but not limited to, random drug testing for a year and to attend a drug program twice a month for two years. Some members of the Board and Mr. Bamford expressed concern about the terms of the consent agreement. The proposed consent agreement was not voted on by the Board and was deferred to explore other possible terms. In light of the concerns raised, staff has withdrawn its support of the proposed consent agreement.

On May 25, 2018, Mr. Bamford and his attorney Kimberly Ruht submitted a proposed consent agreement. This proposed consent agreement's terms consist of Mr. Bamford being granted certification conditioned on the term that he not violate any criminal laws or the ACJA for a period of two years. If Mr. Bamford violates any provision his certification gets suspended for one year. After a second violation within that timeframe, the proposed agreement states that Mr. Bamford be revoked.

Division has concerns regarding Mr. Bamford's past behavior that consist of five criminal charges resulting in two criminal misdemeanor convictions. Three charges are drug offenses and could have possibly resulted in more convictions had he not been able to reach an agreement to attend certain diversion programs or make special arrangements with certain agencies. Furthermore, Mr. Bamford has possessed and used fraudulent instruments and documents on multiple occasions. Mr. Bamford has asserted that his past behavior was the result of his addiction. The initial consent agreement was an attempt to provide assurances to the Board that Mr. Bamford's past issues and the related criminal conduct had been resolved. Mr. Bamford's proposed consent agreement instead relies on a third party filing a complaint or observing illegal conduct and then imposes a penalty that may or may not be in proportion to the violation and binds the Board's authority in administering a sanction(s). The language in the proposed consent agreement results in a blanket

sanction regardless of which ACJA violation or criminal matter has been violated. For example, Mr. Bamford would have the same sanctions and be suspended in the first year for the following offenses:

- I. A criminal speeding violation, or
- II. Embezzling over six figures in a fraud scheme

This proposed consent agreement would take away the Board's decision-making authority involving disciplinary matters.

Based on the foregoing, Staff's recommendation is to deny certified reporter certification to applicant, Benjamin Bamford, pursuant to ACJA § 7-201 (E)(2)(c)(2)(b)(iii, xii, and xv).

# BOARD OF CERTIFIED REPORTERS

## Agenda Summary – Thursday, June 7, 2018

### 4) RENEWAL CERTIFICATION APPLICATIONS

4-A: *Review, discussion and possible action regarding pending applications for renewal of certification:*

The following individual certificate holders have submitted applications for renewal of standard certification. The applications are complete, no information has been presented during a background review which is contrary to standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for standard certification. It is recommended renewal of standard certification be granted to the following individuals:

1. Kathryn Andrew
2. Rhonda L. Aquilina
3. Leah D. Armendariz
4. Susan P. Auletta
5. Cindy Bachman
6. Laureen Badar
7. Jonna E. Baker
8. Leisel Baker
9. Rossana K. Baker
10. Michele E. Balmer
11. Jeri F. Barbin
12. Sheryl Barker
13. Wanda J. Bauer
14. Linda K. Blackmon
15. Robin G. Bobbie
16. Karen R. Bolton
17. Deborah J. Boyette
18. Lisa Ann Bradley
19. Laurine Brinkman
20. Barbara Brodrick
21. Kristen Leigh Brown
22. Marianne S. Burton
23. Susan Kay Byrum
24. Patricia Calabro
25. Linda M. Cantrell
26. Debra R. Carney
27. Lisa A. Chaney
28. Wendell J. Chapman
29. Jennifer D. Church
30. Karen L. Clark
31. Deborah Cleary
32. Christine M. Coaly
33. Gerard T. Coash Sr.
34. Meri Coash
35. Laurie Cooper
36. Darla J. Coulter
37. John M. Cozza
38. Marjorie H. Crosby
39. Michaela Herman Davis
40. Donna J. DeLaVina
41. Jeanne Depenbrok
42. Brigid M. Donovan
43. Talia Douglas
44. Jane M. Doyle
45. Holly M. Draper
46. Dawn Marie Duffey
47. Melisa Duncan
48. Valerie J. Eames
49. M. Lisa Edgar
50. Pamela B. Euzarraga
51. Glinda Fabok
52. Diane S. Fayette
53. Kathy Fink
54. George B. Finn III
55. Leslie Foldy
56. Angela Fritts, RPR
57. Janice G. Fuller
58. Adam W. Gage

59. Anthony C. Garcia
60. Guillermina Garcia-Hunt
61. Vanessa Gartner
62. Steve L. Garwood
63. Patricia Gerson
64. Pamela Joy Giffin
65. Lisa L. Glennie
66. Melissa A. Gonsalves
67. Janice Gonzales
68. Ana Y. Goodenough
69. Susan A. Grenz
70. Deborah A. Hanlon
71. Jennifer Hanssen
72. Melissa J. Hart
73. Elizabeth Hengstebeck
74. Sheryl L. Henke
75. Marty Herder
76. Joni Hill
77. Claudia Ann Hilton
78. Cathy E. Hoff
79. Jennifer M. Holdaway
80. Jennifer Honn
81. Tamara H. Howard
82. Zella Mae Howard
83. Bonnie J. Humm
84. April M. Hutchinson
85. Tracy Jamieson
86. Julie R. Jarrett
87. Judith Johnson
88. Marta M. Johnson
89. Lisa B. Kelly
90. Scott A. Kindle
91. Karen Kovacs
92. Marylynn LeMoine
93. Cindy L. Lineburg
94. Joseph R. Lombardi
95. Linda C. Lopez
96. Cindy Mahoney
97. Leo T. Mankiewicz
98. Dana Mann-Chipkin
99. Lorena Marin-Garcia
100. Jill Fulkerson Marnell
101. Sandy Marruffo
102. Karla M. Martin
103. Pamela J Mayer
104. Caryn Mazella
105. Tanya Denae McCowan
106. Carol A. McCue
107. Sharron L. McPartlin
108. Daeleen R. Melendez
109. Mary Meyer
110. Cathy A. Miccolis
111. Angela Furniss Miller
112. Lorraine J. Milligan
113. Marisa L. Montini
114. Cyndi Morris-Crowe
115. Sandra L. Munter
116. Lisa A. Nance, RPR
117. Kathleen H. O'Donnell
118. Rebecca L. Ogle
119. Kelly Sue Oglesby
120. Kelly Olhausen
121. Robin L. B. Osterode
122. Julie T. Ottmar
123. Stacey Palmer
124. Jennifer Pancratz
125. Nancy Papietro
126. Helen Pasewark
127. Shelley E. D. Pearce
128. Kimberly Portik
129. Lori A. Pulsifer
130. Lori Reinhardt
131. Kelly R. Rexroat
132. Gene Richards
133. Nancy P. Richmond
134. Sandra Riley
135. Denice D. Ripple
136. Barbara A. Rosado
137. Colette E. Ross
138. Daunice M. Rottas
139. Rosina K. Seymour
140. Raynbo Silva
141. Chanetta L. Sinkfield
142. Lisa A. Steinmeyer
143. Carolyn T. Sullivan
144. Cathy J. Taylor
145. Lori L. Thielmann
146. Courtney Cooper Vanderwalker
147. Chelsea Voigt
148. Laura D. Walker, RPR
149. Haley Westra
150. Christopher J. White
151. Yvonne L. Whitefield
152. Debbie Wilks

153. Karen Niemtschk has submitted an application for renewal of standard certification. The application is complete and the certificate holder had demonstrated she meets the minimum eligibility requirements for standard certification. The applicant disclosed she had a 2017 extreme DUI conviction.

It is recommended renewal of standard certification be granted to Karen Niemtschk.