

Supreme Court Board of Certified Reporters

Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference Room CLD1
10:00 a.m. - 2:00 p.m.

June 5, 2006

Approved Regular Session Minutes

Members Present:

James Bouley
Jean Lea
Kathleen Montalvo
Patricia Seguin
Jennifer Stadler
Judge Lawrence Winthrop

AOC Staff Present:

Rhonda Simmons
Nancy Swetnam
Brenda Dominguez
Nina Preston
Kandace French
Alice Tan (Intern)

Guests:

Joseph Notaro
John Bouley
Vivian McClard

Members Telephonically Present:

William Druke
Judge Jan Kearney

Members Absent:

Sandra Markham

Guests Telephonically Present:

Linda Drake
Fred Harvey

CALL TO ORDER

The meeting was called to order by Jennifer Stadler at 10:04 a.m.

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A Regular and Executive Session Minutes for the meeting of April 25, 2006.

1-B Regular and Executive Session Minutes for the meeting of May 8, 2006.

Regular Session – April 25, 2006

Jean Lea requested the first sentence on page 7 under the section of *Discussion and action regarding the Hearing Officer's Report and Recommendation with respect to Maria Geare* should read as follows: "Rhonda Simmons informed the Board Maria Geare has passed another component of the RPR."

A **motion** was made by William Druke and seconded by Jean Lea to adopt the Regular Session Minutes for April 25, 2006 as amended. Motion passed. **BCCR-06-086**

Regular Session – May 8, 2006

The Board requested technical changes be made to the May 8, 2006 Regular Session Minutes.

A **motion** was made by Judge Lawrence Winthrop and seconded by Jean Lea to adopt the Regular Session Minutes for May 8, 2006 as amended. Motion passed. **BCCR-06-087**

Executive Session – April 25, 2006

A **motion** was made by Jean Lea and seconded by Judge Lawrence Winthrop to adopt the April 25, 2006 Executive Session Minutes. Motion passed. **BCCR-06-088**

Executive Session – May 8, 2006

A **motion** was made by Jean Lea and seconded by Judge Lawrence Winthrop to adopt the May 8, 2006 Executive Session Minutes. Motion passed. **BCCR-06-089**

3) CERTIFICATION AND ELIGIBILITY

3-B Report and recommendations regarding Continuing Education course credit requests.

Kandace French addressed the Board and provided recommendations and documents regarding the following continuing education requests:

1. “Captioning: What’s it all about?” presented by Jennifer Schuck at various locations and dates – 4 hours requested --- recommend granting.
2. “Steno Master’s Boot Camp” presented by Mark Kislingbury via teleconference from 3/7 through 5/4/2006 – 14 hours requested --- recommend 10 hours be granted.

A **motion** was made by Jean Lea and seconded by William Druke to approve continuing education credit for “Captioning: What’s it all about?” as requested and “Steno Mater’s Boot Camp” for 10 hours. Motion passed. **BCCR-06-090**

3-C Discussion and action regarding the Temporary Certification for Maria Geare.

The Board discussed extending Temporary Certification for Maria Geare.

A **motion** was made by William Druke and seconded Jean Lea to grant an extension of Maria Geare’s temporary certification through December 31, 2006. Motion passed. **BCCR-06-091**

3-D Review, discussion and possible action regarding the request from Royce Conner to extend his Provisional Standard Certification.

The Board discussed Royce Conner's request for his Provisional Standard Certification to be extended based on a medical condition.

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to deny Royce Conner's request that his Provisional Standard Certification be extended, because § 7-206 does not allow for Provisional Standard Certificates to be extended. Motion passed. **BCCR-06-092**

4) REVIEW OF CERTIFICATION APPLICATIONS

4-A Applicants for Initial Standard Certification.

Valerie Harris

Rhonda Simmons informed the Board the Valerie Harris has passed the Arizona Written Exam and the RPR, and meets all other qualifications for certification. Ms. Simmons recommended the Board grant Initial Standard Certification to Valerie Harris.

A **motion** was made by Jean Lea and seconded by Kathleen Montalvo to grant Initial Standard Certification to Valerie Harris. Motion passed. **BCCR-06-093**

EXECUTIVE SESSION STARTED– 10:32 a.m.

A **motion** was made by William Druke and seconded by Jean Lea to go into Executive Session for advice from legal counsel. Motion passed. **BCCR-06-094**

Judge Jan Kearney joined the meeting at 10:37 a.m.

EXECUTIVE SESSION ENDED – 11:05 a.m.

2) ADMINISTRATIVE ISSUES

2-B Discussion and possible action regarding proposed consent agreement for Kate Baumgarth.

The Board discussed and amended the Consent Agreement and Order regarding Kate Baumgarth.

A **motion** was made by Judge Lawrence Winthrop and seconded by Patricia Seguin to adopt the Consent Agreement Order as amended for Kate Baumgarth. Motion passed. **BCCR-06-095**

3) CERTIFICATION AND ELIGIBILITY (revisited)

3-A Discussion and action regarding the National Voice Writers examination, validation and determination of the proficiency exam for certification.

The Board reviewed and discussed information provided by the National Verbatim Reporters Association (NVRA) and by the professional test validator hired by NVRA to validate the voice writer examination.

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop recommending to the Arizona Judicial Council and the Supreme Court the adoption of the verbatim reporter examination as an approved proficiency exam for reporters. Jean Lea, Jim Bouley and Jennifer Stadler opposed. Motion passed. **BCCR-06-096**

Jean Lea, Jennifer Stadler and Jim Bouley raised concerns regarding whether voice writers should be required to take the RPR instead of the Certified Verbatim Reporters (CVR) examination. Concerns were also expressed regarding the fairness of adoption of two separate examinations for certification, especially in view of the fact that stenographic reporters were not grandfathered into the profession and all reporters were required to pass the RPR.

Judge Winthrop and Judge Kearney recommended adoption of the CVR based on the statutory requirements but stated their preference is there would be only one examination for certification.

A **motion** was made by Judge Lawrence Winthrop and seconded by Kathleen Montalvo to require the NVRA and NCRA both submit written copies of the CVR and RPR examination scripts for two years. Motion passed. **BCCR-06-097**

2) ADMINISTRATIVE ISSUES (revisited)

2-A Review, discussion and action of proposed revisions of ACJA § 7-206 re: provisional standard certification.

The Board reviewed and discussed proposed language drafted by staff adopting the CVR as one of the certification examinations. Staff recommended this draft language be incorporated into the proposed revisions to ACJA § 7-206 based on the Board's previous motion to recommend the CVR as one of the certification examinations.

A **motion** was made by Judge Lawrence Winthrop and seconded by Judge Jan Kearney to approve the drafted language regarding the CVR as one of the certification examinations and incorporate the language into § 7-206 prior to it being forwarded to the Arizona Judicial Council for recommendation to the Supreme Court. Motion passed. **BCCR-06-098**

The Board reviewed and discussed proposed revisions to § 7-206 and made the following changes: (G)(b)(1)(b) the date “December 31, 2006” was replaced with “January 15, 2007”; (G)(b)(1)(d) incorporate the following language in the sentence “showing due diligence”; and (J)(3)(a) line six reads as follows: “...provided the same reduced rate for additional copies is provided to all parties involved in the case.”

A **motion** was made by Judge Lawrence Winthrop and seconded by Patricia Seguin to recommend to the Arizona Judicial Council and the Supreme Court the adoption of § 7-206 as presented with the amendments which have been previously discussed and voted upon. Judge Jan Kearney opposed as reason previously stated. Motion passed.
BCCR-06-099

CALL TO THE PUBLIC

None at this time.

ADJOURNMENT

A **motion** was made by William Druke and seconded by Jean Lea to adjourn. Motion passed. **BCCR-06-100**

The meeting of the Board of Certified Reporters adjourned at 12:02 p.m.

/bld