

# 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.

## October 17, 2005 Approved Regular Session Minutes

### Members Present:

Judge Lawrence Winthrop  
Sandra Markham  
James Bouley  
Jennifer Stadler  
Patricia Seguin  
William E. Druke  
Kathleen Montalvo

### AOC Staff Present:

Rhonda Simmons  
Nina Preston  
Nancy Swetnam  
Brenda Lee Dominguez

### Guest(s):

Michele Balmer  
Cindy Trimble  
Marvin Atwood

### Members Absent

Jean Lea

### Members Telephonically Present:

Judge Jan Kearney

## *Regular Session*

### Call to Order

The meeting was called to order by Sandra Markham at 10:05 a.m.

### Review and Approval of meeting Minutes

#### *Regular session minutes of August 8, 2005*

William Druke requested changes be made on August 8, 2005 regular session minutes on page 7 under Esquire Ad in line 3 “due to the fact that” should be changed to “because” and on page 8 under Court Reporting Firms Interpretation of the Code of Conduct within the motion in line 2 after the word “publish” add “on the Certified Reporter Website those”.

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke to approve the August 8, 2005 minutes as amended. Motion passed.  
**BCCR-05-111**

#### *Regular session minutes of September 12, 2005*

William Druke requested changes be made on September 12, 2005 regular session minutes on page 2 under topic Mark Miller. The first paragraph should read “Rhonda Simmons reported Certified Reporter, Mark Miller has 3 in-person credit hours of

continuation education through Stenograph and is requesting an additional 7 credit hours through on-line courses by the same company. The Board reviewed the Continuation Education Policy (D)(8) that limits self study to a maximum of 5 credit hours.

A **motion** was made by Judge Lawrence Winthrop and seconded by James Bouley to approve the September 12, 2005 minutes as amended. Motion passed.  
**BCCR-05-112**

*Applicants for initial certification.*

There were no applicants for initial certification at this time.

*Applicants for Conversion*

Rhonda Simmons reported the following reporters requested their certificates be converted from Provisional Standard Certification to Standard Certification based on the Program receiving fingerprint results with no questions and they have passed the Arizona Written Exam and the RPR.

Stephanie Adams  
Holly Draper  
Sheryl Henke  
Marta Rice  
Susan Wolf

A **motion** was made by James Bouley and seconded by Kathleen Montalvo to convert the reporters listed above from Provisional Standard Certification to Standard Certification based on the Program receiving fingerprint results with no questions and they have passed the Arizona Written Exam and the RPR. Motion passed. **BCCR-05-113**

Rhonda Simmons reported Vivian Weiss' fingerprints have been sent in twice and they continue to come back indiscernible. Ms. Weiss has signed a 5.9.3 Written Statement and it is therefore recommended her certificate be converted from Provisional Standard Certification to Standard Certification.

A **motion** was made by Judge Lawrence Winthrop and seconded by Patricia Seguin to convert the Provisional Standard certificate of Vivian Weiss to Standard Certification based on the Program receiving a signed 5.9.3 Written Statement. Motion passed. **BCCR-05-114**

*RPR Conversion*

Rhonda Simmons reported Terry Evans has passed all components of the RPR and it is therefore recommended his certificate be converted from Provisional Standard Certification to Standard Certification.

A **motion** was made by James Bouley and seconded by Patricia Seguin to convert the Provisional Standard certificate of Terry Evans to Standard Certification based on the Program receiving documentation he has passed all components of the RPR. Motion passed. **BCCR-05-115**

### *Renewal Certifications*

There were no renewal certifications at this time.

### **Continuing Education Issues**

#### *Consideration for requests for continuing education credit.*

Rhonda Simmons informed the Board Diane Dzwonkoski is requesting credit for continuing education for attending the Arizona Heart Institute Seminar entitled “What You Need to Know About Heart Arrhythmias” on September 15, 2005 and for a seminar she would like to attend on October 19, 2005 entitled “Women and Heart Disease.” Ms. Dzwonkoski is requesting 3 hours for attending both seminars. These seminars fall under the category of Medical Terminology and/or Management issues regarding “maintaining individual reporter’s health and emotional adjustment” of the Continuing Education Policy.

A **motion** was made by James Bouley and seconded by Judge Lawrence Winthrop to grant 3 hours of continuing education credit to Diane Dzwonkoski for attending “What You Need to Know About Heart Arrhythmias” and “Women and Heart Disease” at the Arizona Heart Institute Seminar. Motion passed. **BCCR-05-116**

Rhonda Simmons informed the Board JoAnn Klemm and Kimberly Portik are requesting 18 hours of continuing education credit for presenting Case Catalyst Training. They taught three workshops this year and each workshop consists of 6 hours. According to the requesters, each workshop took an average of 2 hour prep time. Under the Continuing Education Policy, a reporter may receive credit for developing and presenting continuing education activities. According to the Policy, “Case Catalyst courses are 100% preapproved for continuing education credits.” The Policy also states, “The Board may grant continuing education for the actual presentation time up to two hours for each hour of presentation time.”

A **motion** was made by William Druke and seconded by Kathleen Montalvo to grant 18 hours of continuing education credit to JoAnn Klemm and Kimberly Portik for presenting Case Catalyst Training. Motion passed. **BCCR-05-117**

Rhonda Simmons reported Mary Vincelette is requesting .5 hours of continuing education for a conference on September 30, 2005 at ASU entitled Autism/Asberger’s

Conference she will be attending. The conference is for 6 hours, but the reporter is requesting only .5 hours since that is what she needs for her certification.

A **motion** was made by William Druke and seconded by James Bouley to grant .5 hours of continuing education credit to Mary Vincelette for attending the Autism/Asberger's Conference. Motion passed. **BCCR-05-118**

Rhonda Simmons reported Mark Miller is requesting credit for two ASU noontime lectures; one on October 19 entitled "Analyzing American Indian Leadership in History" and the other on October 26 entitled "Visions of the Past and a Look Into the Future For Native People". Reporter Kelly Woods is requesting credit for the same ASU noontime lectures as Mr. Miller with an additional one on October 18 entitled "Confessions of a Desperate Woman: Powerless to Powerful".

A **motion** was made by Judge Lawrence Winthrop and seconded by Patricia Seguin to grant approval for 1 hour credit of continuing education for each of the following ASU noontime lectures "Analyzing American Indian Leadership in History", "Visions of the Past and a Look Into the Future For Native People" and "Confessions of a Desperate Woman: Powerless to Powerful". The Board directs Program Staff to revisit the Continuing Education Policy for revisions. Motion passed. **BCCR-05-119**

Rhonda Simmons reported Vivian McClard would like to present two 5-hour sessions to reporters; 2 hours on Professional Ethics, 1.5 hours on Spelling Bee/Trivia, 2 hours on Steno Swap, 1 hour on Town Hall, 2 hours on Guide to Proofreading and 1.5 hours on Legal Terminology. Ms. McClard is a Certified Reporting Instructor from NCRA.

A **motion** was made by William Druke and seconded by Patricia Seguin to grant approval for Vivian McClard to present two 5-hour session; 2 hours on Professional Ethics, 1.5 hours on Spelling Bee/Trivia, 2 hours on Steno Swap, 1 hour on Town Hall, 2 hours on Guide to Proofreading and 1.5 hours on Legal Terminology. Motion passed. **BCCR-05-120**

Rhonda Simmons reported Sandra Riley is requesting 7.5 hours of continuing education credit for her thesis. The Board agreed to defer this issue until the next Board meeting in order for Program Staff to attain further information from Ms. Riley regarding her thesis.

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to defer Sandra Riley's request for 7.5 hours of continuing education credit for her thesis until the next Board meeting. Motion passed. **BCCR-05-121**

## **Topics for Discussion and Possible Board Action**

*Board Meeting Schedule 2006.*

The Board agreed to accept the schedule for 2006 with only one exception of the April meeting being moved from April 10 to April 3.

A **motion** was made by William Druke and seconded by Jennifer Stadler to approve the 2006 Board Meeting Schedule as amended. Motion passed. **BCCR-05-122**

*Exam Schedule for 2006.*

Rhonda Simmons provided the Board with a list of dates for the 2006 Arizona Written Examination.

*Renewal Deadline for 2006.*

Rhonda Simmons recommended keeping the renewal deadline of November 22 for every year.

A **motion** was made by Patricia Seguin and seconded by Jennifer Stadler to retain the deadline date for renewal of certification for Certified Reports on November 22 for every year. Motion passed. **BCCR-05-123**

Judge Jan Kearney joined the meeting telephonically at 10:39 a.m.

*NCRA Response to allowing voice writers to take the RPR.*

Rhonda Simmons reported NCRA responded to the Board's request to allow voice writers to take the RPR. They approved this request and asked that any costs that may be incurred in addition to a regular administration would be paid by the Board.

A **motion** was made by Judge Lawrence Winthrop and seconded by Patricia Seguin directing Program Staff to write a response to NCRA stating the Board is not in the position at this time to agree on unknown costs. Motion passed. **BCCR-05-124**

*ACRA Position Statement Re: Inclusion of the Transcriber's Manual into § 7-206.*

Marvin Atwood, ACRA, opposes the inclusion of any facet of this manual of transcript procedures in the Arizona Code of Judicial Administration § 7-206. There was no response from the Board at this time.

*April Pereira Consent Agreement.*

Rhonda Simmons reported the Board has previously reviewed the consent agreement and that costs were added in association with the investigation. Ms. Pereira has agreed to pay these costs and has signed the consent agreement.

A motion was made by William Druke and seconded by Judge Lawrence Winthrop to approve the Consent Agreement as proposed. Motion passed. **BCCR-05-125**

#### *Hurricane Katrina Reporters.*

The Board at this time has not received any requests from reporters that were affected by Hurricane Katrina. The Board agreed to be flexible to specific requests and tailor their proposed action to that request and circumstance. The reporters must have already passed the RPR and then take the Arizona Written Exam.

#### **Call to the Public**

Marvin Atwood, ACRA, requested the Board move forward with the Ethics Advisory Committee, which was discussed in the last Board meeting. Nancy Swetnam stated the Board would need to put this on the next Board Agenda in order to discuss this item. Rhonda Simmons stated this would be put on the next Board Agenda for December 12, 2005.

#### **Executive Session – 11:15 a.m.**

A **motion** was made by Patricia Seguin and seconded by Kathleen Montalvo to go into Executive Session. Motion passed. **BCCR-05-126**

#### **Executive Session Ended at 11:26 a.m.**

#### **Review and Approval of Executive Session Minutes**

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to approve the August 8, 2005 Executive Session minutes as amended in Executive Session. Motion passed. **BCCR-05-127**

#### **Program Update**

Rhonda Simmons reported there are 23 open complaints at this time.

#### **Bi-Monthly Status Report Review**

The Board discussed whether to extend temporary certificates until February to give reporters with temporary extensions enough time to determine whether a further extension is necessary and to gather the documentation required to support a request for an extension of temporary certification based on extenuating circumstance. The Board agreed reporters with temporary extensions should only be given until the January 9, 2006 Board Meeting.

## **Adjournment**

A **motion** was made by Jennifer Stadler and seconded by Judge Jan Kearney to adjourn. Motion Passed. **BCCR-05-128**

The meeting of the Board of Certified Reporters adjourned at 11:40 a.m.