

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.

November 8, 2004

Approved Minutes

Members Present:

Judge Philip Hall

AOC Staff Present:

Rhonda Simmons

Lauren Hargrave

Nina Preston

Members Absent:

William E. Druke

Douglas Brooks

Members Present by Phone:

Jean Lea

Judge Jan Kearney

Sylvia Brandfon

James Bouley

Jennifer Stadler

Sandra Markham

Call to Order

The meeting was called to order by Jennifer Stadler at 12:05 p.m.

Recommendations and Board Action

Applicants for Initial Certification

The following court reporter requested she be granted Provisional Standard Certification based on staff awaiting the FBI results of their 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 her, she should be granted Provisional Standard Certification. Additionally the applicant is aware she will be required to renew again in November and provide 5 hours of continuing education

Margaret Smith

A **motion** was made by Judge Philip Hall and seconded by Sylvia Brandfon 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 her. Motion passed. **BCCR-04-114**

Continuing Education Issues

Consideration of requests for continuing education credit.

Rhonda Simmons is requesting approval of the following ASU Downtown Lectures and is recommending 1 hour of continuing education credit for each. The Board discussed the lecture entitled “Doing Business in China” but did not approve the seminar for continuing education credit.

Give Your Brain A Fitness Break
Common Sense Pain Management
Lighten Up – It’s Easier Than You Think!
Take Control of Your Life and Start Living
Business Writing and Grammar Skills – You Need to Know the Rules
How to Create Balance in a Busy Life

A **motion** was made by James Bouley and seconded by Sylvia Brandfon to approve 1 hour of continuing education credit for the above entitled ASU Downtown Lectures. Motion passed. **BCCR-04-115**

Judge Jan Kearney joined the meeting.

Topics for Discussion

Keeping the Record Committee Proposed Transcript Procedures

Rhonda Simmons reported Sandra Markham has requested guidance from the Board with respect to the proposed State of Arizona Manual of Transcript Procedures and ACRA’s position regarding the manual. The Board discussed the fact that transcribers and court reporters should be considered separate entities because transcribers do not attend hearings in person; they alternatively transcribe a tape or disk based on what they hear. A court reporter is present for all hearings. The Board discussed the fact that court reporters and transcribers are different entities and court reporters already have a certification process and a great deal of the manual does not apply to court reporting; some of the proposals conflict with court reporter guidelines. The Board discussed having program staff incorporate some of the changes into ACJA § 7-206 during the next code change, but that transcribers should have their own procedure manual. Currently, the Keeping the Record Committee is looking at developing a master list which would contain qualified transcribers by county. This is a topic of concern for the committee and it is an issue which is still under discussion. Ms. Markham indicated that the ultimate goal is to provide uniformity within transcripts regardless of who prepares the transcript. Nina Preston advised if a separate code section was developed for transcribers the code section would be distributed for comment and the court reporters would have an opportunity to comment and attend the Arizona Judicial Council meeting when the matter is considered.

James Bouley left the meeting.

Sandra Markham joined the meeting.

The Board discussed the fact that it agrees with ACRA position, however, it does not want to exclude possibilities in the future and does not quite agree with the tone of ACRA's position.

A **motion** was made by Judge Jan Kearney and seconded by Jean Lea that the Board's position is the proposed transcript procedure manual should not be incorporated as a part of Arizona Judicial Code of Administration § 7-206 governing court reporter procedures; but that the Keeping the Record Committee should be aware of, and consider, whether the two sets of procedures need to be consistent for efficient operation of the courts. Motion passed. **BCCR-04-116**

Executive Session

A **motion** was made by Jean Lea and seconded by Judge Jan Kearney to go into Executive Session to discuss records exempt by law or rule from public inspection or for advice of counsel. Motion passed. **BCCR-04-117**

Executive Session Ended

Recommendations and Board Actions

Applicants for Initial Certification

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

A **motion** was made by Sylvia Brandfon and seconded by Judge Jan Kearney to grant Provisional Standard Certification to court reporter #1 listed above based on all documents provided and because FBI results have not been processed and returned for them, but to include advisory language in the certification letter to the court reporter as discussed in executive session. Motion passed. **BCCR-04-118**

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

A **motion** was made by Jean Lea and seconded by Sylvia Brandfon to issue an advisory letter to court reporter #2 as discussed in executive session. Motion passed. **BCCR-04-119**

Continuing Education Issues

Consideration of requests for continuing education extension.

(During Executive Session the Board reviewed the confidential record of the reporter and for the purposes of the public session will identify the reporter as Court Reporter #3)

A **motion** was made by Judge Jan Kearney and duly seconded to give court reporter #3 an additional 30 days, until December 22, 2004, to complete their continuing education requirements. The court reporter is required to supply documentation regarding the reason for the request for extension by December 10, 2004. Motion passed. **BCCR-04-120**

Consideration and Complaints

(During Executive Session the Board reviewed the confidential record of the reporter and for the purposes of the public session will identify the reporter as Court Reporter #4)

A **motion** was made by Jean Lea and seconded by Judge Jan Kearney to grant an extension for filing formal charges for Court Reporter #4 to the January 10, 2005. Motion passed. **BCCR-04-121**

Call to the Public

There was no response.

Adjournment

A **motion** was made by Sylvia Brandfon and seconded by Judge Philip Hall to adjourn. Motion passed. **BCCR-04-122**

The meeting of the Board of Certified Court Reporters adjourned at 12:55 p.m.