

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.

December 12, 2005
Approved Regular Session Minutes

Members Present:

Judge Lawrence Winthrop
Patricia Seguin
Jennifer Stadler
Jean Lea
Jennifer Stadler
Kathleen Montalvo
Judge Jan Kearney
Sandra Markham
James Bouley
William Druke

AOC Staff Present:

Rhonda Simmons
Nina Preston
Brenda Lee Dominguez
Richard Sczerbicki
Kandace French
Kimberly Siddall
Dara Fonseth
Linda Grau

Guests:

Marvin Atwood
Marc Harris
Michele Balmer

Regular Session

Call to Order

The meeting was called to order by Sandra Markham at 10:03 a.m.

Review and Approval of Meeting Minutes

October 17, 2005

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to adopt the October 17, 2005 Regular Session minutes. Motion passed. **BCCR-05-134**

November 7, 2005

A **motion** was made by Patricia Seguin and seconded by Kathleen Montalvo to adopt the November 7, 2005 Regular Session minutes. Motion passed. **BCCR-05-135**

Hearing Officer Report and Final Decision by the Board

Troy Kelley

Rhonda Simmons reported to the Board that Hearing Officer, Anne Phillips, recommended the Board grant Mr. Kelley's extension for his temporary certification.

The Certified Reporter Program was represented at the Hearing by Marc Harris, Assistant Arizona Attorney General. Based on the Board's discretion to extend temporary certificates due to extenuating circumstances and the Hearing Officer having found extenuating circumstances to extend the certification, the Board may accept, decline or modify the Hearing Officer's report. The matter was tabled until after Executive Session of the Board meeting for advice from counsel.

Continuing Education Issues

Policy discussion re: receiving all 10 credits from NCRA on-line activities.

Rhonda Simmons reported the Board's intent has always been that a reporter may only receive up to five credits for self-study and that self-study had to be pre-approved. However, the Continuing Education (CE) (page 44, D8) states "With the exception of self-study courses provided by the NCRA, all self-study shall be pre-approved by the Board for credit...Except for NCRA courses, the Board may grant a maximum of five CE credits for self-study in any one renewal period." We have a number of reporters who provided all ten CE credits in self-study through NCRA approved self-study. Due to what the policy states, it is recommended the Board allow all the self-study credits approved by NCRA. The Board discussed and agreed with staff recommendations to accept all self-study credits received through NCRA online courses.

Consideration of requests for continuing education credit.

Kandace French is the Program Specialist for the Programs and Investigations Unit and will be taking over the CE issues. Kandace has drafted an outline of the CE credits which she will provide to the Board members for their review before placing it on the Certified Reporter website.

Kandace French informed the Board Amy Stewart is requesting 15 credits of continuing education for attending University of Phoenix courses Managerial Communication and Ethics, Managerial Accounting and Finance Foundations, and Finance for Managerial Decision Making.

A **motion** was made by William Druke and seconded by Patricia Seguin to grant 15 hours of continuing education credit to Amy Stewart for University of Phoenix courses Managerial Communication and Ethics, Managerial Accounting and Finance Foundations and Finance for Managerial Decision Making. Motion passed. **BCCR-05-136**

Kandace French informed the Board Darlene Reimer is requesting 1 hour of continuing education credit for attending "Foster Care Odyssey – Past and Present" held at the ASU Downtown Center on February 15, 2005. No proof of attendance provided, nor was there a pre-approval form submitted for this course.

A **motion** was made by Judge Jan Kearney and seconded by Kathleen Montalvo to deny 1 hour of continuing education credit to Darlene Reimer for the course “Foster Care Odyssey – Past and Present” due to no proof of attendance provided for this course. Motion passed. **BCCR-05-137**

Kandace French informed the Board Darlene Reimer is requesting 2 hours of continuing education credit for attending “SCORE Loan Clinic” held by SCORE on November 9, 2005.

A **motion** was made by William Druke and seconded by Judge Jan Kearney to grant 2 hours of continuing education credit to Darlene Reimer for “SCORE Loan Clinic”. Motion passed. **BCCR-05-138**

Kandace French informed the Board Darlene Reimer is requesting 2 hours of continuing education credit for attending “Nutrition and ADD/ADHD” held by Lodestar on November 10, 2005.

A **motion** was made by William Druke and seconded by Patricia Seguin to grant 2 hours of continuing education credit to Darlene Reimer for “Nutrition and ADD/ADHD”. Motion passed. **BCCR-05-139**

Kandace French informed the Board Darlene Reimer is requesting 2 hours of continuing education credit for attending “Finding the Money You Need” held by SCORE on November 12, 2005. No proof of attendance was provided for this course.

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to deny 2 hours of continuing education credit to Darlene Reimer for the course “Finding the Money you Need” due to no proof of attendance provided for this course. Motion passed. **BCCR-05-140**

Kandace French informed the Board Bonnie Ponce is requesting continuing education credit for attending “Arizona Department of Revenue: Home-Based Business Workshop” held at Glendale Library on October 29, 2005 for 2.5 hours and “Power Vocabulary Workshop” held by Glendale Community College on October 25, 2005 for 3 hours. Ms. Ponce submitted pre-approval forms for both courses.

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to grant continuing education credit to Bonnie Ponce for “Arizona Department of Revenue: Home-Based Business Workshop” for 2.5 hours and “Power Vocabulary Workshop” for 3 hours when proof of attendance has been provided with her renewal application. Motion passed. **BCCR-05-141**

A motion was made by William Druke and seconded by Patricia Seguin to pre-approve the above mentioned courses with the stipulation that proof of attendance must be submitted with renewal applications. Motion passed. **BCCR-05-142**

Kandace French informed the Board Darlene Reimer is requesting 1 hour of continuing education credit for attending “TGEN Today and What it Means for Tomorrow” held at ASU Downtown on June 29, 2005.

A **motion** was made by William Druke and seconded by Judge Jan Kearney to grant 1 hour of continuing education credit to Darlene Reimer for “TGEN Today and What it Means for Tomorrow”. Motion passed. **BCCR-05-143**

Consideration of requests for continuing education waivers and extensions.

None at this time.

Review Bi-Monthly Status Reports

Jean Barclay
Sandra Brice
Marla Graham
Renee Hunter
Troy Kelley
Kari Kerns
Blanche Paulsen
Denise Vaishville

All reporters listed above have provided Bi-Monthly Status reports with the exception of Marla Graham. No action is necessary at this time.

Recommendations and Board Action

Rhonda Simmons introduced Kimberly Siddall who is the new certification specialist. Kimberly will be handling certification issues for the Board.

Applicants for initial certification.

Kimberly Siddall reported the following applicants have submitted initial applications. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the eligibility requirements for certification. It is recommended initial certification be granted to the following individuals beginning January 1, 2006:

Wanda Bauer
Charolotte Powers
Carlton Dawson
Catherine McDonald

A **motion** was made by William Druke and seconded by Patricia Seguin to grant Standard Certification to the applicants listed above based on all documentation provided showing they meet all qualifications for certification. Motion Passed. **BCCR-05-144**

Kimberly Siddall reported the following applicants have submitted initial applications. The applications are complete, however, their fingerprint results have not been received by staff. Therefore, it is recommended that provisional certification be granted beginning January 1, 2006:

Deborah Hanlon
Bernadette Chari

A **motion** was made by Jennifer Stadler and seconded by Patricia Seguin to grant Provision Certification to the applicants listed above based on all documents provided and pending results of the fingerprint background check. Motion passed. **BCCR-05-145**

Applications for renewal.

Kimberly Siddall reported the following applicants have submitted renewal applications. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the continuing education requirement for certification. It is recommended they be granted renewal certification:

Anne Bouley
John Bouley
Martin Bouley
Michael Bouley
James Bouley

A **motion** was made by William Druke and seconded by Judge Jan Kearney to renew the Standard Certification of the reporters listed above based on documentation provided showing they meet all qualifications for renewal. James Bouley recused. Motion passed. **BCCR-05-146**

Kenneth Schippers

A **motion** was made by Judge Jan Kearney and seconded by Kathleen Montalvo to grant Kenneth Schippers Standard Certification based on documentation provided showing the above reporter has met all qualifications for renewal. James Bouley recused. Motion passed. **BCCR-05-147**

Robin Jorstad

A **motion** was made by Judge Lawrence Winthrop and seconded by Kathleen Montalvo to grant Robin Jorstad renewal of her Standard Certification based on documentation provided showing she meets all qualifications for renewal. Judge Jan Kearney recused. Motion passed. **BCCR-05-148**

Jennifer Stadler

A **motion** was made by Judge Jan Kearney and seconded by Judge Lawrence Winthrop to grant Jennifer Stadler renewal of her Standard Certification based on documentation provided showing she meets all qualifications for renewal. Jennifer Stadler recused. Motion passed. **BCCR-05-149**

Sandra Markham

A **motion** was made by William Druke and seconded by Jennifer Stadler to grant Sandra Markham renewal of her Standard Certification based on documentation provided showing she meets all qualifications for renewal. Sandra Markham recused. Motion passed. **BCCR-05-150**

Theresa Aguilar
Jean Albright
Nicollette Alexander
Jacquelyn Allen
Cheri Alleva
Ernie Ambort
Heidi Anderson
Lisa Anderson
Kathryn Andrew
Susan Arant
Olivia Armenta
Laura Ashbrook
Barby Ashian
Marvin Atwood
Cheryl Austin
Michael Babicky
Mary Jo Bair
Jonna Baker
Leisel Baker
Rossana Baker
Deanna Bakurza
Michele Balmer
Catherine Bamford
Jeri Barbin
Sheryl Barker

Patricia Barron
Marilou Barry
Jeffrey Bartelt
Mark Bartunek
Kimberly Bata
Becky Baumert
Mary Beatty
Eve Bell/Burton
Christine Bemiss
Miguel Benitez
Cindy Benner
Mary Bernal
Monica Berry
Patricia Bischoff-McCarthy
Linda Blackmon
Kathryn Blackwelder
Nancy Bledsoe
Linda Bock
Lynn Bolen
Karen Bolton
Rita Borboa
Willard Bort
Dawna Boswell
Anne Bouley
John Bouley
Martin Bouley
Michael Bouley
James Bouley
Deborah Boyette
Heather Bradfield
Lisa Bradley
Sharon Bradley
Kathleen Braley
Barbara Brodrick
Cecelia Brookman
Brenda Brown
Kristen Brown
Shirley Brown
Michelle Buckhannon
Barbara Buesing
Melanie Builder
Marianne Burton
Patricia Calabro
Heidi Callahan
Bethany Campbell
Linda Cantrell

Beverlee Caperton
Jessica Casto Moroz
Rabin' Castro
Kristy Ceton
Lorraine Chalkey
Christine Chamberlain
Kara Chambers
Vicki Champion
Wendell Chapman
Maureen Choate
Linda Christensen
David Christy
Deborah Cleary
Christine Coaly
Gerard Coash
Meri Coash
William Cohan
Leslie Collins-House
Ellen Colonna
James Colville
Treva Colwell
Scott Coniam
Patricia Connolly
Deborah Corradini
Kim Cox
John Cozza
Deborah Croci
Lynn Cronin
Elaine Cropper
Tamlyn Crosse
Elva Cruz-Lauer
Tina Cummings
John Dalsin
Marcella Daughtry
Joyce Davenport
Jennifer Davis
Mary Davis
Karen Dawson
Yvonne De La Torre
Donna DeLavina
Norma DeLong
Buffy Deneke
Jeanne Depenbrok
Cecile Derickson
Sabre Deterding
Helene Diehl

Rochelle Dobbins
Diane Donoho
Holly Draper
Lawrence Driver
Howard Dropkin
Janette Dukic
Diane Dzwonkoski
Linda Eakin
Mary Edgar
Clark Edwards
Dolly Edwards
Kimberly Empey
Lisa Erwin
Lydia Estrada-Gray
Terry Evans
Glinda Fabok
Kimberly Faehn
Sharon Fain
Clement Farber
Terri Faust
Diane Fayette
Sonia Felix Vaca
Gail Ferguson
Kathleen Fink-Gehrke
George Finn
Leslie Foldy
Gail Foster
Lori Fraley
Luz Franco
Janet Freeby
Angela Fritts
Janice Fuller
Fredrick Gaio III
Darlene Gall
Debra Galvin
Scott Gamertsfelder
Anthony Garcia
Guillermina Garcia-Hunt
Ernea Gardner
Vanessa Gartner
Steven Garwood
Gary Gibbons
Judy Gibbons
Pamela Giffin
Tamara Gillett
Kathleen Gilmore

Laurinda Ginsberg
Lisa Glennie
Melissa Gonsalves
Denise Gonzales
Ana Goodenough
Sandra Gorajczyk
Autumn Grant
Sommer Greene
Susan Grenz
Pamela Griffin
Paul Grossman
Erica Grund
Jodie Guhr
Marmie Guimont
Ann Guzylak
Steve Haight
Katherine Hanchette
Jennifer Hanssen
Margaret Harcarik
Christine Harrington
Melissa Hart
Kelly Hartwig
Janet Hauck
Penny Heins
Terese Heisig
Daniel Helfant
Sheryl Henke
Charles Herder
Karen Heutzenroeder
Leslie Hicks
Monica Hill
Claudia Hilton
Cathy Hoff
Van Honeman
Denae Hovland
Elizabeth Howard
Tamara Howard
Zella Howard
Teresa Hudson
Bonnie Humm
April Hunt
Neal Husak
Barbara Jackson
Andrea Jamieson
Robin Jasper
Annette Jaycox

Christine Johnson
Donna Johnson
Holly Johnson
Wayne Johnson
Kathleen Johnston
Tracy Johnston
Robin Jorstad
Karen Kahle
Gay Kelley
Colleen Kelly
Scott Kindle
Rene King
Robert King
Steven King
Doug Kirkpatrick
Denice Klassen
Jeffrey Klein
JoAnn Klemm
Julie Knowlton
Kellie Konicke
Karen Kovacs
Jo Ann Kramer
Tara Kramer
Anita Landeros
Paul Landsman
Christina Larsen
Jean Lea
Marylynn LeMoine
Jody Lenschow
Roberta Liberato
Bonnie Lindsey
Cynthia Lineburg
Eileen Livingston
Doreen Lobock
Hilda Lopez
John Lopez
Linda Lopez
Catherena Lott
Judy Love-Hosler
Kitty Lovejoy
Elizabeth Lumia
David Lundy
Cynthia Mahoney
Ashlee Mangum
Lorena Marin-Garcia
Sandra Markham

Jill Marnell
Sandra Marruffo
Karla Martin
Terry Masciola
Dawn Maxfield
Pamela Mayer
Lynne McAndrew
Vivian McClard
Cynthia McDevitt
Ann McInnis
Michelle McMillan
William McNutt
Sharron McPartlin
Amy Merrifield
Mary Meyer
Angela Miller
Dona Miller
Laura Miller
Mark Miller
Lorraine Milligan
David Minder
Susan Mitchell
Renee Mobley
Donald Moll
Gary Moll
Kim Moll
Lilia Monarrez
Marisa Montini
Debora Moore
Patricia Moore
Karine Moore-Deysie
Sandalee Moring
Cynthia Morris-Crowe
Sandra Munter
Deirdre Muzall
Lisa Nance
Susan Naylor
Teresa Nesselroad
Karen Niemtschk
Kathleen O'Donnell
Melody O'Donnell
Kelly Oglesby
Sandy Ong-Wolf
Michele Ortiz
Robin Osterode
Julie Ottmar

Kelly Palmer
Stacey Palmer
Jennifer Pancratz
Nancy Papietro
LeAnn Pappas
Florence Pasteur
Helene Paustian
Shelley Pearce
Jacqueline Perkins
Kimberly Portik
Amy Prellwitz-Fuller
Dianne Quigley
Michelle Quirk
Dorothy Ramirez
Dotty Reaume
Clarice Reed
Cynthia Reed
Darlene Reimer
Pamela Remus
Janet Rice
Marta Rice
Gene Richards
Amy Richardson
Debra Riggs Torres
Margaret Riley
Sandra Riley
Phyllis Rissky
Thomas Ritter
Lory Rivera
Lerryn Roberds
Bonita Robertson
Julianne Roesly
Jovanna Roman
Josie Roper
Barbara Rosado
Janell Rose
Colette Ross
Holly Sack
Antoinette Salazar
Deanna Sanborn
Denise Sanders-Couvaras
Sharon Sandomire
Annette Satterlee
Nicole Schaffner
Gail Schlanger
Aaron Schlesinger

Judi Schneider
Kenneth Schippers
Jennifer Schuck
Dorothy Schulte
MaryJo Schumacher
Melinda Setterman
Rosina Seymour
Cindy Shearman
Barbara Short
Marta Silva
George-Ann Silverman
Suzanne Simms
Robert Sipos
Carrie Smalanskas
Alisa Smith
Barbara Smith
Margaret Smith
Dana Smith
Mary Solem-Dix
Diane Sonntag
George Sonntag
Kristi Spires
Jennifer Stadler
Carolyn Stallworth
Sally Stearman
Shannon Stevenson
Amy Stewart
Patricia Stewart
Barbara Stockford
Carolyn Sullivan
Jennifer Sullivan
Catherine Taylor
Donna Terrell
Gayle Thomson
Robin Thorson
Darlene Traficante
Carol Trejo
Joyce Tripp
Deborah Tucker
Kristine Valdez
Courtney Vanderwalker
Teri Veres
Juliette Vidaurri
Jean Villmer
Mary Vincelette
Gail Vinson

Lisa Vitoff
Melinda Vollmer
Teresa Vos
Sandra Waldo
Laura Walker
Judith Warmuth
Mildred Waterman
Janice Webster
Traci Webster
Vivian Weiss
Michelle Wellner
Jane Westlund
Traci Wheeler
Christopher White
Yvonne Whitefield
Cheryl Wilder
Joanne Williams
Myra Williams
Stephanie Winters
Susan Wolf
Kristin Woodall
Kelly Woods
Thomas Woppert
Kimberly Workman
Deborah Worsley Girard
Kristen Wunsch
Lori Yeager
Thomas Yoder
Heather Young
Rachelle Young
Susan Zimmerman-Rhodes
Hilary Zive

A **motion** was made by William Druke and seconded by Judge Jan Kearney to grant the above listed reporters renewal of their Standard Certification based on documentation provided showing they meet all qualifications for renewal. Motion passed. **BCCR-05-151**

The following applicants have submitted renewal applications. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet 10 hours of continuing education required for renewal. However, the majority of the continuing education submitted was on-line NCRA approved courses. It is recommended they be granted renewal of their Standard Certification or be given additional time to complete the CE requirements necessary:

Crystal Bartlowe
Susan Bingham
Amy Bowler
Michaela Davis
Michael Dippel
Jane Doyle
Patricia Gerson
Shelley Havermann
Toni Henson
Laura McDole
Deborah Moreash
Rebecca Ogle
Kim Rupiper

A **motion** was made by Judge Jan Kearney and seconded by Jennifer Stadler to grant the above listed reporters renewal of their Standard Certification based on documentation provided showing they meet all qualifications for renewal. Motion passed. **BCCR-05-152**

The following applicants have submitted renewal applications. The applications are complete and were submitted with a disclosure statement. No additional information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet 10 hours of continuing education requirements for certification. Therefore, it is recommended to grant certification:

Doreen Borgmann
Pamela Lohr
April Pereira
Daunice Rottas

During Executive Session the Board will review the confidential record of reporters Doreen Borgman and Daunice Rottas and address certification later in this meeting.

A **motion** was made by William Druke and seconded by Judge Jan Kearney to grant Pamela Lohr and April Pereira renewal of their Standard Certification based on documentation provided showing they meet all qualifications for renewal. Motion passed. **BCCR-05-153**

The following applicant has submitted a renewal application. No information has been presented during the background which is contrary to certification being granted. However, the applicant provided 9 hours of continuing education for a workshop that was held on December 4, 2004 and 1 hour of continuing education in 2005. Therefore, it is recommended to deny her renewal application pursuant § 7-206 (G)(3) and (E)(4)(c)(1)(A)(1):

Lisa Blanks

A **motion** was made by William Druke and seconded by Judge Jan Kearney to deny renewal of Standard Certification to Lisa Blanks pursuant to § 7-206 (G)(3) and (E)(4)(c)(1)(A)(1) without prejudice to complete the required continuing education hours before December 31, 2005. Motion passed. **BCCR-05-154**

Kimberly Siddall reported the following applicants have submitted renewal applications. No information has been presented during the background which is contrary to certification being granted. The applicants have not demonstrated they meet 10 hours of continuing education required for renewal. Staff has contacted either by telephone or email the following regarding their continuing education. Therefore, it is recommended to deny the following pursuant § 7-206 (G)(3) and (E)(4)(c)(1)(A)(1):

Leslie Baird
Judie Bryant
Michael S. Haley
Marcia Harness
Kimberly McAndrews
Christine Sanzone
Michelle Seymour
Jennifer Smith
Deborah Trattel
Wilma Weinreich
Laurie Yazwa

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to deny renewal of Standard Certification to the above listed reporters pursuant to § 7-206 (G)(3) and (E)(4)(c)(1)(A)(1) without prejudice to complete the required continuing education hours before December 31, 2005. James Bouley recused. Motion passed. **BCCR-05-155**

Kimberly Siddall reported the following applicants have submitted renewal applications. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the continuing education required for renewal. The applicants have temporary certification. Therefore, it is recommended their temporary certificate be extended to January 9, 2006 with a notation that they must submit their results of the RPR and their documentation for an extension by December 31, 2005:

Jean Barclay
Sandra Brice
Marla Graham
Renee Hunter
Kari Kerns
Blanche Paulsen

Denise Vaishville
Troy Kelley

A **motion** was made by William Druke and seconded by Judge Jan Kearney to extend Temporary Certification to Jean Barclay, Sandra Brice, Marla Graham, Renee Hunter, Kari Kerns, Blanche Paulsen and Denise Vaishville until the Board meeting of January 9, 2006 due to awaiting November RPR results and direct staff to notify reporters to submit their results of the RPR and their documentation for an extension by December 31, 2005. Motion passed. **BCCR-05-156**

During Executive Session the Board will review the confidential record of reporter Troy Kelley and address certification later in this meeting.

The following applicants have submitted renewal applications. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the continuing education requirement for certification. The applicants have provisional certification and therefore it is recommended they be denied pursuant to § 7-206 (G)(5)(b)(1)(d):

Kate Baumgarth
Michelle Elam
Lydia Elias
Sharon Flores
Adam Gage
Cheryl Gardner
Toni Gehm
Lorraine Halberg
Lori Hetland
Linda Hironimus
Kathleen Incavo
Diane Laur
W. Bert Lundy
Connie McQueary
Alice Peltes
Bonnie Ponce
Wendy Pullium
Ana-Leticia Quintero
Lynette Rozwood
Denise Style
Natalie Westervelt
Carole Whipple

The Board tabled the request for the above listed reporters until the December 29, 2005 meeting in order to allow time for the November RPR results.

Kimberly Siddall reported Mary Manning submitted a renewal application. The application is complete, no information has been presented during the background which is contrary to certification being granted. The reporter has provisional certification and has not demonstrated she meets 10 hours of continuing education requirement for certification. Therefore, it is recommended to deny pursuant to § 7-206 (G)(5)(b)(1)(d), (G)(3), and (E)(4)(c)(1)(A)(1).

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to deny Standard Certification pursuant to § 7-206 (G)(5)(b)(1)(d), (G)(3) and (E)(4)(c)(1)(A)(1) without prejudice to complete the required continuing education hours before December 31, 2005. Motion passed. **BCCR-05-157**

The following applicants have submitted renewal applications. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the continuing education requirement for certification. The applicants have provisional certification and therefore it is recommended they be extended to the dates indicated:

Royce Conner 6/10/06 - During Executive Session the Board will review the confidential record of reporter and address certification later in this meeting.

Maria Geare 8/8/06

A motion was made by William Druke and seconded by Jennifer Stadler to extend Provisional Certification for Maria Geare until August 8, 2006. Motion Passed. **BCCR-05-158**

Executive Session

Executive Session – 11:15 a.m.

A **motion** was made by Jennifer Stadler and seconded by Kathleen Montalvo to go into Executive Session. Motion passed. **BCCR-05-159**

Break

Executive Session Ended at 12:49 p.m.

Review and Approval of Executive Session Minutes

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke to approve the October 17, 2005 Executive Session minutes. Motion passed. **BCCR-05-160**

Recommendations and Board Action (revisit)

Doreen Borgmann
Daunice Rottas

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke to grant renewal of their Standard Certification to Doreen Borgmann and Daunice Rottas and the Board does not waive any further action that may be required. Motion passed. **BCCR-05-161**

Hearing Officer Report and Final Decision by the Board (revisit)

Troy Kelley

A **motion** was made by Judge Lawrence Winthrop and seconded by James Bouley to accept Findings of Fact and Reject Conclusion of Law Number 2 of Hearing Officer's report in the matter of Troy Kelley. Motion passed. **BCCR-05-162**

A **motion** was made by William Druke and seconded by Judge Lawrence Winthrop to amend motion BCCR-05-162 to reject Hearing Officer's report recommendation because Findings of Fact do not support the Conclusion of Law that to the preponderance of evidence establishes extenuating circumstance. Motion passed. **BCCR-05-163**

Recommendations and Board Action (revisit)

Royce Connor 6/10/06

A **motion** was made by William Druke and seconded by Patricia Seguin to extend Provisional Certification for Royce Connor until June 10, 2006. Motion passed. **BCCR-05-164**

Consideration of Complaints

Complaint # 05-C005.

A **motion** was made by Judge Lawrence Winthrop and seconded by James Bouley to dismiss complaint number 05-C005 for lack of probable cause. Patricia Seguin recused. Motion passed. **BCCR-05-165**

Complaint # 05-C007.

A **motion** was made by Judge Lawrence Winthrop and seconded by James Bouley to dismiss complaint number 05-C007 for lack of probable cause. Motion passed. **BCCR-05-166**

Complaint # 04-C004, 04-C014.

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke that the Board did find probable cause exists in allegations 1, 2 and 5 of complaints 04-C004 and 04-C014 and instructs staff to proceed according to the recommendations set forth in the Case Summary and Recommendation. Motion passed. **BCCR-05-167**

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke to dismiss allegations 3 and 4 of complaint numbers 04-C004 and 04-C014 due to lack of probable cause. Motion passed. **BCCR-05-168**

Complaint # 05-C004, 05-C008, 05-C015.

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke that the Board did find probable cause existed in allegations 1 and 3 of complaint numbers 05-C004, 05-C008 and 05-C015 and instructs staff to proceed according to the recommendations set forth in the Case Summary and Recommendation. Motion passed. **BCCR-05-169**

A **motion** was made by Judge Lawrence Winthrop and seconded by William Druke to dismiss allegation 2 of complaint numbers 05-C004, 05-C008 and 05-C015 for lack of probable cause. Motion passed. **BCCR-05-170**

Topics for Discussion

Keeping the Record Committee.

Sandi Markham presented a copy of a letter she wrote in response to emails from reporters in Maricopa County, explaining her vote in support of the changes to rules and statutes that are included in the Final Report from the Committee on Keeping the Record.

Request to Extend Provisional Standard Certificates.

Rhonda Simmons reported program staff has received a letter from Mary Meyer requesting the extensions of Provisional Standard Certificates for reporters and a letter from Connie McQueary requesting her certification be extended.

A motion was made by Judge Jan Kearney and seconded by Judge Lawrence Winthrop for program staff to issue letters on behalf of the Board to Mary Meyer and Connie McQueary stating the Code does not give the Board the authority to grant extensions of certifications beyond the deadline of December 31, 2005. Motion passed. **BCCR-05-171**

Review and discussion of pending legislation.

Rhonda Simmons reported the pending legislation is a proposal to add statutory language requiring that for the purposes of continued employment or licensing, a class 6 open shall

not be deemed a felony. This may impact Board's decisions where an individual applies for certification with a pending class 6 open end which currently would be considered a felony and the Board may deny certification based on the felony. If this bill passes, the individual applying with a class 6 open will only be required to disclose a misdemeanor. The question poised is: Does the Board want to provide public comment on this issue? The conclusion of the Board is that there will be no comment made regarding the pending legislation.

Program Update

Linda Grau, Program and Investigations Unit Manager, provided an update on the Ethics Advisory Committee. This committee is in the planning stages and is being established to be of assistance to all programs handled in the Certification and Licensing Division.

Complaints

Rhonda Simmons reported currently there are 22 open complaints, program staff has not received any new complaints in November. This number includes the 7 complaints that were addressed today.

Call to the Public

Michelle Balmer, ACRA, stated an opinion was written regarding the Keeping of the Record Committee.

Jean Lea requested the subject of "Charging of Multiple Copies" be added to the agenda for January Board meeting.

Adjournment

A **motion** was made by Judge Lawrence Winthrop and seconded by Jennifer Stadler to adjourn. Motion Passed. **BCCR-05-172**

The meeting of the Board of Certified Reporters adjourned at 1:45 p.m.