



Board of Certified Reporters

Arizona State Courts Building
1501 West Washington Street
Phoenix, Arizona 85007-3222
Conference Room 119 B
Date: November 3, 2009
Time: 1:00 p.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

J. Tyrrell Taber
Hon. Lawrence Winthrop

Telephonically Present:

Terri Faust
G. Allen Sonntag
Patricia Seguin
Patricia Calabro
Cheryl Austin
Kathleen R. Montalvo

OTHER ATTENDEES

AOC Staff:

Linda Grau
Nancy Swetnam
Kimberly Siddall
Jennifer Greene
Karla Clanton
Afton Foutz

Guests:

Laurie Adams

CALL TO ORDER

Called to Order By:

G. Allen Sonntag

Time:

1:03 p.m.

1) REVIEW AND APPROVAL OF MINUTES

1-A: Review and approval of Regular Minutes for the meeting of September 1, 2009.

Individuals Addressing the Board: G. Allen Sonntag

Discussion: None.

Motion: Move to approve the regular session minutes of September 1, 2009.

Motion Proposals: First Hon. Lawrence Winthrop
Second Patricia Calabro

Motion Results: Pass **BCCR-0962**

2) **PENDING COMPLAINTS**

2-A: Review, discussion and possible action regarding complaint number 09-C007 involving certificate holder Antoinette Salazar.

Individuals Addressing the Board: Nancy Swetnam

Discussion: On October 2, 2009, Probable Cause Evaluator Mike Baumstark entered a finding probable cause exist as to Allegation 1 and does not exist as to Allegation 2. It was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 2 of complaint number 09-C007.

Regarding Allegation 1, it was recommended the Board enter a finding Antoinette Salazar committed the alleged act of misconduct detailed in the Investigation Summary and Allegation Analysis Report and enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(a) for an act of misconduct involving ACJA § 7-201(F)(1) and ACJA § 7-206(F)(1) and (J)(4)(c) and issue a Letter of Concern.

Motion: Move to accept recommendations of the finding of the Probable Cause Evaluator as to Allegations 1 and 2.

Motion Proposals: First J. Tyrrell Taber
Second Kathleen R. Montalvo
Recusal Hon. Lawrence Winthrop

Motion Results: Pass **BCCR-0963**

Motion: Move to accept disciplinary action recommendation of staff.

Motion Proposals: First J. Tyrrell Taber
Second Kathleen R. Montalvo

Motion Results: Pass **BCCR-0964**

Motion: Move to authorize J. Tyrrell Taber to sign on behalf of the Board this and any following documents.

Motion Proposals: First Kathleen R. Montalvo
Second Patricia Calabro

Motion Results: Pass **BCCR-0965**

2-B: Review, discussion and possible action regarding non-certificate holder complaint number 09-C004 involving Sue Baquet.

Individuals Addressing the Board: Nancy Swetnam

Discussion: Staff reported Ms. Baquet signed and submitted a stipulation to cease and desist and recommend the board would close the complaint without no further action.

Motion: No action taken.

2-C: Review, discussion and possible action regarding complaint number 08-C009 involving certificate holder Laura Ashbrook.

Individuals Addressing the Board: Nancy Swetnam

Discussion: On October 9, 2009, Probable Cause Evaluator Mike Baumstark entered a finding in complaint number 08-C009 that probable cause exists as to Allegation 1 and does not exist as to Allegation 2 of complaint number 08-C009. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 1.

Regarding Allegation 2, it was recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) and (H)(7) and issue a Letter of Concern.

Motion: Move to accept the findings of the Probable Cause Evaluator and recommendation of staff that grounds for disciplinary action does exist as to Allegation 1 and issue a letter of concern, and to dismiss Allegation 2.

Motion Proposals: First Hon. Lawrence Winthrop
Second Kathleen R. Montalvo

Motion Results: Pass **BCCR-0966**

3) CERTIFICATION AND ELIGIBILITY

3-A: Review, discussion and possible action regarding applicants for Standard certification:

Nancy Richmond

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommended the Board grant standard certification to Nancy Richmond.

Motion: Move to grant standard certification to Nancy Richmond.

Motion Proposals: First J. Tyrrell Taber
Second Patricia Calbro

Motion Results: Pass **BCCR-0966**

4) ADMINISTRATIVE ISSUES

4-A: Update regarding the status of Board member recruitment.

Individuals Addressing the Board: Linda Grau

Discussion: Recruiting is on-going for candidates fill Judge Winthrop's seat on the Board. Division Staff thanked Judge Winthrop for his service on this Board.

Motion: No action taken.

CALL TO THE PUBLIC

Laurie Adams, President of the Arizona Court Reporter Association. Ms. Adams requested staff could send out a reminder to the Certified Reporters regarding renewal dates and fees.

ADJOURNMENT

Motion: Adjourn the meeting.

Time: 1:21 p.m.

Initials: AF

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