

**Supreme Court Board of Certified Reporters**  
Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Conference Room CLD1

October 15, 2007  
10:00 a.m. – 2:00 p.m.

**Approved Regular Session Minutes**

**MEMBER ATTENDANCE**

***Present:***

Sandra Markham, Chair  
Terri Faust  
Jean Lea  
Allen Sonntag  
J. Tyrrell Taber  
Judge Lawrence Winthrop

***Telephonically Present:***

Patricia Seguin

***Absent:***

Judge Robert Carter Olson  
Kathleen Montalvo

**OTHER ATTENDEES**

***AOC Staff:***

Kandace French  
Doris Leonard  
Nina Preston  
Kimberly Siddall  
Nancy Swetnam

***Guests:***

John Bouley  
Yvonne Wong

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**CALL TO ORDER**

***Called to Order By:*** Sandra Markham, Chair  
***Time:*** 10:03 a.m.

***Introduction of new Board members:*** The Honorable Robert Carter Olson, judge member  
J. Tyrrell Taber, attorney member

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**1) REVIEW AND APPROVAL OF MINUTES**

***1-A: Regular Session Minutes for the meeting of August 13, 2007***

***Individuals Addressing the Board:*** Sandra Markham

***Discussion:*** Board discussed August 13, 2007 Regular Session minutes

***Motion:*** Moved to approve the Regular Session minutes of August 13, 2007.

***Motion Proposals:*** First Judge Lawrence Winthrop  
Second Allen Sonntag

***Motion Results:*** Pass **BCCR 07-078**

***1-B: Regular Session Minutes for the meeting of September 10, 2007***

***Individuals Addressing the Board:*** Sandra Markham

***Discussion:*** Board discussed the September 10, 2007 Regular Session minutes.

***Motion:*** Moved to approve the Regular Session minutes of September 10, 2007 with amendments.

***Motion Proposals:*** First Terri Faust  
Second Allen Sonntag

***Motion Results:*** Pass **BCCR 07-079**

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2) **REVIEW OF PENDING COMPLAINTS**

*Individuals Addressing the Board:* Nancy Swetnam

*2-A: Review, discussion and possible action regarding proposed disciplinary sanction in complaint numbers 04-C004 and 05-C014 involving Royce Conner.*

*Discussion:* Board discussed the Notice of Formal Statement of Charges and Right to Hearing against Royce Conner. The document previously approved by the Board did not address a length of time of suspension for Royce Conner.

*Motion:* Motion was made to amend the Notice of Formal Statement of Charges and Right to Hearing to include a term of suspension of six months.

*Motion Proposals:* First Allen Sonntag  
Second Jean Lea

*Motion Results:* Pass **BCCR 07-080**

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3) **ADMINISTRATIVE ISSUES**

*3-A: Report regarding the status of the Special Action filed by Diane Laur.*

*Individuals Addressing the Board:* Nancy Swetnam and Kandace French

*Discussion:* Division staff provided the Board with confirmation Ms. Laur no longer holds valid certification and is no longer providing court reporter services for the Superior Court of Maricopa County.

*Motion:* No action taken.

*3-B: Report regarding the steps taken by Division staff when a reporter is denied renewal of their certification.*

*Individuals Addressing the Board:* Nancy Swetnam

*Discussion:* Division staff advised the Board of the procedure taken by Division staff after the Board has denied renewal of certification.

*Motion:* No action taken.

**3-C: Report regarding status of provisional certificate holders.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Division staff provided the Board with the status of the provisional certificate holders in the hearing process.

**Motion:** No action taken.  
(Patricia Seguin joins the meeting)

**3-D: Report regarding Fiscal Year 2007 Key Numbers Report.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Division staff provided a verbal report regarding Fiscal 2007 Key Numbers and presented the Key Numbers for Certified Reporters with corresponding CourTools definitions for the Board's review.

**Total Certified Reporters:**

FY07	487
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**Complaints Received:**

FY04	20
FY05	20
FY06	6
FY07	2

**Complaints Closed:**

FY04	17
FY05	18
FY06	15
FY07	11

**Complaints Pending (As of 6/30):**

FY04	19
FY05	21
FY06	12
FY07	2

**Complaint Case Clearance Rate:**

(See Court Tools # 2)

FY04	85%
FY05	90%
FY06	250%
FY07	550%

**% of Cases Closed w/in 22 Month Standard:  
(See Court Tools #3)**

FY04	94%
FY05	50%
FY06	86%
FY07	73%

**Disciplinary Actions:**

FY04	0
FY05	5
FY06	2
FY07	4

**Motion:** No action required. Information only.

(Patricia Seguin joined the meeting telephonically)

**3-E:** *Review, discussion and possible action regarding approval of Certified Reporter Examination Candidate Guide and the examination cut score, pursuant to ACJA § 7-201 (D)(5)(c)(1)(b).*

**Individuals Addressing the Board:** Kandace French

**Discussion:** Board discussed the Candidate Study Guide developed by Division staff and Comira, Inc., to be provided to examination candidates in preparation for the Arizona Written Knowledge Examination

**Motion:** Moved to approve the study guide developed by Division staff and Comira, Inc.

**Motion Proposals:** First Judge Lawrence Winthrop  
Second Terri Faust

**Motion Results:** Pass **BCCR 07-081**

**3-F:** *Discussion and possible action regarding scheduling of the 2008 Board meeting calendar.*

**Individuals Addressing the Board:** Kandace French

**Discussion:** Staff presented a list of proposed 2008 meeting dates for the Board and confirmed conference rooms are available for these dates. It was indicated Judge Carter Olson is unable to attend all the Monday meetings. To accommodate his schedule, it was decided to move the meetings to a Tuesday and meet from 1:00 p.m. to 4:00 p.m. as opposed to 10:00 a.m. to 2:00 p.m. as currently scheduled. One exception for the Tuesday is the December 29<sup>th</sup> telephonic meeting

which will remain on Monday from 12:00 p.m. to 1:00 p.m.

***Motion:***

Moved to accept the amended meeting dates as discussed for the year 2008.

**Motion Proposals:** First Judge Winthrop  
Second Jean Lea

**Motion Results:** Pass **BCCR 07-082**

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**4) REVIEW OF CERTIFICATION APPLICATIONS**

**4-A: Review, discussion and possible action regarding pending applications for Initial Certification.**  
*Syndie Hagardt*

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Staff recommended standard certification be granted to Ms. Hagardt.

**Motion:** Moved to grant standard certification to Syndie Hagardt.

**Motion Proposals:** First Jean Lea  
Second Terri Faust

**Motion Results:** Pass **BCCR 07-083**

*Patricia Yerkes*

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Staff recommended standard certification be granted to Ms. Yerkes upon receipt of the applicant's fingerprint results, provided the results returned are without concern.

**Motion:** Moved to grant standard certification to Ms. Yerkes upon receipt of applicant's fingerprint results, providing the results returned are without concern.

**Motion Proposals:** First Jean Lea  
Second Allen Sonntag

**Motion Results:** Pass **BCCR 07-084**

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5) CERTIFICATION AND ELIGIBILITY

**5-A: Review, discussion and possible action regarding bimonthly status reports submitted by the following temporary certificate holders:**

*Sandra R. Brice*

*Maria Geare*

**Individuals Addressing the Board:** Kandace French

**Discussion:** The Board discussed the bimonthly status reports submitted by Sandra Brice and Maria Geare. The Board instructed staff to issue a letter to Ms. Brice indicating the extenuating circumstances warranting her extension may no longer be valid.

The Board directed staff to invite Ms. Geare and her licensed treatment professional to the meeting on December 10, 2007 to address the Board regarding Ms. Geare's treatment. The licensed treatment professional may appear telephonically.

**Motion:** No action taken.

**5-B: Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Natalie Westervelt.**

**Individuals Addressing the Board:** Kandace French

**Discussion:** Board discussed the Hearing Officer's Report and Recommendation with respect to Natalie Westervelt.

**Motion:** Moved to accept the Hearing Officer's Report, Findings of Fact and Conclusions of Law and Recommendation. .

**Motion Proposals:** First Judge Lawrence Winthrop  
Second Jean Lea

**Motion Results:** Pass BCCR 07-085

**5-C: Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Sharon Flores.**

**Individuals Addressing the Board:** Kandace French

**Discussion:** Board discussed the Hearing Officer's Report and Recommendation with respect to Sharon Flores.



**Motion:** Moved to accept the Hearing Officer's Report, Findings of Fact and Conclusions of Law and Recommendation.

**Motion Proposals:** First Judge Winthrop  
Second Allen Sonntag

**Motion Results:** Pass **BCCR07-086**

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## CALL TO THE PUBLIC

**Discussion:** John Bouley addressed the Board regarding the use of the June 4, 2006 scripts for the certified reporter examinations, CART certification, timing of the notices of revocation or non-renewal and instructions for attendance of the public at telephonic meetings.

The Board advised Mr. Bouley the Board cannot discuss matters not on the agenda and directed Mr. Bouley to submit the matters in writing to be included on the Boards next agenda for review and discussion.

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## ADJOURNMENT

**Sandra Markham, Chair**

**Motion:** Moved to adjourn.

**Motion Proposals:** First Judge Lawrence Winthrop  
Second Allen Sonntag

**Motion Results:** Pass **BCCR 07-087**

**Time:** 11:12 a.m.