

**Supreme Court Board of Certified Reporters  
Arizona State Courts Building  
1501 West Washington, Phoenix, AZ 85007  
Conference room CLD1  
10:00 p.m. – 2:00 p.m.**

**February 12, 2007  
Approved Regular Session Minutes**

**MEMBER ATTENDANCE**

***Present:***

Judge Lawrence Winthrop  
Sandra Markham  
Allen Sonntag  
Terri Faust

***Telephonically Present:***

Patricia Seguin  
Jean Lea (Left at 10:13)  
Kathleen Montalvo (left at 10:45)

***Absent:***

None

**OTHER ATTENDEES**

***AOC Staff:***

Kandace French  
Rhonda Simmons  
Kimberly Siddall  
Nina Preston  
Doris Leonard

***Guests:***

Linda Hironimus  
John Bouley  
Michele Balmer, ACRA

---

**CALL TO ORDER**

**Called to Order by:**  
**Time:**

Chair, Sandra Markham  
10:00 a.m.

---

1) **REVIEW AND APPROVAL OF MINUTES**

1-A: *Regular and Executive Session Minutes for meeting of December 11, 2006*

1-B: *Regular Session Minutes for the meeting of December 28, 2006*

1-C: *Regular and Executive Session Minutes for the meeting of January 8, 2007*

**Individual Addressing the Board:** Kandace French

**Discussion:** *Recommended approval of the minutes be deferred until the next Board meeting of March 12th.*

**Motion:** Approval of minutes be continued until the March 12th Board meeting.

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

**Motion Results:** Carries **BCCR-07-015**

---

2) **ADMINISTRATIVE ISSUES**

2-A: *Demonstration of meeting materials website access*

**Individual Addressing the Board:** Kandace French

**Discussion:** Ms. French provided a presentation of the secured website access for meeting materials. Board members will be provided with website address, password and the heightened security password for accessing confidential documents.

Judge Winthrop recommended Staff add a new category for status of pending litigation.

**Motion:** No action required.

---

2-B: *Nominations for an election of a Vice Chair*

**Individual Addressing the Board:** Kandace French

**Discussion:** In accordance with ACJA § 7-201 (I)(3)(b), Staff is requesting the Board consider establishing a one-year term of service for the Vice Chair for the 2008 calendar year. This will enable an annual rotation of this designation and afford several members of the Board an opportunity to serve. Staff further recommends the Board tender verbal nominations for Vice Chair in the form of a motion.

**Motion:** Nominate Jean Lea to the designation of Vice Chair for the 2008 calendar year

**Motion Proposals:** First Judge Lawrence Winthrop  
Second Kathleen Montalvo

**Motion Results:** Carries **BCCR-07-016**

---

2-C: *Discussion and possible action with respect to the Special Action filed by Diane Laur*

**Individual Addressing the Board:** Kandace French

**Discussion:** Findings of Fact and Conclusions of Law have been completed as agreed to by the Board.

**Motion:** Approve the Findings of Fact and Conclusions of Law as drafted by Nina Preston, legal counsel, subject to final approval of the Attorney General's Office and, if approved, enter signature by Sandra Markham.

**Motion Proposals:** First Judge Lawrence Winthrop  
Second Allen Sonntag  
Recusals Terri Faust

**Motion Results:** Carries **BCCR-07-017**

---

3) **CERTIFICATION AND ELIGIBILITY**

*3-A: Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Jean Barclay*

**Individuals Addressing the Board** Kandace French

**Discussion:** Ms. French presented Hearing Officer's Report and Recommendation with respect to the temporary certification of Ms. Barclay. It is recommended the Board adopt the Findings of Fact, Conclusions of Law and recommendation of the Hearing Officer.

**Motion:** Board adopts the Findings of Fact, Conclusions of Law and recommendation of the Hearing Officer.

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

**Motion Results:** Carries **BCCR-07-018**

---

*3-B: Review, discussion and possible action regarding the Hearing Officer's Report and Recommendation with respect to Adam Gage*

**Individuals Addressing the Board** Kandace French

**Discussion:** Ms. French presented the Hearing Officer's Report and Recommendation and informed the Board that subsequent to the hearing in this matter, successfully passed all portions of the RPR. His application for initial standard certification is pending. Staff recommended the Board defer action on the Hearing Officer's report until Mr. Gage's application is processed and a recommendation is made by division staff.

**Motion:** Defer action on the Hearing Officer's report until Mr. Gage's application is processed by certification staff.

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

**Motion Results:** Carries **BCCR-07-019**

---

3-C: *Review, discussions and possible action regarding the Hearing Officer's Report and Recommendation with respect to Toni Gehm*

**Individual Addressing the Board:** Kandace French

**Discussion:** Ms. French presented the Hearing Officer's Report and Recommendation with respect to the provisional standard certification of Ms. Gehm.

**Motion:** Adopt the Findings of Fact, Conclusions of Law and recommendation of Hearing Officer

**Motion Proposals:** First Judge Lawrence Winthrop  
Second Kathleen Montalvo

**Motion Results:** Carries **BCCR-07-020**

---

3-D: *Review, discussion and possible action regarding the Hearing Officer's Report and Recommendation with respect to Marla Graham*

**Individual Addressing the Board** Kandace French

**Discussion:** Ms. French presented the Hearing Officer's Report and Recommendation with respect to the temporary certification of Ms. Graham. Staff recommended the Board adopt the Findings of Fact, Conclusions of Law and recommendations of the Hearing Officer.

**Motion:** Adopt the Findings of Fact, Conclusions of Law and recommendations of the Hearing Officer.

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

**Motion Results:** Carries **BCCR-07-021**

---

3-E: *Review, discussion and possible action regarding the Hearing Officer's Report and Recommendation with respect to Lynette Rozwood*

**Individual Addressing the Board**      Kandace French

**Discussion:** Ms. French provided the Hearing Officer's Report and Recommendation with respect to the provisional standard certification of Ms. Rozwood. Staff recommended the Board adopt the Findings of Fact of the Hearing Officer. It is further recommended the Board reject Conclusion of Law #2 or, in the alternative, strike the suggestion Board has the right to grandfather a reporter already practicing and adopt the remainder of the Conclusions of Law and the recommendation of the Hearing Officer.

**Motion:** Move to strike that portion of Conclusion of Law #2 regarding the Board's right to grandfather a reporter already practicing.

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

**Motion Results:** Carries            **BCCR-07-022**

**Further Motion:** Board directs Staff to draft appropriate language for the Conclusion of Law #2 to make it consistent with Board's prior findings.

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

**Motion Results:** Carries            **BCCR-07-023**

---

3-F: *Review, discussion and possible action regarding the requirement to submit bi-monthly status reports from temporary certificate holders*

**Individual Addressing the Board**      Kandace French

**Discussion:** Ms. French addressed the Board stating it had been the practice of the Board to require temporary certificate holders to submit bi-monthly status reports. This practice was inadvertently discontinued in 2006. Division staff recommended the Board consider re-establishing this requirement for the two reporters holding temporary certification and further recommended the Board set scheduled due dates for the submission of the bi-monthly status reports

**Motion:** Staff research procedures in place prior to 2006 and resume the practice of requiring temporary certificate holders to submit bi-monthly status reports.

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

**Motion Results:** Carries **BCCR-07-024**

---

**4) REVIEW OF CERTIFICATION APPLICATIONS**

*4-A: Applicant for Initial Standard Certification*

***Talia Douglas***

***Individuals Addressing the Board*** Kandace French

***Discussion:*** Ms. Douglas submitted an application for standard certification and Staff recommended standard certification be granted to her.

***Motion:*** Board grant standard certification to Talia Douglas.

***Motion Proposals:*** First Judge Lawrence Winthrop  
Second Kathleen Montalvo

***Motion Results:*** Carries **BCCR-07-25**

*4-A: Applicant for Renewal of Standard Certification*

***Laurel Dunn***

***Individuals Addressing the Board*** Kandace French

***Discussion:*** Ms. Dunn submitted a renewal application for standard certification and Staff recommended renewal certification be granted to her.

***Motion:*** Board grant renewal certification to Laurel Dunn.

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

***Motion Results:*** Carries **BCCR-07-026**





**Discussion:** Board previously denied the 2007 renewal application for Ms. Hunter. However, Staff never received a renewal application. Staff recommended the Board vacate the 2007 renewal denial entered for this applicant.

**Motion:** Vacate Board's previously-taken action and allow the expiration of Ms. Hunter's certificate due to lack of receipt of a renewal application.

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

**Motion Results:** Carries **BCCR-07-029**

---

## CALL TO THE PUBLIC

**Individuals Addressing the Board:** John Bouley

**Discussion:** Mr. Bouley publicly addressed concerns regarding revoking certification due to not passing one portion of the RPR.

---

## ADJOURNMENT

**Motion:** Meeting be adjourned

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

**Motion Results:** Pass **BCCR-07-030**

**Meeting Adjourned:** 11:00 a.m.

/del