

Supreme Court Board of Certified Reporters
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room CLD-1

December 10, 2007
10:00 a.m. – 2:00 p.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE

Present:

Sandra Markham, Chair
Judge Lawrence Winthrop
Terri Faust
Allen Sonntag
Tyrrell Taber

Telephonically Present:

Patricia Seguin
Kathleen Montalvo

Absent:

Jean Lea
Judge Robert Carter Olson

OTHER ATTENDEES

AOC Staff:

Kandace French
Nina Preston
Nancy Swetnam
Kimberly Siddall
Doris Leonard
Katherine (Kitty) Boots

Guests:

Maria Geare
Pat Geare
Mike Redhair
John Bouley
Doreen Lobock
Jennifer Schuck

CALL TO ORDER

Called to Order By: Sandra Markham, Chair
Time: 10:04 a.m.

1) REVIEW AND APPROVAL OF MINUTES

1-A: Regular Session Minutes for the Meeting of October 15, 2007

Individuals Addressing the Board: Sandra Markham, Chair

Discussion: Amend October 15th minutes to include Key Numbers in Agenda Item No. 3-D.

Motion: Approve meeting minutes of October 15, 2007 as amended.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-088**

2) REVIEW OF CERTIFICATION APPLICATIONS

2-A: Discussion Regarding Recusals by Board Members Pursuant to ACJA § 7-201(I)(5)(b).

Individuals Addressing the Board: Nina Preston, Board Counsel

Discussion: Board Counsel presented an overview of the duties and responsibilities of Board members with regard to voting issues.

Motion: No action necessary.

2-B: Review, discussion and possible action regarding pending application for Initial Standard Certification.

Rhonda Harris

Individuals Addressing the Board: Kimberly Siddall

Discussion: Fingerprint results were received. Staff recommended Standard Certification be granted to Ms. Harris.

Motion: Grant Initial Standard Certification to Rhonda Harris.

Motion Proposals: First Terri Faust
Second Ty Taber

Motion Results: Pass **BCCR 07-089**

2-C: Review, discussion and possible action regarding pending applications for renewal of certification:

Individuals Addressing the Board: Kimberly Siddall

Discussion: The following certificate holders submitted completed applications for renewal certification and staff recommended the Board grant renewal certification.

Motion: Grant renewal certification to the following certificate holders:
Theresa Aguilar
Nicollette Alexander
Jacquelyn Allen
Ernie Ambort
Heidi Anderson
Lisa Anderson
Kathryn Andrew
Susan Auletta

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-090**
Recusals Terri Faust on Kathryn Andrew and Susan Auletta

Motion: Grant renewal certification to the following certificate holders:
Michael Babicky
Cindy Bachman
Laureen Badar
Mary Jo Bair
Jonna Baker
Leisel Baker
Rossana Baker
Deanna Bakurza

Michele Balmer
Catherine Bamford
Jeri Barbin
Sheryl Barker
Patricia Barron
Jeffrey Bartelt
Crystal Bartlowe
Mark Bartunek
Kimberly Bata
Wanda Bauer
Becky Baumert
Kate Baumgarth
Lori Beard
Mary Beatty
Christine Bemiss
Miguel Benitez
Cindy Benner
Mary Bernal
Monica Berry
Linda Blackmon
Kathryn Blackwelder
Nancy Bledsoe
Amy Blosser
Linda Bock
Lynn Bolen
Rita Borboa
Doreen Borgmann
Willard Bort
Dawna Boswell
John Bouley
Martin Bouley
Michael Bouley
Deborah Boyette
Heather Bradfield
Sharon Bradley
Kathleen Braley
Barbara Brodrick
Cecelia Brookman
Brenda Brown
Kristen Brown
Judie Bryant
Barbara Buesing
Melanie Builder
Kathleen Braley
Barbara Brodrick
Cecelia Brookman
Brenda Brown
Kristen Brown

Judie Bryant
Barbara Buesing
Melanie Builder
Eve Burton

Motion Proposals: First Judge Winthrop
Second Kathleen Montalvo

Motion Results: Pass **BCCR 07-091**
Recusals Terri Faust on Mary Jo Bair, Kimberly Bata, Mary Bernal, Amy Blosser, Linda Bock, Rita Borboa, Martin Bouley and Michael Bouley.

Motion: Grant renewal certification to the following certificate holders.

Patricia Calabro
Bethany Campbell
Linda Cantrell
Beverlee Caperton
Lorraine Chalkey
Christine Chamberlain
Kara Chambers
Vicki Champion
Wendell Chapman
Lorrie Chinn
Linda Christensen
David Christy
Deborah Cleary
Christine Coaly
Gerard Coash
Meri Coash
William Cohan
Leslie Collins-House
Ellen Colonna
Treva Colwell
Scott Coniam
Patricia Connolly
Deborah Corradini
John Cozza
Deborah Croci
Lynn Cronin
Tamlyn Crosse
Elva Cruz-Lauer
Tina Cummings

Motion Proposals: First Judge Winthrop
Second Kathleen Montalvo

Motion Results: Pass **BCCR 07-092**
Recusals Ty Taber on Christine Coaly, Meri Coash and William Cohan.

Motion: Grant renewal certification to the following certificate holders.

John Dalsin
Kelley Dalton
Marcella Daughtry
Mary Davis
Michaela Davis
Karen Dawson
Yvonne De La Torre
Donna DeLavina
Norma DeLong
Buffy Deneke
Cindy Denholm
Jeanne Depenbrok
Sabre Deterding
Helene Diehl
Michael Dippel
Rochelle Dobbins
Diane Donoho
Talia Douglas
Jane Doyle
Holly Draper
Lawrence Driver
Howard Dropkin
Diane Dzwonkoski

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-093**
Recusals Terri Faust on Helen Diehl

Motion: Grant renewal certification to the following certificate holders.

John Dalsin
Kelley Dalton
Marcella Daughtry
Mary Davis
Michaela Davis
Karen Dawson
Yvonne De La Torre
Donna DeLavina
Norma DeLong
Buffy Deneke

Cindy Denholm
Jeanne Depenbrok
Sabre Deterding
Helene Diehl
Michael Dippel
Rochelle Dobbins
Diane Donoho
Talia Douglas
Jane Doyle
Holly Draper
Lawrence Driver
Howard Dropkin
Diane Dzwonkoski

Motion Proposals: First Judge Winthrop
Second Allen Sonntag

Motion Results: Pass **BCCR 07-094**
Recusals Terri Faust on Terri Faust

Motion: Motion made to grant renewal certification to the following certificate holders.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-095**
Recusals Terri Faust - Nos. 141, 146 and 149
Ty Taber – No. 142
Allen Sonntag – No. 145

Motion: Motion made to grant renewal certification to certificate holder numbers 152 through 174.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-096**
Recusals Terri Faust - No. 169
Ty Taber – No. 165

Motion: Motion made to grant renewal certification to certificate holder numbers 175 through 196.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-097**
 Recusals Terri Faust - No. 183 and 184

Motion: Motion made to grant renewal certification to certificate holder numbers 197 through 214.

Motion Proposals: First Judge Winthrop
 Second Ty Taber

Motion Results: Pass **BCCR 07-098**
 Recusals Terri Faust - No. 205 and 213

Motion: Motion made to grant renewal certification to certificate holder numbers 215 through 250.

Motion Proposals: First Judge Winthrop
 Second Allen Sonntag

Motion Results: Pass **BCCR 07-099**
 Recusals Terri Faust - No. 229 and 250
 Sandra Markham – No. 220

Motion: Motion made to grant renewal certification to certificate holder numbers 251 through 272.

Motion Proposals: First Judge Winthrop
 Second Ty Taber

Motion Results: Pass **BCCR 07-100**

Motion: Motion made to grant renewal certification to certificate holder numbers 273 through 292.

Motion Proposals: First Judge Winthrop
 Second Allen Sonntag

Motion Results: Pass **BCCR 07-101**
 Recusals Terri Faust - No. 287

Motion: Motion made to grant renewal certification to certificate holder numbers 293 through 323.

Motion Proposals: First Judge Winthrop
 Second Ty Taber

Motion Results: Pass **BCCR 07-102**
 Recusals Terri Faust - No. 308, 310, 313 and 314
 Allen Sonntag – No. 313

Motion: Motion made to grant renewal certification to certificate holder

numbers 324 through 333.

Motion Proposals: First Judge Winthrop
Second Allen Sonntag

Motion Results: Pass **BCCR 07-103**
Recusals Terri Faust - No. 326, 328, 332 and 333

Motion: Motion made to grant renewal certification to certificate holder numbers 334 through 357.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-104**
Recusals Terri Faust - No. 337

Further Discussion: Amy Bowler submitted an application for renewal certification but did not enclose renewal fees. Ms. Bowler requested her renewal certification fees be waived. Staff recommended the Board deny Ms. Bowler's request pursuant to ACJA § 7-206. The Board asked staff to advise Ms. Bowler of an opportunity to pay \$100 for indefinite inactive status as opposed to paying the entire \$200 for renewal certification.

Motion: Motion to direct staff to advise Ms. Bowler of the availability of filing for an indefinite inactive status and pay \$100 until such time as she is able to apply for renewal certification and pay the \$200 fee.

Motion Proposals: First Ty Taber
Second Judge Winthrop

Motion Results: Pass **BCCR 07-105**

2-D: Review, discussion and possible action regarding the modified Consent Agreement and renewal of certification.

John Boyd

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommend the Board accept the amended Consent Agreement and authorize the Chair to sign the amended Consent Agreement on behalf of the full Board.

Motion: Motion made to accept the amended Consent Agreement and authorize the Chair to sign on behalf of the full Board.

Motion Proposals: First Judge Winthrop
Second Allen Sonntag

Motion Results: Pass **BCCR 07-106**

3) CERTIFICATION AND ELIGIBILITY

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

Maria Geare

Individuals Addressing the Board: Kandace French

Discussion: Staff recommended the Board defer decision regarding Ms. Geare's renewal application to December 27, 2007 in order to allow Ms. Geare to obtain results of her RPR examination and submit documentation to the Board.

Motion: Motion made to move into Executive Session to discuss this matter more fully.

Motion Proposals: First Ty Taber
Second Judge Winthrop

Motion Results: Pass **BCCR 07-107**

Moved to Executive Session 10:30 a.m.

Returned to Regular Session 10:55 a.m.

Allen Sonntag recused from further discussion on this issue.

Board Counsel requested Executive Session.

Motion: Motion made to move into Executive Session.

Motion Proposals: First Kathy Montalvo
Second Ty Taber

Motion Results: Pass **BCCR 07-108**

Moved to Executive Session 10:55 a.m.

Nancy Swetnam joined the meeting 10:57 a.m.

Returned to Regular Session 11:00 a.m.

Discussion: Staff recommended Board defer any decisions regarding Ms. Geare's renewal application to the December 27, 2007 telephonic meeting in order to allow Ms. Geare to obtain results of her RPR examination and submit documentation to the Board.

Motion: Motion made to defer this action until the December 27th meeting.

Motion Proposals: First Judge Winthrop
Second Terri Faust

Motion Results: Pass **BCCR 07-109**
Recusals Allen Sonntag

Sandra R. Brice

Individuals Addressing the Board: Kandace French

Discussion: Staff presented a letter requesting Ms. Brice provide proof of passing the RPR examination for submission to the Board at its December 27th meeting.

Motion: Motion made to defer this action until the December 27th meeting.

Motion Proposals: First Judge Winthrop
Second Terri Faust

Motion Results: Pass **BCCR 07-110**

3-B) Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Royce Conner.

Individuals Addressing the Board: Kandace French

Discussion: Staff stated Board may accept, reject or amend the Hearing Officer's Report, Findings of Fact and Conclusions of Law for Royce Conner.

Motion: Motion made to accept the Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Royce Conner.

Motion Proposals: First Judge Winthrop
Second Kathleen Montalvo

Motion Results: Pass **BCCR 07-111**

3-C) Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Kathleen Incavo.

Individuals Addressing the Board: Kandace French

Discussion: Staff stated Board may accept, reject or amend Hearing Officer's Report, Findings of Fact and Conclusions of Law for Kathleen Incavo.

Motion: Motion made to accept the Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Kathleen Incavo.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-112**

3-D) Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Linda Hironimus.

Individuals Addressing the Board: John Bouley

Discussion: John Bouley addressed Board regarding certification status of Linda Heronimus.

Motion: Motion made to accept Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Linda Hironimus.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-113**

3-E) Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Ana-Leticia Quintero.

Individuals Addressing the Board: Kandace French

Discussion: Staff stated Board may accept, reject or amend Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Ana-Leticia Quintero.

Motion: Motion made to accept Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Ana-Leticia Quintero.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-114**

3-F) *Review, discussion and possible action regarding Hearing Officer's Report and Recommendation with respect to Alice Pelts.*

Individuals Addressing the Board: Kandace French

Discussion: Staff stated Board may accept, reject or amend Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Alice Pelts.

Motion: Motion made to accept Hearing Officer's Report, Findings of Fact and Conclusions of Law in the matter of Alice Pelts.

Motion Proposals: First Judge Winthrop
Second Allen Sonntag

Motion Results: Pass **BCCR 07-115**

4) ADMINISTRATIVE MATTERS

4-A: *Discussion regarding the Arizona Court Reporters Association's request for Board review of CART certification and NVRA/NCRA test validation.*

Individuals Addressing the Board: Doreen Lobock and Jennifer Schuck

Discussion: Doreen Lobock, President of ACRA, and Jennifer Schuck requested Board address the certification of CART providers. The Board was also asked to address the future test validation of NVRA and NCRA. Nancy Swetnam addressed the Board with reference that legislation will be introduced in January 2008.

Motion: No action required – information only.

4-B: *Distribution of new password for the secure Board website.*

Individuals Addressing the Board: Kandace French

Discussion: Kandace French distributed the 2008 passwords to the Board.

Motion: No action required – information only.

CALL TO THE PUBLIC.....John Bouley

Discussion: Mr. Bouley asked for clarification on validation procedures. He was advised the validation issue wasn't on the December Agenda and asked to submit documentation to be addressed at the January 8, 2008 meeting. Mr. Bouley also stated he was having difficulty getting access to the Certified Reporter website.

Motion: No action required – information only.

ADJOURNMENT

Motion: Motion to adjourn the meeting.

Motion Proposals: First Judge Winthrop
Second Ty Taber

Motion Results: Pass **BCCR 07-116**

Time: 11:37 p.m.