

Digital Recorder/Tape Recorder

# REJECTED



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The Electronic Magazine of  
the California Court Reporters Association

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### CCRA MISSION STATEMENT

The mission of the California Court Reporters Association is to advance the profession of verbatim shorthand reporting by promoting professional reporting excellence through education, research, and the use of state-of-the-art technology; establishing and maintaining professional standards of practice; and advocating before legislative and regulatory bodies on issues which impact the judicial system and others served by the court reporting profession of California.

## President's Message — Victory is Sweet!!

*By Sheri Turner Gray, CSR 7350  
CCRA President*



Did everyone hear the loud and exultant cries of joy after the hearing on Monday, 6/15, for the Court Reporters Board? And then the HUGE sighs and tears of relief and exhaustion?? Victory is sweet, and the road to it is rife with innumerable hours and hours of work, research, writing, documentation, phone calls, letters, appointments, visits, sleepless nights, and THOUSANDS of e-mails.

I am telling you that your CCRA leaders, present and past, are an inspiration and amazement to me. I want to express my deepest gratitude and heartfelt thanks to each and every board, committee and task force member who helped us not only once again beat the ER proposal, but also successfully convince the legislature to keep the Court Reporters Board intact the way it is.

It truly was a concerted team effort, and we had a flawless team, each person contributing immensely to the tasks at hand. Jim Cassie, our lobbyist, successfully orchestrated a strategic plan that targeted the very core of the decision-makers and won many influential legislators to our side.

I want you to know how extremely difficult both of these accomplishments were. Many other states doubted our ability to pull off such a coup once again, but I'm sure they are envious of what we have done.

California truly is and has been in the forefront of the reporting industry nationwide. CCRA is as old as the national association, and the depth of knowledge and experience of reporters in this state is enormous. CCRA will continue to promote and protect the profession of court reporting for another 100 years into the future.

In October, CCRA will celebrate its 99th year at its annual convention in Palm Springs. CCRA is planning its centennial convention for 2010. Come and meet your CCRA leaders in person, and let them know how much you appreciate their volunteer service on your behalf. I appreciate them more than they could ever know and feel extremely honored to be serving with them.

We truly value each and every CCRA member and the support you give us. Together we are CCRA, and we can accomplish anything!



## California Judges Association Pledges Support

The California Judges Association's (CJA) Board voted for CJA to oppose the Governor's proposal regarding the elimination of court reporters, as currently constituted. I understand that the Legislative Conference Committee rejected that portion of the Governor's proposal, thus making our opposition fairly moot at this point, but I still wanted to let you know that on this issue, the court reporters have an ally in the Judges Association.

Warmest regards,

*Jordan O. Posamentier, Esq.  
Legislative Counsel*

California Judges Association  
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## Shop at the CCRA Store!



Mini Mouse = \$25



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# Courts Bring Back Court Reporters After Electronic Recording Use

*Sources of information:*

*National Court Reporters Association [www.ncraonline.org](http://www.ncraonline.org); various state records*

**When it comes to ensuring an accurate, fast and cost-effective record of court proceedings, judicial systems around the country are choosing court reporters instead of recording systems. Realtime translation and daily copy transcripts are available only with a court reporter, providing huge time savings, cost savings, and much greater efficiency.** Court reporters have been the forerunners in applying computer technology in the legal system — computer- aided transcription, realtime translation, and video/text integration. All of these reporter-based technologies have enhanced the functioning of the judicial system for several years in both headline trials and everyday cases. By providing case information to judges and attorneys in digital format, court reporters produce transcripts that can be researched, corrected, telecommunicated, stored on CD-ROM or other computer media, integrated with a videotape, or simply printed out in a conventional or condensed format. Court reporters provide and maintain this rapidly changing technology at their own individual expense.

Some jurisdictions have chosen to experiment with recording systems. However, they have found that using recording systems in criminal or civil cases frequently causes court delays, increased costs, and equipment failures that result in expensive retrials. Recording systems require constant maintenance and upgrades as technology improves, resulting in unanticipated expenses to the court and increased personnel. The courts pay higher transcription costs for inferior transcripts; or if no transcripts are provided, the results are great increases of time and additional personnel costs at all levels of the judicial system, as the text form of the record provides far greater judicial economy.

## TEXAS

2001 — Brought back stenographic reporters after trying both audio and video taping methods, citing realtime court reporting and the ability to have an immediate transcript; saving money during expert witness testimony by having the experts review the transcript from the day before instead of sitting through previous days of court; time and equipment involved in reviewing video testimony — taking at least five hours to review five hours of testimony, compared to 30 minutes to review the same transcript; inherent problems and inaccuracies in transcription of recorded proceedings; unanticipated costs and additional personnel to perform all the functions that a stenographic reporter provides.

## NEW MEXICO

Started using recording systems in 1982. By 1986 brought back stenographic reporters, citing unexpected costs, frustrations, backlog of cases at the appellate level, and great increases of time and additional personnel costs with the tape systems. The state abandoned the systems and returned to faster and more cost-effective court reporters.

## FLORIDA

Florida's supreme court is currently reviewing an appellate court decision to determine what the official record is — the recording or the transcript from the recording. Digital recording systems record everything, including whispered conversations between clients and attorneys or onlookers. Keeping the recording from the public preserves the attorney-client privilege. The appellate court ruled the recordings are not an official record but are used to create the official record. If this decision is upheld, the court will be required to provide written transcripts, resulting in no cost savings to the court.

*continued on Page 6*

# Courts Bring Back Court Reporters After Electronic Recording Use

*(continued from Page 5)*

## FEDERAL COURTS

Appellate and trial court judges taking part in a two-year study said videotapes of trials were too cumbersome and took too long to find specific portions. As a result, the Judicial Conference of the United States voted to end the experiment in 1986.

## NEW YORK

2008 — Legislation carried by the chairman of the Senate Judiciary Committee would prohibit the use of recording devices — rather than a stenographic record taken by a court reporter — in Supreme Court, county court, district court and family court when delinquency cases are being heard and during jury trials in New York City Civil Court. The rationale behind the bill is based on complaints about the quality of the transcripts generated by electronic recordings, mostly in family and surrogate's courts, but also in some criminal courts.

## KENTUCKY

1988 — Use of videotape recorders has resulted in malfunctions, retrials at cost to the state, and too much time spent by attorneys reviewing the tapes.

## ILLINOIS

1990 — Installed videotape systems tried as an experiment sit idle. Chief Justice Richard C. Ripple said use of video is very limited. Other judges refuse to use it, stating they don't want to watch television.

## OREGON

2004 — Officials are calling for the return of court reporters instead of digital recording due to a series of missing or inaudible recordings. These instances include one hour of missing key witness testimony in a 2003 murder case; a retrial of a 2002 complex civil environmental case because the DR failed to record proceedings onto a CD; attorneys handling criminal appeals saying their clients' rights are compromised by inaudible portions of recordings; and attorneys hiring their own court reporters for fear of an inaccurate record.

## HAWAII

The disastrous loss of nearly 100 grand jury indictments caused by a tape recorder system malfunction has resulted in the state's trial courts relying exclusively on court reporters, leaving tapes for minor proceedings such as motions.

## NEVADA

Nevada Federal Courts and Commissions brought back stenographic reporters in 1995 after using tape systems for three years, citing higher costs and inferior service compared to realtime stenographic reporters.



## Transcription Costs

The Administrative Office of the Courts allocated \$26 million in FY 2006-07<sup>1</sup> to compensate court reporters to produce roughly eight million pages of certified original transcripts for use by courts and an additional 16 million pages of certified copies for party litigants. The majority of cases necessitating production and delivery of those approximately 24 million pages are comprised of one-defendant criminal matters, wherein the court is provided an original transcript and the prosecution and defense are each provided a certified copy. Compensation for court reporter transcription services are set by statute. The statutory per-page rate varies slightly from county to county; the statewide average is \$3.22/page for an original and two copies. The last upward adjustment of this rate occurred twenty years ago.

Several courts that utilize electronic recording have engaged private entities to produce transcripts of recordings, and the rates charged by these vendors vary widely. A statewide survey conducted by the California Court Reporters Association in 2003 and updated in 2008 revealed some courts have been charged as much as \$7.00/page and \$9.00/page, with page rates varying depending upon degree of difficulty due to technical content.

The San Diego Superior Court has engaged a private entity to produce transcripts of electronically recorded misdemeanor proceedings at rates of \$4.00/page for an original and two copies delivered in 2-3 weeks and \$5.50/page for delivery within 5 business days. It should be noted that in criminal matters involving the possibility of capital punishment, "daily copy" (overnight production and delivery of certified transcripts to the court and parties) is mandatory. Again, court reporters are compensated at the \$3.22/page rate in all criminal matters, regardless of content and/or expedited delivery requirements.

**The \$26 million that the courts currently spend for reporter transcripts at 20-year-old statutory rates could cost between \$32 million and \$56 million for the same transcripts at electronic recording transcription rates currently being paid by counties throughout the state.**



If the courts were to absorb transcription services in-house transcribers, proofreaders, supervisory and delivery personnel would be necessary, as well as equipment for producing, duplicating, and binding official court transcripts.

<sup>1</sup> LAO "Analysis of the 2008-09 Budget Bill: Criminal Justice"

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# CCRA Letter to Governor Schwarzenegger



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June 10, 2009

Dear Governor Schwarzenegger:

On behalf of the 2,000 men and women currently working as official reporters in California's courts and the more than 8,000 court reporters licensed in the state, I am appalled by your recent comments on National Public Radio that many in our industry can be replaced by machines. You have been provided bad information that, if adopted by the state Legislature, threatens the court's ability to operate efficiently as well as provide access to justice for the consumer.

The Administrative Office of the Courts is not in favor of replacing reporters with recording devices. Neither are judges. While electronic recording is now being used in low volume transcript courts, the AOC has repeatedly stated that using digital devices in felony and civil cases, family law, and trials involving sexually violent predators is simply "too risky." After removing these high volume transcript courts from the LAO's proposal, the state will save nothing. Governor, you are wasting time and energy pursuing an ill-advised proposal.

Other states have tried electronic recording in court proceedings, but most have elected to return to using court reporters because recordings caused court delays, increased costs, and equipment failures that result in expensive retrials. Further, transcription of recorded proceedings is more expensive. These states include Texas, New Mexico, New York, Kentucky, Illinois and some Federal courts. Other states, including Florida and Oregon, are currently rethinking their decision to move to machines.

Court Reporters have been using digital technology for over 20 years now, long before recordings became digital. Court reporters are the fastest, most efficient, and most accurate way to transform the spoken word to text, and all this technology is provided at the individual expense of the court reporters. Elimination of a workforce that is made up of 98% females, many with children to support, would be not only shortsighted but morally questionable.

Your proposal flies in the face of the needs of deaf and hearing-impaired judges, attorneys, and litigants who rely on the services of court reporters every day. A tape recorder is useless for these individuals.

Governor, I concede that, at least in Hollywood, machines often out-perform humans, but not in the case of well-trained and effective officials of the court. I am proud of my profession and the high quality product our men and women provide California's legal system on a daily basis.

Sincerely,

Sheri Turner Gray  
President





### Eavesdropping on Internet Activity

**Q. I have reason to believe that some inappropriate things are occurring with a member of my family on the Internet. Is there any way I can monitor what is happening online when I'm not around? Thank you so much for being there, Mr. Modem. I don't know where else I'd turn.**

A. There is a software program called Spector that will do exactly what you want. When you install it, Spector runs invisibly, so no one is aware of its presence. Even if it is discovered — which is highly unlikely — it cannot be easily removed or disabled.

Spector (<http://tinyurl.com/3rvv6b>) works like a surveillance camera, taking a snapshot of whatever appears on the computer screen and saving it in a hidden location on your computer's hard drive. A few seconds later, Spector takes another picture. In fact, Spector can automatically take a picture of the screen as frequently as once every second.

Spector (\$69) will record all chat conversations, instant messages, emails typed and opened, all Web sites visited, all programs launched, all keystrokes entered, anything and everything that occurs on the computer and on the Internet. You can return to the computer a few hours, a few days or even weeks later, enter your password, and review exactly what transpired on that system in the interim.

**Q. Would I be wise to switch all my email to Yahoo! from my present ISP?**

A. I see many, many people doing that these days, switching either to Yahoo! Mail (<http://mail.yahoo.com>) or Gmail ([www.gmail.com](http://www.gmail.com)). There is a definite trend in that direction, primarily

because Web-based mail is so reliable, plus it eliminates the need for an email program such as Outlook Express, Eudora, Thunderbird, etc. There is also the added convenience of being able to access mail from any computer with Internet access. In addition, when it's time to purchase a new computer, because your mail resides on Yahoo's or Gmail's servers, there is no need to transfer mail folders, settings, or configure a new email program on the new system. Using your browser, you simply log into your mail account and you're off and running.

You can also create a free, "disposable" address at Yahoo! Mail or Gmail and use it for online shopping or for Web site or product registration purposes, in order to prevent spam and other annoying follow-up messages from cluttering up the inbox of your primary email account.

While it ultimately is a matter of personal preference, Web-based mail does make a lot of sense and has many advantages. I prefer Gmail over Yahoo! Mail, but you can't go wrong with either one.

**Q. My new computer shows time in the 1:30 PM format. I prefer the military version of time, that being 13:30. How can I change that? I'm using Windows XP.**

A. To display military time, go to your Control Panel > Regional and Language Options > Customize button > Time tab and choose HH:mm:ss from the drop-down menu. Click Apply > OK to save and exit.

**Q. My Outlook Express suddenly has what I would describe as a lower panel of sorts that I did not have before. How can I get rid of that? I can drag it up or down, but it is confusing, and I know it wasn't there before. Thanks, Mr. M.**

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(continued from Page 9)

A. What you're describing as the "lower panel" is the Outlook Express Preview Pane, that enables you to view messages without actually opening them. If you click to select a message in your Inbox (the upper panel), the body of the message appears in the lower panel. To disable it, click View > Layout and remove the check mark to the left of "Show Preview Pane," followed by Apply > OK.

## Mr. Modem's DME (Don't Miss 'Em) Sites of the Month

### How-To Videos

Arguably one of the best collections of "How-to" videos on the Web. All videos are free and cover topics ranging from "How to Play a Ukulele," to "How to Make a Blueberry Smoothie," to "How to Give Your Cat a Bath" (Good luck!) <http://learnhowto.tv>

### Infowisps

A collection of interesting yet incredibly useless trivia. For example, did you know that U.S. President William H. Taft had a speech impediment? In particular,

throughout his life he said "snausage" instead of "sausage," and since he was a rather portly gentleman, he was nicknamed "Baloney Bill." How's that for trivia? [www.infowisps.blogspot.com](http://www.infowisps.blogspot.com)

### Safety Alerts by Email

Product recalls of toys that can injure, various and sundry safety- and health-related issues, including reports of Listeria, Salmonella and E. Coli-contaminated foods — which, coincidentally, sound like the ingredients for a Mr. Modem family picnic. Free, comprehensive, up-to-date safety alerts delivered to you by email. This site is so informative, you'll never leave the house again. It's simply too dangerous out there. <http://tinyurl.com/2ytvdz>

For plain-English answers to your questions by email, plus great computing tips, subscribe to Mr. Modem's award-winning newsletter. Subscribe using Promo Code 4022 and receive TWO free months with your 12-month subscription (60 issues!) To view a sample issue or subscribe, visit [www.MrModem.com](http://www.MrModem.com)





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## Congratulations from Around the U.S.



Your association is a shining example of what state associations can do and offers all of us a ray of hope as we all go through our individual state's challenges.

*Faith Olliges*  
*President, Missouri Court Reporters Assn.*



Way to go, California!!! I know what a hard fought battle you all waged, the time, the effort, the resources. Congratulations!

*Debi Cheyne*  
*Oregon Court Reporters Association*



Wow. My hat is off to you. The disdain in his (Governor Schwarzenegger) voice when he called out reporters was palpable. Don't know how you overcame that, but congrats!

*Mike Miller, Texas*



You all have done a phenomenal job. We all owe you a huge thank-you.

*Margie Wakeman Wells*



Wonderful job!! You've overcome enormous odds to beat them back again.

*Karen Yates, President NCRA*



Wow. I know a lot of hard work and effort has gone into this. Congratulations on another victory. I am so impressed with the united front and support in this profession.

*Suzanne Wasser*



I am so happy for you, California! I am mailing in my application to become an associate member of California! You amaze us here in Texas! Keep up the great, great work! You inspire us all!!!

*Melinda Garriga, CSR, RPR*  
*Immediate Past President of Texas – 2008-2009*



Washington sends congratulations, appreciation, and much admiration to our neighbors in California on your hard fought victory! One success is a success for all.

*Phyllis Craver Lykken, RPR, CCR*  
*phylliscraverlykken@washingtoncourtreporters.org*  
*WCRA President*



# My Senate Testimony Experience

By Early Langley  
CCRA Director

## “THE COMMITTEE JUST VOTED 6-2 TO REJECT THE GOVERNOR’S PROPOSAL TO ABOLISH THE CRB.”

By the time Jim Cassie, our lobbyist, emailed those words, I was still in shock after all those emails, all those phone calls, not sleeping well worrying about how it’s all going to play out. I’ve never done this before, except at CATT training, and even there I froze up.

Are my legal aid attorneys going to show up who depend on the Transcript Reimbursement Fund? How about possible media coverage? Do I need to change my testimony to address being put under the Judicial Council or the State Bar? Or leave it out? Will we get 60 seconds, 90 seconds, five minutes?

And then there was the moment. I listened carefully to what Senator McLeod warned us: Don’t repeat anything that’s been said. Well, there went 75% of my talk. So I just zeroed in on Senator McLeod’s eyes as well as committee members’ eyes. I wanted their full attention. I never looked down, and I recited a story about a deposition reporter and

two lawyers who drove out in the middle of nowhere for a depo, only to find out after lunch that the reporter’s license had been revoked forthwith because she’d just been informed by the CRB that she was delinquent in her dues. Talk about an effective CRB — swift disciplinary action!

But the testimony elicited by the legal aid society lawyers who depend on the TRF captured the attention of Senators McLeod and Corbett! That testimony triggered a rally among the committee members who had no clue what the TRF is, and how we, the court reporters, fund the TRF. They wanted to keep that fund there, and went so far as to make a substitute motion to see that the CRB remain where it is and keep the TRF under the CRB. Thank you, legal aid lawyers, for waiting three plus hours to be heard!

Without the CATT training that the CCRA put on in Sacramento, I wouldn’t have had the courage to stand in front of senators and testify. Thank you, CCRA, for that schooling! Thank you, “Pres Sheri,” for giving me the opportunity to represent our great California Court Reporters Association!

## Cal-e-licious

By Gerie Bunch,  
SOS Committee Chair

### ALMOND BUTTER COOKIES

A variation on an old standby.

#### Ingredients:

2 1/2 c unbleached flour	1 c. packed brown sugar
1/2 tsp. baking soda	1 c. almond butter
1/2 tsp baking powder	2 lg. eggs
1 tsp. salt	1 tsp almond extract
2 sticks butter, softened	1 c. sliced roasted almonds
1 c. sugar	



Preheat oven to 350. Whisk together the dry ingredients. With electric mixer, beat the butter until creamy, add sugars and beat again until fluffy (3 min.), then add one egg at a time, beating after each, then add almond butter and almond extract, beat again and be sure to scrape sides. Add the dry ingredients, mix again, then add the roasted almonds (they will break up when blending).

Roll 2 Tbsp. of dough into a ball and place on ungreased baking sheet. I recommend only 9 on a sheet as they expand quite a bit. Press each ball with a dinner fork, leaving a nice crisscross pattern. Bake 12-15 minutes. Cool on wire racks.



# Court Closure Legislation

## **SEC 1. Section 68106 is added to the Government Code to read:**

(a) The Legislature finds and declares that the current fiscal crisis, one of the most serious and dire ever to affect the state, threatens the continued operations of the judicial branch. This situation requires a unique response to effectively use judicial branch resources while protecting the public by ensuring that courts remain open and accessible and that the core functions of the judicial branch are maintained to the greatest extent possible.

(b) Notwithstanding any other provision of law, the Judicial Council may provide that the courts be closed for the transaction of judicial business for one day per month and may adopt other appropriate provisions implementing this section, subject to the following conditions:

(1) If the Judicial Council has provided for the closure of courts pursuant to this section, the day so designated shall be treated as a holiday for purposes of performing any act requiring the transaction of judicial business including but not limited to (i) the transaction of judicial business under section 134 of the Code of Civil Procedure, (ii) the sitting or holding of a court under section 136 of the Code of Civil Procedure, (iii) the computation of time under sections 12 and 12a of the Code of Civil Procedure, (iv) the computation of time under sections 825, 859b, 1050, and 1382 of the Penal Code; (v) the computation of time under sections 313, 315, 631, 632, 637, and 657 of the Welfare and Institutions Code.

(2) A court may still receive papers for filing on a day designated for closure, but the time of filing of the papers shall be the next court day on which the court is open for the transaction of judicial business. The receipt of papers pursuant to this subdivision shall not constitute opening of the court for any purpose. A day designated for closure under

this section is not governed by section 68108.

(3) The impact of the court closure shall be subject to the provisions of subdivision (c) of section 71634. Notwithstanding any other provision of law, any court closure or reduction in earnings as a result of this section shall not constitute a reduction in service for the purposes of calculation of retirement benefits or other employment-related benefits for court employees otherwise eligible for such benefits.

(4) A judge or justice may sign a form, to be prepared by the Administrative Office of the Courts, which shall provide that the judge or justice voluntarily agrees to contribute on a monthly basis an amount equal to 4.6 percent of the monthly salary of the judge or justice. The Administrative Office of the Courts shall transmit the form to the Controller, county, or other entity paying the salary of each judge or justice, except that the form shall only be transmitted to the entity which pays the greatest portion of the salary if the judge or justice is paid by more than one entity. The entity receiving the form shall deduct 4.6 percent of the gross monthly salary of a judge or justice from the salary otherwise due to the judge or justice from that entity. The Administrative Office of the Courts will direct to the individual courts an amount equal to the aggregate contributions received from judges or justices of that court. Notwithstanding any other provision of law, a judge or justice who elects to sign the form under this section shall not be deemed by such act to be holding office for other than full time service during the time covered by the voluntary contribution of salary, and any such contribution shall not be deemed a reduction in salary for purposes of calculation of any retirement benefits, supplemental judicial benefits provided pursuant to Section 68220, or other job-related benefits. Except as necessary for purposes of paragraph (5), a judge or justice

*continued on Page 14*

# Court Closure Legislation

*(continued from Page 13)*

who makes a contribution is not obligated to appear for work at the courthouse on days that a court is closed under this section.

(5) A judicial officer shall be available for the signing of any necessary documents on an emergency basis during the time a court is closed under this section on the same basis as a judicial officer is available on Saturdays, Sundays, and judicial holidays and other times a court is closed.

(6) As a result of the closures authorized by this subdivision, court security will not be required on any day in which courts are closed pursuant to this section.

(A) If a superior court has executed a memorandum of understanding as required by section 69926 with a sheriff, county, or sheriff and county, the court and the sheriff, county, or sheriff and county shall negotiate a reduction in the amount of compensation due to the sheriff because of the of the reduced amount of security resulting from the closure of the courts under this section. If necessary, the court and sheriff, county, or sheriff and county shall amend the memorandum of understanding required under section 69926 to reflect such reduction. Notwithstanding any other provision of law or memorandum of understanding, if the court and sheriff are unable to reach an agreement within thirty days of the first court closure, the sheriff shall continue to provide on days the court is open the same level of service previously required under its memorandum of understanding, but the amount of compensation payable to the sheriff under the memorandum of understanding shall be reduced by an amount equal to 4.6% of those allowable costs authorized to be paid

under paragraph (6) of subdivision (a) of section 69927. Upon reaching an agreement, the court and sheriff may reconcile any prior payments based on the terms subsequently agreed upon by the court and sheriff.

(B) If a superior court and a sheriff have not executed a memorandum of understanding as required by section 69926, the sheriff shall continue to provide security services as required by the court, but the compensation payable to the sheriff shall be no more than the rate of the average monthly amount paid by the court to the sheriff in fiscal year 2008-2009, reduced by 4.6%, to reflect the reduced level of security required as a result of the closure of the courts under this section.

(c) This section is inoperative as of July 1, 2010, and is repealed as of January 1, 2011, unless a later adopted provision amends or modifies this provision.

SEC 2. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.



# The Dash or the Ellipsis for Trailing Off

By Margie Wakeman Wells

The use of the ellipsis to show trailing off has gained favor in many segments of the court reporting community. Many reporters express a desire to distinguish between a speaker who trails off and a speaker who is interrupted.

Though English calls for a dash for the sentence that does not get finished, it is acceptable to use an ellipsis to show trailing off.

**Well, I intended to go with her to --**  
**Well, I intended to go with her to...**

The dash in English shows broken sentence structure, and it does not matter how the structure gets broken. It simply shows that a sentence did not get finished. Trailing off is one way of not finishing a sentence.

In English, ellipses are generally reserved for indicating that something has been left out that was included in the original, usually used inside of quotes; However, their use showing trailing off is supported by the *Merriam-Webster Collegiate Dictionary*.

Other options for trailing off — such as a dash followed by a period, a dash with the space in front of it omitted, a dash with an extra hyphen in it, et cetera — are to be avoided.

**Well, I intended to go with her to -- ❌**  
**Well, I intended to go with her to-- ❌**  
**Well, I intended to go with her to --- ❌**

**RULE:** When the word but is used before the trailing off, put no punctuation before but and a dash or an ellipsis after.

**I had tried it before to no avail but --**  
**I had tried it before to no avail but...**

**They intended to have a talk with him but --**  
**They intended to have a talk with him but...**

**RULE:** When the word so is used before the trailing off, put a semicolon or a period before so and a dash or an ellipsis after.

**She didn't really need the money; so --**  
**She didn't really need the money. So --**  
**She didn't really need the money; so...**  
**She didn't really need the money. So...**

**There were no more options for us; so --**  
**There were no more options for us. So --**  
**There were no more options for us; so...**  
**There were no more options for us. So...**

Margie's book on punctuating the transcript, *Court Reporting: Bad Grammar/Good Punctuation*, is being published by NCRA and will be out in the late fall.



## Thanks From Stu Simen, CSR 1568

A special thank you to CCRA and all the people who worked to save the Board. Not only do court reporters care about having a board because California reporters are for the most part the best in the U.S., but also the most giving of themselves. Having been the longest member of the board of LAGSRA and RASCAL ever, and being a past president, and all the other things that I worked for, I know what it is to energize the reporting community, and only certain people can. We reporters work too hard to make things perfect, and perfect is expected of us, and a licensing board is necessary to continue the perfection that we have been for so many years. Yes, we all make mistakes, but only on bad days, but if it gets too bad, we try to get someone to cover for us.

The state doesn't say we must have continuing education, we push that on ourselves so that we can be perfect. Without us a lot of poor folks in the past and the future would have a lot of hurt financially.

I still look forward to being able to make the 100th anniversary convention, but I still don't know for sure.

Past board member, one of the founders of PACCRA, parliamentarian and so many other things of CCRA that they are too numerous to mention. Stuart Simen, CSR 1568 retired. RPR RMR(Ret.) And, yes, I am still keeping up with OUR PROFESSION.



## Briefs Online

Looking for a quick brief for those hard to write words or common phrases? If you have a word or phrase that you would like a brief form for, let me know, and I will publish your requested brief in the next CCRA Online. If you have briefs that you would like to share with our members, please send them to Doreen Perkins, [CortReptr1@aol.com](mailto:CortReptr1@aol.com) or 1100 Van Ness, Dept. 50, Fresno, CA 93724-0002

Next time you find yourself reporting a deposition or a trial concerning a traffic collision you may find these briefs helpful.

### BRIEFS TO SHARE:

Accident	SDEN	Middle lane	MLA*EN
Accident happen	SDAP	Motor vehicle	MOEK
Accident reconstruction	SD-RGS	Northbound	N-B
Accident report	SDORT	Northbound lane	N-BL
Accident took place	SDAOP	Red light	R-LT
After the accident	AEFX	Right lane	-RL
At the time of the accident	SDAOIM	Right turn	-RT
Before the accident	B-FX	Right-hand lane	-RNL
California Highway Patrol	KH-P	Right-hand turn	-RNT
Cause of the accident	KAUFGT	Roadway	ROI
Center lane	SLAEN	Scene of the accident	SN-X
Center line	SLOIN	Skid mark	SKARK
Centerline	SLAOIN	Skid marks	SKARKS
Coefficient	KOIRB	Southbound	S-B
Collision	SLIGS	Southbound lane	S-BL
Delta-v	D-F	Speed limit	SPLIMIT
	or DAEFLT	Speeding	SPAOEGD
Eastbound	E*B	Speedometer	SPOMT
Expressway	KPRAE	Stoplight	ST-LT
Freeway	FOI	Traction	TRA*X
Friction	FRIGS	Traffic	TRAF
Green light	G-LT	Traffic light	TR-LT
Highway	HOI	Vector	VERKT
Highway Patrol	H-P	Vehicle	VEK
Interstate	SPWAIT	Vehicle Code	V-K
Lane	LAEN	Vehicle Code Section	V-X
Left lane	L-L	Velocity	VOFT
Left turn	*LT	Westbound	W-B
Left-hand lane	L-NL	Yellow light	Y-LT
Left-hand turn	L-NT		



### Sheri, staff and all involved:

I've been reticent to respond back to the many up-to-the-minute emails re the volatile events knowing how busy you are. But I'd like to express my deep gratitude for the countless hours spent on this for our collective good — no doubt giving up sleep, opportunities to work, away from the family, etc., etc., etc.

We, as an association, are so lucky you were all on the job and working so hard. The effort is grand enough. But the overwhelmingly favorable results are more than we could have hoped for! Amazing to have hit a home run. Wow!! A big collective slap on your backs is soooo well deserved. Now we should contribute to your vacations!

*From a very thankful CSR, Iris Meinke-Smith, CSR No. 3798*





## The Support Our Students Committee is Pleased to Announce the Winner of a \$500 Scholarship: Jean Kim

Jean obtained a BA in Art History in 2003, but decided not to pursue a PhD. She first got interested in court reporting after researching two careers that were most in demand at the time: court reporting and nursing. She wanted something mentally challenging and satisfying, so she chose court reporting in 2005.

Jean is attending Bryan College in Southern California. She is currently in the 180-225 level and is working hard to pass her qualifier. She is hoping to attend the convention and participate in our student track, including the Mock written knowledge and machine tests that will be given.

She lives in beautiful Glendale and enjoys the following hobbies: Reading current events; and, listening to NPR, and watching the occasional reality show. Jean aspires to work abroad in Asia, and then, ultimately, she'd love to become a congressional reporter in Washington, D.C.

## CONGRATULATIONS, JEAN!

If you know of or are a student in financial need, there is still another opportunity to apply for a scholarship this year. Please see our website and click on the "For Students" tab for further information. Good Luck.



## Open Letter to CCRA

*By James Pence, RMR, CRR, CSR No. 13059*

Hi. My name is James Pence. I'm an official court reporter for San Diego Superior Court. I got my CSR license in December 2005, and I worked for the court as a per diem for two and a half years. I got hired on as an official in September 2008, and I've been with the court as an official ever since. I love my job, and I love what I do, and I love the people with whom I work. I can't imagine doing anything else for a career.

I really want to thank you for all the hard work you've done against these last few ER threats, especially this latest one. I'm still a relatively new reporter, and I've heard from more experienced reporters about how the budget situation has never been as bad as it is now. This latest ER proposal had a lot of people worried, myself included. I'd just gotten in; I didn't want to have my hard-earned job taken away! But thanks to people like you, Lesia Mervin, our lobbyists, CCRA, and San Diego's very own Jim Partridge, our jobs are safe again.

I'm sure ER will come back and rear its ugly head in the future, but we'll just rise to the challenge once again. Since I got my CSR and have been working in court, the ER proposal has come up three times, and each time I write a check and send it to CCRA because I know how expensive these fights are. That's actually the reason why I decided to join CCRA: Strength in numbers! I have a problem with butt

We've got the REAL facts on our side. ER just isn't as good as court reporters, period. Thankfully, the people in Sacramento got the message loud and clear.

I loved your letter to Governor Schwarzenegger! Everything you wrote was 100-percent spot-on. Hopefully, he got the message loud and clear, too.

I know that California is in for tough times, and the courts especially are going to suffer severe cuts. I've accepted that furlough days are inevitable, and we've already had to cut back on using our per diem reporters. We've been in a hiring freeze for almost a year; I'm the latest official to be hired, and the courts won't be hiring anytime soon. But I'm ready to do my part. I'm going to continue doing my job and doing it well. I'm going to keep providing realtime — which I really think is what's going to save our jobs in the long run. Can ER provide realtime for a judge or someone who's hearing-impaired? I think not — keep producing high-quality transcripts, and the next time this threat comes up, I'll be ready to contribute in any way I can.

So again, thank you so much for everything you've done to protect our wonderful profession. You helped save our jobs! Every official in this state owes you a debt of thanks. Keep fighting the good fight!



**The California  
Court Reporters Association  
Support Our Students Committee**

Presents:

**Sponsor  
a Student  
Campaign**



Give a student access to mentoring, information,  
education and professional affiliation.

Sponsor a student membership.

It's only \$30 for a one year membership.

Our goal is to send at least one complementary  
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Complete the application and we will do the rest.

P.S. – If you know a student that you would like to sponsor,  
simply fill out the form.



# CCRA APPLICATION

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Address: \_\_\_\_\_

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Email: \_\_\_\_\_

Yes, please share my contact information with the student

I wish to remain anonymous

Payment:

For Online Payment: [http://www.cal-ccra.org/conv\\_spons\\_student.htm](http://www.cal-ccra.org/conv_spons_student.htm)

My check is enclosed

Please charge my credit card:  Visa  MasterCard  American Express

Card Number: \_\_\_\_\_ Exp Date: \_\_\_\_\_

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Membership Application for the  
CALIFORNIA COURT REPORTERS ASSOCIATION

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Good for one-year complementary STUDENT membership with CCRA.  
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Mail application to: CALIFORNIA COURT REPORTERS ASSOCIATION  
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www.cal-ccra.org

# Why Digital Recording (DR) Won't Save Costs in California Courts

*This report was prepared by Chris Crawford, president of JUSTICE SERVED®, a court management and technology-consulting firm. Mr. Crawford has more than 35 years of court management experience, including 21 years managing California trial courts. For more information, please visit [www.justiceserved.com](http://www.justiceserved.com).*

In the past year, the California Legislature has twice rejected the Legislative Analyst's proposal to replace court reporters with digital recording (DR) equipment because the LAO's claim of \$13 million in first-year savings and claims of more than \$100 million in annual savings thereafter are not supported by the facts. DR is a bad idea because:

- The supposition of making a huge investment in new DR equipment and personnel costs in the hopes of future savings is not justifiable in the current fiscal climate. Moreover, the claims of future savings are unsubstantiated:

LAO-PROJECTED COST SAVINGS FROM DR	WHAT WILL ACTUALLY OCCUR
\$13 million in the 1st year from 20% conversion	<b>NET LOSS</b> attributable to the purchase of DR equipment; the need to install wiring and conduit in the courtrooms; software use licensing fees, service agreements; recruitment and training costs for new DR staff; and separation costs for court reporters.
Unspecified savings from use of audio files in lieu of purchasing transcripts	<b>NET LOSS</b> attributable to substantial productivity loss by judges, attorneys, parties and court staff because the written word is 3-to-5 times faster to use than reviewing an audio record.
Upwards of \$111 million annually from full conversion, mostly from staff	<b>NO SAVINGS</b> because staff is still needed in higher ratios than those indicated by the LAO; transcript production costs will rise; offsetting court reporter user fees will be lost; private party transcript production will be "off-shored;" and the state would bear ongoing technology upgrade costs.

- Replacing the predominantly female court reporter workforce of nearly 1,900 will require the hiring of a replacement workforce of DR monitors, as 2.952(b)(2) of the *California Rules of Court* and the *American Association of Electronic Reporters and Transcribers* ([www.aaert.org](http://www.aaert.org)) recommend a dedicated monitor for each courtroom using DR. Additional transcript production and supervisory personnel would also be needed, therefore no cost savings would result.
- The California Administrative Office of the Courts **does not** support this shift. They know that court reporters privately fund stenographic technology and thereby make judges, attorneys, staff and the entire system more productive, especially when a "Realtime" record is instantly produced. The vast majority of judges and members of the trial bar oppose the use of DR.
- Transcript production costs will skyrocket to triple the current 20-year-old statutory rate. Court reporters perform these tasks as private contractors, assuming all equipment and supply costs, and are paid the statutory rate of approximately two dollars for an original page. Court reporters also proofread, print, bind, bill and deliver the transcripts at their own expense. In lieu of employing one court reporter, the court would have to assume the responsibility of employing in-house transcribers and proofreaders, or contract with private transcribing firms at a much higher rate, which **would not** result in a cost savings.
- If these transcript duties are shifted, the delays in production and delivery would seriously impact the appellate process, due process, and the cost of litigation.
- Other states that shifted to DR are reversing their decision because of the loss of productivity, delay, lost recordings, transcript cost overruns and complaints from the bench and Bar. These states include Texas, New Jersey, Illinois and New Mexico.

The California Court Reporters Association commissioned several studies conclusively showing that moving to DR actually will cost the state MORE and not produce cost savings. These reports are available for download at the CCRA Web site: [http://www.cal-ccra.org/ER\\_DR.htm](http://www.cal-ccra.org/ER_DR.htm)



## Save the Date!

Join us for CCRA's 99th Annual Conference at the

Miramonte Resort and Spa  
Indian Wells, CA  
October 9-12, 2009

- Take a "Mini-vacation"
- Bring the Family
- Earn CEUs
- Network
- Great Vendors
- Relax
- Beautiful Resort
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## Conference Highlights

- |                      |  |
|----------------------|--|
| Friday, October 9    | CCRA Golf Tournament (scramble format) at the Indian Wells Golf Resort, home of the "The LG Skins Game."           |
| Friday, October 9    | Evening Welcome Reception on the Piazza Terrace overlooking the resort.  |
| Saturday, October 10 | Cocktail Party and Barbeque by the pool with live entertainment followed by a reception in the Presidential Suite. |
| All weekend          | Spa, Relax and Rejuvenate!   |



Please contact the CCRA office for more information.  
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