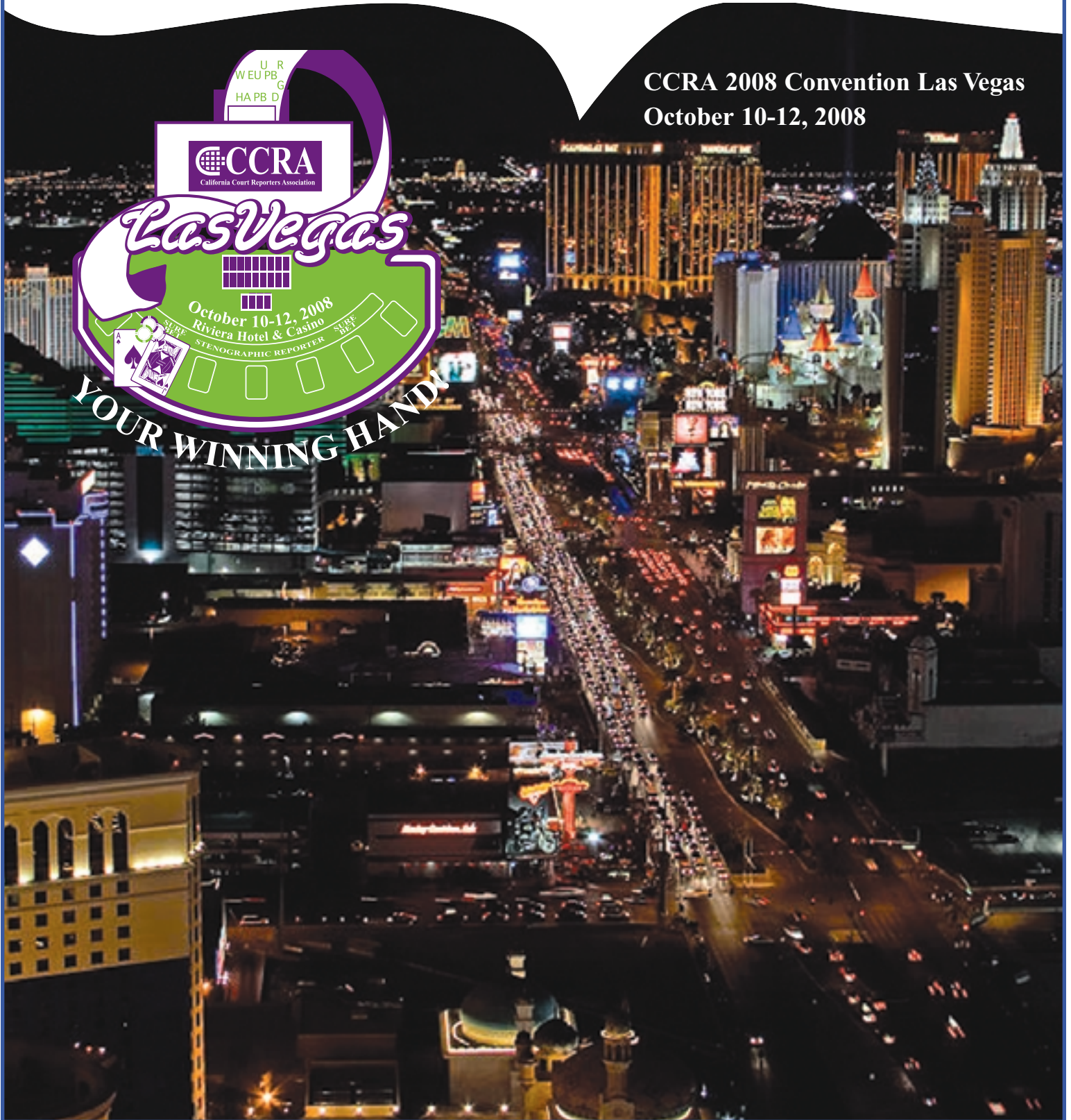


# CCRA *online*

Issue 8 | August | 2008

CCRA 2008 Convention Las Vegas  
October 10-12, 2008



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### CCRA Online Copy Deadlines

The deadline for ad and article copy for CCRA Online is the first of the month prior to the scheduled publication date. Articles, ad copy, changes of address, complaints of nondelivery and subscription requests should be directed to CCRA, 65 Enterprise, Aliso Viejo, CA 92656 or call (949) 715-4682. Advertising inquiries also should be directed to the Association office. Photographs accompanying articles should be RGB color JPEG files with a resolution no less than 120 ppi.

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The Electronic Magazine of  
the California Court Reporters Association

#### Editor

Connie Parchman  
3275 Royalton Court  
Pleasanton, CA 94588  
Tel: (925) 462-8141  
Fax: (925) 398-6660  
[parchman1@aol.com](mailto:parchman1@aol.com)

#### Main Office

CCRA  
65 Enterprise  
Aliso Viejo, CA 92656  
Phone (949) 715-4682  
Fax (949) 715-6931  
Email: [staff@cal-ccra.org](mailto:staff@cal-ccra.org)

### CCRA OFFICERS

#### President

Lesia Mervin  
303 County Civic Center  
Visalia, CA 93291  
Tel: (559) 733-6561, ext. 1130  
Fax: (559) 737-4290  
[lesia@quik.com](mailto:lesia@quik.com)

#### Secretary-Treasurer

Carolyn Dasher  
44 W. Bonita Avenue  
Sierra Madre, CA 91024  
Tel: (626) 482-0015  
Fax: (626) 836-8601  
[carolynjoy00@yahoo.com](mailto:carolynjoy00@yahoo.com)

#### President-Elect/ Vice President Freelance

Sheri Turner  
601 University Avenue,  
Suite 148  
Sacramento, CA 95825  
Tel: (916) 649-1060  
Fax: (916) 649-1061  
[sheri@dbreporters.com](mailto:sheri@dbreporters.com)

#### Past President

Sandy Bunch VanderPol  
5560 Petersen Lane  
Lotus, CA 95651  
Tel: (530) 295-3975  
Fax: (530) 295-3975  
[realtimccsr@calweb.com](mailto:realtimccsr@calweb.com)

#### Vice President Officials

Jim Partridge  
Officials Superior Court  
330 West Broadway  
Dept. 75  
San Diego, CA 92101

### 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

By Lesia J. Mervin, CSR #4753, RMR, CRR  
CCRA President



It's been a busy summer and it's been nice to have a few weeks to relax and not be so consumed by the DR crisis here in California. For that I am truly thankful.

What really happened in Sacramento this year? It all seems such a blur now. Twists and turns occurred from one day to the next. "We won!" "No, not yet." "Yes, we got the votes!" "No, wait, there's a glitch." I'm not sure we'll ever know all the details of what went on behind closed doors of the Senate and Assembly this year but I do know we have never been this close before to losing hundreds of jobs. Literally one vote made all the difference. Even though there were outside factors that encouraged the budget committees to consider DR that would have negatively impacted the jobs and lives of our members, the leadership in both the Assembly and Senate ultimately supported the court reporters by rejecting these misguided proposals.

The Sacrifice: AB 582. After much consideration and discussion with representatives from SEIU, CCRA, LACCRA, and COCRA, all of whom were involved in the effort to obtain a transcript fee increase for officials, on the advice of all the lobbyists involved, it was decided to withdraw our request for a pay increase. With the budget in such dire straits, there would be no pay increase forthcoming and we were still fighting for the jobs of hundreds of reporters. As painful as it was to all of us, a pay increase was definitely not in the cards this year, given the \$17 billion deficit in the state budget.

In June, CCRA was notified that a local union representing a small number of court reporters in the state had resurrected the pay increase bill on their own and were "shopping it" around the capitol, meeting with AOC representatives and Senate and Assembly leaders to introduce the bill. In any other situation, I would be the first one to jump up and declare WE NEED A RAISE! We felt blindsided, after all agreeing to drop a bill for political reasons, that another bill would be introduced that was the equivalent of political suicide. So here we are in full crisis mode — and I do mean FULL crisis mode — having to fight unnecessary fires from within our own profession.

Additionally, there are other political considerations with our traditional allies: the trial lawyers. They are facing yet another round of increases in civil filing fees, and no one had spoken to them about a transcript fee increase after AB 582 had been dropped. They would likely feel blindsided as well. This did not seem to be the time to alienate traditional allies while we were facing this DR fight.

Getting a fee increase in this climate is a BIG uphill battle with a very steep incline, and it would not be the most politically prudent proposal given the budget and cash situation. The fact that DR remained on the table, and asking for a large raise when others are facing devastating cuts, does not create the best perception about court reporters.

Eventually, as of this writing at least, the bill has not obtained an author and is unlikely to proceed further.

So what now? We made it through this year. We're safe. For now. But we would be derelict in our duties to assume that because we're safe now, we don't have to do anything else. We won the battle, but not the war. We made significant strides in educating the legislature on our profession by promoting our realtime skills. The AOC has acknowledged realtime skills are invaluable. We are aware that the powers that moved this DR agenda as far as it went this year are not going away. Perhaps it will be in the form of a bill in the legislature; perhaps it will be nothing at all. Either way, we are prepared. We are geared up and ready to go.

Join me at the convention in Las Vegas and we'll celebrate like we've never celebrated before!

Viva, Las Vegas!



## Shop at the CCRA Store!



Mini Mouse = \$25



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Tel: (530) 225-5447  
tepredding@aol.com

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Tel: (626) 938-0042  
alvaradocr@aol.com

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kroemer@aikenwelch.com

**District E - (At Large)**  
Judith Gillespie  
Tel: (951) 682-5686  
grdm@earthlink.net

**District C**  
Doreen Perkins  
Tel: (559) 488-1949  
cortrepr1@aol.com

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Tel: (714) 542-6500  
lynden@lyndenj.com

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## At A Glance

### Friday, October 10, 2008

- 12:00 p.m. - 8:00 p.m. Registration  
3:00 p.m. - 5:00 p.m. Marketing Tips for the Reporter  
8:00 p.m. - 10:00 p.m. Welcome Reception

### Saturday, October 11, 2008

- 7:00 a.m. - 3:00 p.m. Registration  
8:30 a.m. - 12:30 p.m. **CONCURRENT — Vendor Sessions**  
1. Case Catalyst  
2. Eclipse  
3. Procat  
4. StenoCAT 32  
8:30 a.m. - 10:00 a.m. Student Track — **MOCK CSR:**  
Written Knowledge Test  
10:30 a.m. - 12:30 p.m. Student Track — **MOCK CSR:**  
Written Knowledge Test —  
Medical/Legal Review  
12:30 p.m. - 2:00 p.m. Exhibits Open and Lunch  
2:00 p.m. - 3:30 p.m. **Keynote – The Real Nevada CSI**  
3:45 p.m. - 5:15 p.m. **CONCURRENT SESSIONS**  
1. Student Track — **MOCK CSR:**  
English Review  
2. CRR Tips and Tricks —  
MOCK CRR  
3. The Wireless World  
4. Bulletproof Your Kids  
5:15 p.m. - 5:30 p.m. Break in Exhibit Hall  
5:30 p.m. - 6:30 p.m. **CONCURRENT SESSIONS**  
1. Student Track —  
The Official World  
2. Through a Detective's Eye  
3. Realtime Troubleshooting  
4. The Flip Side: Where NOT  
to Put Punctuation  
6:30 p.m. - 7:30 p.m. Reception in Exhibit Hall

### Sunday, October 12, 2008

- 7:00 a.m. - 12:00 p.m. Registration  
8:00 a.m. - 8:30 a.m. Continental Breakfast  
with Exhibits  
8:30 a.m. - 9:30 a.m. **NCPA Town Hall Meeting**  
8:30 a.m. - 10:00 a.m. Student Track — **MOCK CSR**  
9:30 a.m. - 10:00 a.m. Break with Exhibits  
10:00 a.m. - 11:30 a.m. **CONCURRENT SESSIONS**  
1. CART — Our Brightest Future  
2. Timeless Strategies to Create  
Financial Independence  
3. Machine TLC  
4. Going Green!  
11:30 a.m. - 1:30 p.m. Luncheon and Annual Meeting  
1:30 p.m. - 2:00 p.m. Break with Exhibits  
2:00 p.m. - 3:30 p.m. **CONCURRENT SESSIONS**  
1. Great Gadgets & More  
2. Student Track —  
The Depo World  
3. Digital Signatures - II  
4. Lobbying 101  
3:30 p.m. - 4:30 p.m. **CONCURRENT SESSIONS**  
1. The Ethics of Using Backup  
Audio Media (BAM)  
2. Officials Bring it to the Table  
3. Freelancers Bring it to the Table  
4. Stenoswap  
4:30 p.m. - 5:30 p.m. **The Comedy of Court Reporting!**



# AB 1569 (Mendoza) Moves Forward in Legislature

By Sandy Bunch VanderPol, CCRA Legislative Advisor

Due to “politics,” Assemblyman Portantino, author of AB 2884, has withdrawn his authorship. CCRA is proud to announce that Assemblyman Tony Mendoza, assemblyman for the 56th Assembly District, will be sponsoring our legislation, which is a bill that will provide that the “instant visual display,” what we refer to as realtime, of the testimony or proceedings shall not be certified and cannot be used, cited, transcribed or DISTRIBUTED as the official certified transcript of the proceedings.

I would like to take this time to introduce to you Assemblyman Tony Mendoza. As one of nine children, Assemblyman Mendoza is the first in his family to graduate from college earning a Bachelor’s Degree in Political Science, Public Administration and a Multiple Subject Bilingual Teaching Credential from California State University at Long Beach.

Having grown up in South Central Los Angeles, Assemblyman Mendoza has advocated on behalf of at-risk children throughout his career, first as a fourth grade teacher at Brooklyn Avenue Elementary School in East Los Angeles, then as an active member in United Teachers Los Angeles (UTLA), and as a representative to the California Teachers Association (CTA) and the National Education Association. As a member of these groups, he fought for classroom resources and better learning conditions for teachers and students.

Assemblyman Mendoza’s legislative priorities include education, transportation, housing and business development. He and his wife, Leticia, live in Artesia and have three daughters and one son.

On June 19, this bill passed out of Senate Judiciary and is currently moving through the legislature. CCRA will update you once the bill is chaptered and when the Governor signs AB 1569.

The full text of the bill is pasted below. The existing Code of Civil Procedure Section 273 only applies to rough drafts. This bill amends the law to apply to “instant visual display.”

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 273 of the Code of Civil Procedure is amended to read:

273. (a) The report of the official reporter, or official

reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of that testimony and proceedings.

(b) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. A rough draft transcript shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore. The production of a rough draft transcript shall not be required.

(c) The instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. The instant visual display of the testimony or proceedings, or both, shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore.

*(d) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.*

SEC. 2. Section 273 is added to the Code of Civil Procedure, to read:

273. (a) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of that testimony and proceedings.

(b) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. A rough draft transcript shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore. The production of a rough draft transcript shall not be required.

*(c) This section shall become operative on January 1, 2016.*



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**YOUR WINNING HAND!**



# AB 2189 (Karnette) Moves Forward in Legislature

By Sandy Bunch VanderPol, CCRA Legislative Advisor

AB 2189, sponsored by the California Court Reporters Board, recently passed out of the Senate Business & Professions Committee with no amendments. The vote was eight in favor and one opposed. This bill would require the board to establish, on or before July 1, 2009, minimum approved continuing education requirements for renewal of a shorthand reporter's certificate, with certain exceptions, and would require the board to establish a procedure for approving providers of continuing education courses, as specified. CCRA is in support of this bill and has directed our lobbyist to work with the Court Reporters Board on moving this bill forward. The Department of Consumer Affairs is on record as opposing this bill. AB 2189 has been re-referred to the Appropriations Committee. We can expect that this bill will move out of Appropriations during early August. Below is the language of the full bill.

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8024.8 is added to the Business and Professions Code, to read:

8024.8. (a) On or before July 1, 2009, the board shall establish minimum continuing education requirements for renewal of a certificate issued

pursuant to this chapter. On and after that date, to renew his or her certificate, a certificate holder shall, in addition to the requirements of Section 8024, certify to the board, on a form prescribed by the board, completion of the minimum continuing education requirements.

(b) The board shall also establish a procedure for approving providers of continuing education courses, and all providers of continuing education shall comply with procedures established by the board. The board may revoke or deny the right of a provider to offer continuing education coursework pursuant to this section for failure to comply with the requirements of this section or any regulation adopted pursuant to this section.

(c) The board may establish exceptions to the continuing education requirements of this section for a certificate holder who cannot meet the continuing education requirements for reasons of health, military service, or undue hardship.

(d) The continuing education requirements of this section shall comply fully with the guidelines for mandatory continuing education established by the Department of Consumer Affairs pursuant to Section 166.

(e) The board may adopt regulations as necessary to implement this section.



## Cal-e-licious

By Gerie Bunch

Attention all blue cheese lovers! I found this recipe in the "*Mountain Valley Living*" magazine and got permission to share it with you.

### BLUE CHEESE BURGERS by JOE MAJORS from DON BIGGS BUTCHERY in Westwood, California

3 lbs. fresh ground beef formed into 3/4 lb. patties  
Newman's own Creaming Caesar dressing  
1/2 to 1 c. Progresso Italian Bread Crumbs  
1/2 c. blue cheese crumbled

Combine the blue cheese with the breadcrumbs. Dip the patties in the Caesar dressing and then roll/pat them in the bread crumb mixture. Cook in a pan for about 20 minutes, turning once. Salt and pepper to taste. Yum.







**“Help! My PC Won’t Start”**

**Q. I recently moved my desktop computer. When I tried to start it, nothing happened. It won’t turn on. Any help would be appreciated, Mr. M.**

A. First, remove then plug the power cord into the back of the computer. Make sure it’s inserted securely. Likewise, make sure it’s plugged into the AC or power strip or whatever your source of power is. Also, be sure that the outlet it is plugged into is functional. Try plugging in a lamp to confirm that it is. Do the same thing if you’re using a power strip or surge protector, just to be certain everything is functioning independently.

Next, check the back of the computer in the area where you plugged in the power cord. Look for a switch with a little horizontal line on one end and a little circle on the other. The line means “On,” so make sure that it is turned on. It’s very easy, when moving a computer, to accidentally toggle that switch to the “Off” position.

If the power switch is on, and everything is plugged in securely, the electric outlet is working, as is any power strip or surge protector, and you still can’t start your PC, then it’s time to contact a reputable computer repair service and have them check it out. It may require something as simple as replacing the system’s power supply unit.

**Q. Is there a way to configure Word so it will automatically leave two blank spaces after a period at the end of a sentence?**

A. Yes, you can do that, though one space after a period is the standard these days. Years ago, it was two spaces, but for most publications today, one space is preferred.

Microsoft Word does not provide an ATS (automatic two-space) setting, but you can configure Word’s grammar checker to note any spacing anomalies. To do that, click Tools > Options > Spelling & Grammar tab > Settings button. Use the “Spaces required between sentences” drop-down list to establish how many spaces you would like between your sentences, followed by OK to close the Grammar Settings dialog box, then OK to close the Options dialog box.

The grammar checker will flag any sentences that do not conform to your spacing preference by displaying a green wavy underline. When you right-click that line, you’ll be able to correct the spacing for that occurrence.

**Q. I know this is probably a stupid question, but what does “URL” stand for?**

A. First and foremost, there are never any stupid or silly questions here in Mr. Modemville. For most of us, Geekspeak is not our native tongue, so if you encounter a word and you’re just not sure what it means, “Ask Mr. Modem.”

Having said that, depending who you ask, URL stands for either “Uniform Resource Locator” or “Universal Resource Locator.” I was always a uniform kind of guy since my days in the Boy Scouts, so I prefer “Uniform Resource Locator.” A URL is the unique address of a resource on the

*continued on Page 10*

(continued from Page 9)

Internet. A “www” URL, commonly called a Web address, appears in the Address bar near the top of a Web browser. For example, the full URL or Web address for my Web site is <http://www.MrModem.com>, though URLs are typically shortened to [www.MrModem.com](http://www.MrModem.com) or even MrModem.com.

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

### Craftzine

A project-based, online magazine dedicated to do-it-yourself crafts. The Projects section gives crafting a modern makeover, mixing traditional art with modern elements such as technology, recycling, the use of creative materials, and toxic waste (just kidding). Lots of free information is available on the site, though visitors are encouraged to enter a paid subscription. [www.craftzine.com](http://www.craftzine.com)

### Historic Tale Construction Kit

Whether you are a history buff or just trying to look busy at work, this site lets you create your own story

from the Middle Ages, complete with warriors, beasts, and shamans. When finished, you can submit it to the site so others can view it, or email it to annoy as many friends as possible. The process is a bit like writing your own comic strip in individual frames. <http://tinyurl.com/t3xe>

### New York Public Library Digital Gallery

You don’t have to live in the Big Apple to experience one of the most impressive libraries in the world. The New York Public Library Digital Gallery Web site provides visitors with free access to half a million digitized items from its collection.

<http://digitalgallery.nypl.org/nypldigital>

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Advancing our profession  
for over 100 years. >>>

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**SEGWAY**

Simply moving



**Congratulations to Jason Meadors of Fort Collins, Colorado, WINNER of CCRA's Segway drawing at the 2008 NCRA Convention!**

L-R Pictured: Sheri Turner, Jason Meadors, Lesia Mervin

# Coordinate Adjectives

By Margie Wakemean-Wells

Some people are confused about what to do with two or more adjectives that come in front of a noun. Most often, nothing is required. Sometimes a hyphen is required. Sometimes a comma is required between the adjectives. Then these are called coordinate adjectives.

## Coordinate Adjectives:

When two or more adjectives come in front of a noun and modify it with equal emphasis or equal value, they are called *coordinate adjectives*.

Coordinate adjectives are separated from each other with a comma.

For this comma to be correct, the adjectives must modify more or less the same quality of the noun; that is, they are more or less synonyms.

He was a genuine, down-to-earth kind of guy.  
She used effective, valuable contributions.  
He is a competent, efficient employee.

A test to check to see whether this comma is correct is to reverse the order of the adjectives. If the order is absolutely arbitrary — that is, it does not matter which one comes first — the comma is needed.

It had been a difficult, taxing day.  
It had been a taxing, difficult day.

I would say he is a handsome, attractive man.  
I would say he is an attractive, handsome man.

Another way to check is to insert the word *and* in between the two words. If the words make sense and again the order doesn't matter, use a comma between the two words.

He had an elegant and polished air about him.  
He had a polished and elegant air about him.

He had a polished, elegant air about him.  
He had an elegant, polished air about him.



## College of the Canyons Awarded \$3.9 Million Captioning Grant

College of the Canyons has been awarded a five-year, roughly \$3.9 million, Distance Education Captioning and Transcription for California Community Colleges grant — designating them as the statewide clearinghouse for the funding of all captioning activities within the California Community College (CCC) system.

The grant funds — which will come in five annual \$780,000 disbursements — will be used to contract outside captioning vendors to assist community colleges across the state that are in need of captioning and transcription services for their distance education programs. Funds may also be used to reimburse community colleges that have contracted such services directly themselves.

The main objective of the grant is to expand and ensure student access to distance education courses and programs throughout the CCC system. Though such programs are developed for the use of all students, the ability to provide captioning capabilities to educational materials — including instructional DVDs, Webcasts, power-point presentations, podcasts and other audio-visual materials — is especially beneficial to a college's disabled and ESL (English as Second language) student populations.

## Special Fund Contributors, THANK YOU!

### Contributions to CCRA's Special Fund during the DR crisis.



A special thanks to the following donors who contributed to CCRA's Special Fund during the DR crisis. Through your financial support, CCRA paid for all the special reports generated by Justice Served that were distributed to the legislators — which literally saved our profession — as well as additional lobby expenses, travel expenses, printing and mailing expenses, all CSR mailing updates, conference calls and extra meeting expenses. Your generous donations provided the funding that made it all possible! In addition, a special thank you to the many board and DR Task Force members who did not seek reimbursement for many of the additional expenses they personally incurred. Thank you!

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Dawsha Layland  
Naomi Leeper  
Kathryn Lezchuk  
Patti Lindsey  
Denise Lutz  
Christine Mahaney  
Erica Malcolm-Sieper  
Lynn Marceau  
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Elizabeth Mattera  
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# CCRA! Your Winning Hand!

By Carolyn Dasher, Convention Chair

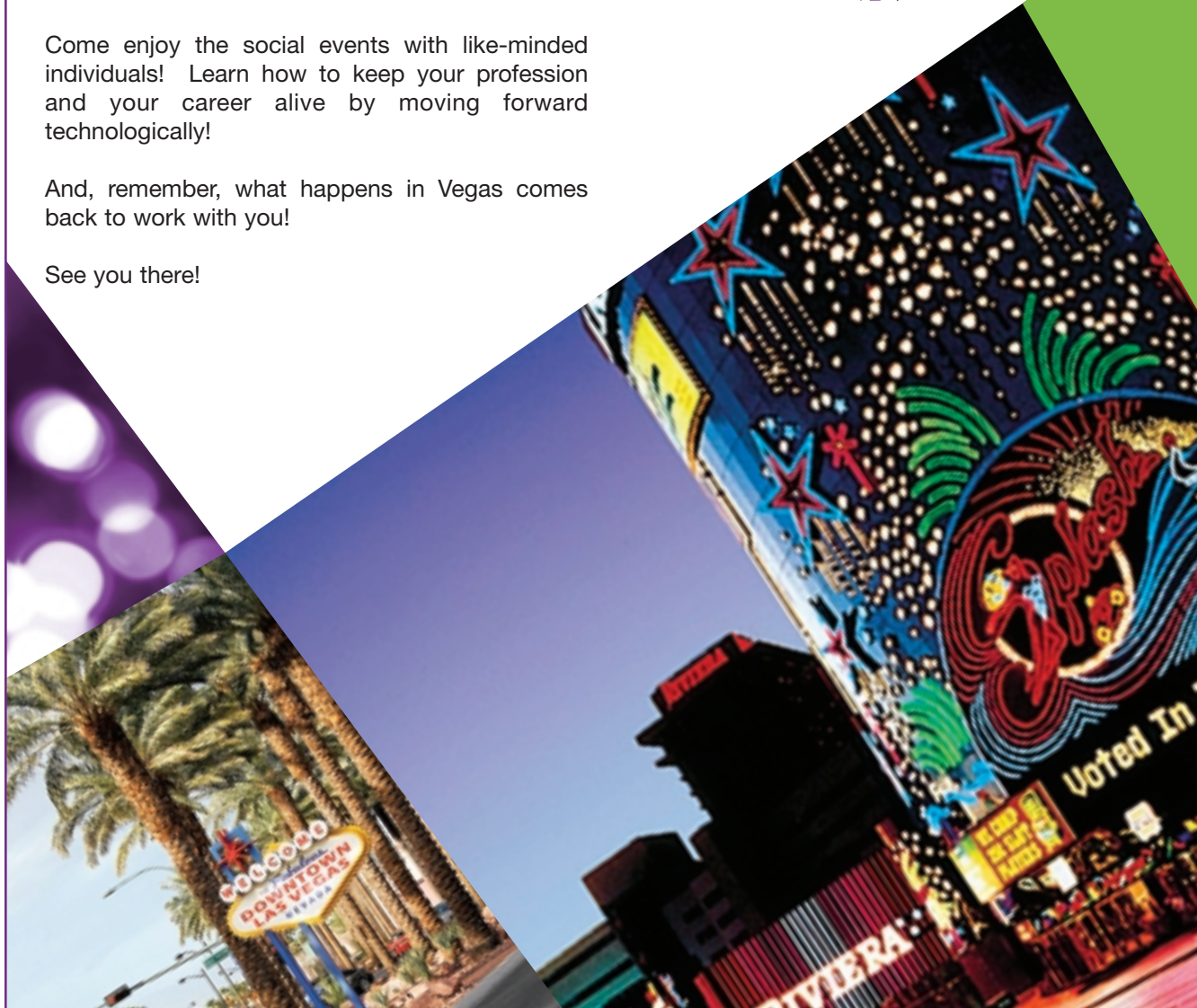
Is there more you wish you know about your software? Do you think there are ways to cut your work time in half? Are you using all the new gadgets that could make your job easier and your briefcase lighter? Do you wish you knew how to troubleshoot realtime hookups? Do you have a digital signature? Are you interested in knowing what happened in Sacramento during the budget crisis?

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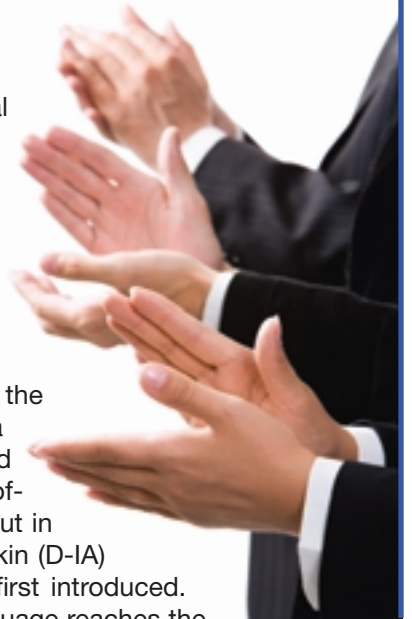


## VICTORY in U.S. Congress

After many years of grassroots lobbying — e-mails, calls, letters, and congressional visits — NCRA was successful in passing the Higher Education Opportunity Act. Many of your state leaders in California, along with leaders from all over the nation, have spent the past several years attending NCRA's legislative boot camp, where we were trained to lobby for the passage of this bill. We spent countless hours walking the halls of the Senate and House buildings, championing our cause, meeting with Congress and their staff to educate them on the necessity of this bill.

On July 31, 2008, Congress, in an overwhelming and bipartisan fashion, passed the Higher Education Opportunity Act. Included in the act is language that creates a grant program to train realtime writers to provide both captioned information and communication access for the 30 million Americans who are deaf and hard-of-hearing. The passage of the bill marks a triumphant end to eight years of effort put in by NCRA and our partners in Congress. Many legislators, such as Sen. Tom Harkin (D-IA) and Rep. Ron Kind (D-WI), have been advocates of this language since it was first introduced. NCRA has worked hand in hand with these lawmakers to ensure that this vital language reaches the President's desk.

The passage of this legislation is a major step in ensuring equal access to information for those who are deaf and hard-of-hearing. In addition, this legislation enables the growth of the court reporting profession in order to keep up with the increasing demand for trained court reporters.



## Court Reporters Board Appointment



Gregory Finch, 56, of Fair Oaks, has been appointed to the Court Reporters Board. He has served on the board since 2006. Since March 2008, Finch has served as principal for the Signature Law Group. From 2003 to 2008, he served as litigation director for the law firm of Cohen Durrett. Finch was previously a partner with the law firm of Booth and Finch from 1997 to 2003 and Finch, Burton and White from 1994 to 1997. He was a sole practitioner from 1980 to 1994. This position requires Senate confirmation and the compensation is \$100 per diem. Finch is a Republican.





# Legislation Update

By Sandy Bunch VanderPol, CSR #3032

For information concerning this report or the information contained herein, you may contact California Court Reporters Association, Attn. Sandy Bunch VanderPol, CSR #3032, at 65 Enterprise, Aliso Viejo, California 92656 (949) 715-4682 or by e-mail at RealtimeCSR@calweb.com.

## **AB 1569 (Mendoza [D] ) Court reporters: rough draft transcript.**

**Status:** 07/14/2008 — Read second time. To third reading.

**Current Location:** 07/14/2008-S THIRD READING

**Summary:** Existing law provides that the report of the official reporter or official reporter pro tempore of any court, as specified, when transcribed and certified as being a correct transcript of the testimony and proceedings in a case, is prima facie evidence of that testimony and proceedings. Existing law specifically provides that the report, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. Existing law also provides that the rough draft transcript may not be cited or used to rebut or contradict the official certified transcript and that the production of a rough draft transcript shall not be required. This bill would provide, until January 1, 2016, that the instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. The bill also would prohibit the citation or use of the instant visual display of the testimony or proceedings, or both, to rebut or contradict the official certified transcript of the proceedings.

## **AB 1925 (Eng [D] ) Franchise Tax Board: professional or occupational licenses.**

**Status:** 07/03/2008 — From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on REV. & TAX.

**Current Location:** 07/03/2008-S REV. & TAX

**Summary:** This bill would require a state governmental licensing entity, as defined, including the Court Reporters Board, issuing professional or occupational licenses, certificates, registrations, or permits to provide to the Franchise Tax Board the name and social security number or federal taxpayer identification number of each licensee of that entity. The bill would require the Franchise Tax Board, if an individual licensee fails to pay taxes for which a notice of state tax lien has been recorded, as specified, to send a preliminary notice of suspension to the applicable state governmental licensing entity and to the licensee. The bill would provide that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended, except as specified, and would require the Franchise Tax Board to mail a notice of suspension to the applicable state governmental licensing entity and to the licensee, and would provide that the suspension be cancelled upon compliance with the tax obligation. The bill would require the Franchise Tax Board to meet certain requirements with regard to such a suspension, and would make related changes. To prevent financial hardship, Section 19265 of the Revenue and Taxation Code, as added by this act, grants a delinquent taxpayer the opportunity for an additional hearing for financial hardship prior to the suspension of a professional or occupational license. The bill would make implementation of its provisions contingent upon appropriation of funds for that purpose in the annual Budget Act.

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# Legislation Update

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**AB 2189 (Karnette [D] ) Shorthand reporters: continuing education requirements.**

**Status:** 07/14/2008 — Senate Rule 28.8.

**Current Location:** 06/24/2008-S APPR.

**Summary:** Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California in the Department of Consumer Affairs, and provides for the regulation of shorthand reporting schools by the board. Existing law provides for the renewal of a shorthand reporter's certificate if specified requirements are met. This bill would require the board to establish, on or before July 1, 2009, minimum approved continuing education requirements for renewal of a shorthand reporter's certificate, with certain exceptions, and would require the board to establish a procedure for approving providers of continuing education courses, as specified.

**AB 2299 (Silva [R] ) Maintenance of the codes.**

**Status:** 07/03/2008-In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 12 pursuant to Assembly Rule 77.

**Current Location:** 07/03/2008-A CONCURRENCE

**Calendar Events:** 08/04/08 18 ASM CONCURRENCE IN AMENDMENTS

**Summary:** Existing law establishes the California Law Revision Commission. Existing law authorizes the commission to recommend changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law and bring the law into harmony with modern conditions. This bill would make changes to the terms used to describe recording technology to effectuate the recommendations of the commission to CCP 2025.560 and B&P 8027. The bill would make additional technical, nonsubstantive changes.

**AB 2357 (Duvall [R] ) Courts: private information.**

**Status:** 07/15/2008 — Re-referred to Com. on JUD. pursuant to Assembly Rule 77.2.

**Current Location:** 07/15/2008-A JUD.

**Summary:** This bill would require the Judicial Council to develop and implement policies and procedures for the protection of personal information, as defined, maintained by a superior court and processed or stored by private service providers, consistent with the best interests of the public. The bill would require the council, as part of the process of developing these policies and procedures, to consider, among other things, the effect and advisability of prohibiting the outsourcing of data entry services outside the United States.

**AB 2448 (Feuer [D] ) Courts: access to justice.**

**Status:** 07/14/2008 — Senate Rule 28.8.

**Current Location:** 07/14/2008-S SECOND READING

**Summary:** This bill would, beginning July 1, 2009, revise and recast these provisions to provide, instead, that an initial fee waiver shall be granted by the court at any stage of the proceedings at both the appellate and trial court levels if an applicant meets specified standards of eligibility and application requirements. The bill would authorize the court to reconsider the initial fee waiver and to recover fees and costs that were waived under specified circumstances. Among other things, the bill would impose a lien in favor of the court against any settlement, compromise, award, or other recovery in excess of \$10,000 by a party in a civil case whose court fees and costs were initially waived in the amount of those waived fees and costs. The bill would require the Judicial Council to adopt rules and forms to establish uniform procedures to implement these provisions, and would require applicants for an initial fee waiver to complete application forms under penalty of

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# Legislation Update

*(continued from Page 18)*

perjury. (By the court being able to recover fees that were previously waived, it helps maintain the portion of the filing fees that are charged by the AOC to offset the court reporters in civil.)

## **AB 2619 (Calderon, Charles [D] ) Civil actions and proceedings.**

**Status:** 07/14/2008 — In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 16 pursuant to Assembly Rule 77.

**Current Location:** 07/14/2008-A  
CONCURRENCE

**Calendar Events:** 08/04/08 39 ASM  
CONCURRENCE IN AMENDMENTS

**Summary:** This bill would expand the actions or special proceedings that may be treated as limited civil cases by increasing the limit on the amount in controversy to not exceed \$50,000. (2) Existing law sets forth numerous provisions governing discovery in civil actions and proceedings.

## **SB 797 (Ridley-Thomas [D] ) Professions and vocations.**

**Status:** 06/23/2008-Chaptered by Secretary of State — Chapter No. 33, Statutes of 2008.

**Current Location:** 06/23/2008-S  
CHAPTERED

**Summary:** Existing law authorizes the Court Reporters Board to, among other things, appoint an executive officer and employ other employees as may be necessary. These provisions will become inoperative on July 1, 2008, and be repealed on January 1, 2009. This bill would extend those dates, making the provisions inoperative on July 1, 2011, and repealing them on January 1, 2012. Other consumer boards are included in this bill.

## **SB 823 (Perata [D] ) California Private Postsecondary Education Act of 2008.**

**Status:** 07/01/2008 — Motion to reconsider continued to August 4.

**Current Location:** 06/23/2008-A  
UNFINISHED BUSINESS

**Calendar Events:** 08/04/08 52 ASM  
RECONSIDERATION

**Summary:** The Private Postsecondary and Vocational Education Reform Act of 1989 generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, INCLUDING PRIVATE COURT REPORTING SCHOOLS, as defined. The act establishes in the Department of Consumer Affairs the Bureau for Private Postsecondary and Vocational Education, which, among other things, is required to review and investigate all institutions, programs, and courses of instruction approved under the act. This bill would recast, revise, and reenact the provisions of the Private Postsecondary and Vocational Education Reform Act of 1989 as the California Private Postsecondary Education Act of 2007. The bill would establish the Board for Private Postsecondary Education in the Department of Consumer Affairs, and would provide that the board would generally succeed to the duties assigned to the bureau under the 1989 act. The bill would repeal the California Private Postsecondary Education Act of 2007 on January 1, 2015. This bill contains other related provisions and other existing laws.

## **SB 963 (Ridley-Thomas [D] ) Regulatory boards: operations.**

**Status:** 07/09/2008 — Placed on APPR. suspense file.

**Current Location:** 07/09/2008-A APPR.  
SUSPENSE FILE

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# Legislation Update

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**Summary:** This bill, notwithstanding any other provision of law, the term of office of each member of the Court Reporters Board, among other boards shall terminate on January 1, 2010. The bill would allow a person to serve as the executive officer or registrar of more than one board and would make all appointments of an executive officer or registrar subject to approval by the Director of Consumer Affairs and confirmation by the Senate. The bill would require the department to report to the Legislature and Governor if a board was unable to meet because of a lack of a quorum or vacancy. The bill would require members of these boards and other state boards to report ex parte communications, as defined, in the board's minutes and would require the department to develop a common method of making boards' minutes available to the public. The bill would authorize boards within the department, the State Bar, the Office of Real Estate Appraisers, and other state boards that license professions or businesses to adopt regulations to provide incentives to licensees to provide services on a pro bono basis and to adopt regulations prior to June 30, 2009, establishing regulatory board staffing requirements.

## **SB 1182 (Ackerman [R] ) Trial courts: restructuring.**

**Status:** 07/01/2008 — Chaptered by Secretary of State — Chapter No. 56, Statutes of 2008

**Current Location:** 07/01/2008-S  
CHAPTERED

**Summary:** Existing law provides for the restructuring of the trial court system, including the abolition of municipal courts, the unification of those courts with superior courts, and state funding of trial courts. This bill would delete provisions that have become obsolete as a result of that trial court restructuring.

## **SB 1407 (Perata [D] ) Court facilities: financing.**

**Status:** 07/16/2008 — Placed on APPR. suspense file.

**Current Location:** 07/16/2008-A APPR. SUSPENSE FILE

**Summary:** (1) The Trial Court Facilities Act of 2002 establishes the State Court Facilities Construction Fund and provides that moneys in that fund may be used to acquire, rehabilitate, construct, or finance court facilities, as defined, and to implement trial court projects in designated counties, as specified. The bill would require the Judicial Council to make recommendations to the Governor and the Legislature for projects based on its determination that the need for a project is most immediate and critical. (3) Existing law imposes various fees for filing specified documents in connection with certain civil proceedings. Existing law also imposes a fee of \$20 upon every conviction for a criminal offense, other than parking offenses, for funding of court security and court facilities. Supplemental penalties and fees are imposed upon specified parking offenses and persons ordered to attend traffic violator school. Existing law specifies the disposition of fines and forfeitures, and traffic violator fees, collected by the courts for crimes other than parking violations. This bill would increase those fees, and would provide for a specified portion of those fees to be deposited into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, as described in (1) above. The bill would make other conforming changes. (4) This bill would declare that it is to take effect immediately as an urgency statute.

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# Legislation Update

(continued from Page 20)

## **SB 1583 (Corbett [D] ) Employment: independent contractors.**

**Status:** 07/15/2008 — Read second time. To third reading.

**Current Location:** 07/15/2008 — A THIRD READING

**Calendar Events:** 08/04/08 150 ASM THIRD READING FILE

**Summary:** Existing law creates a rebuttable presumption that certain workers performing services for which a license is required are employees rather than independent contractors. This bill would provide that a person who, for money or other valuable consideration, knowingly advises an employer to treat an

individual as an independent contractor to avoid employee status for the individual shall be jointly and severally liable with the employer if the individual is not found to be an independent contractor. This bill would exempt from the provisions regarding joint and several liability a person who provides advice to his or her employer or an attorney who provides legal advice in the course of practicing law.



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