

# CCRA *online*

Issue 5 | May | 2008



## California's Budget Crisis

## Features

- 3-4 **President's Message**
- 5 **CCRA's Legislative Efforts —  
A Month in Review**
- 6-7 **Assembly Budget Hearing Update**
- 8 **Hyphenating Compound Adjectives**
- 9 **Digital Recording Update  
Senate Budget Subcommittee Meeting**
- 10 **The Gadget Guy**
- 11-14 **Cost Implications of State "Ownership"  
of the Verbatim Record in California**
- 15 **CCRA Needs A Few More  
Great Leaders to Come Forward!**
- 16-17 **www.MrModem.com**
- 18 **History of Shorthand**

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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

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



April has been a whirlwind of activity for CCRA. With the budget crisis looming, CCRA has been working diligently to protect the integrity of the profession. Our DR Task Force has logged in hundreds of hours. CCRA's members have responded with overwhelming support by volunteering their time, donating money to the special fund, and gathering information.

Our statewide Action Team, made up of members from each county, stepped up and gathered the necessary DR information we needed from each county, enabling CCRA to have up-to-date information at our fingertips for testimony before the legislature. A big high five goes to Carlos

Martinez, Sonoma County, who jumped in and rescued my weary brain when we needed immediate information from each county.

Doreen Perkins, Fresno County, cochair of the DR Task Force, worked very closely with Chris Crawford, of Justice Served, first ensuring he had all the necessary information to formulate his independent analysis of the viability of digital recording in California courts, and, secondly, gathering the information for his analysis of the ownership of transcripts in California — all while keeping up with her regular trial court duties, I might add!

Tom Pringle, Shasta County, cochair of the DR Task Force, spent countless hours devouring every report and every bit of information we could find on DR throughout the country. Tom is a true visionary, and has the unique ability to see past any situation and formulate consequences for actions that no one else has even thought of.

Arnella Sims, LA County, also on our DR Task Force, truly helped to guide the whole team in the right direction with her wealth of information from the 70's to the present. She remembers EVERYTHING! Not only does she remember it, she has the written documentation to back it up. I guess she never throws anything away. It really came in handy.

Having such a stellar team behind a president is a dream come true. When it came time to testify before the legislature, I knew I had an entire team of knowledge behind me. Preparations in advance made all the difference. Was I nervous? You betcha! But with a team like this behind me, I was confident we could turn this thing around.

None of this work can be done without the response CCRA has received from you, our members. The response has been overwhelming. Donations, large and small, have poured in. This is a very expensive project. Thankfully, CCRA has been able to meet the challenge of financing such a large project.

Not only the officials on our board, but the freelancers on our board — Lynden Glover, Sheri Turner, Judith Gillespie and Sandy Bunch VanderPol — all had a pivotal role in lobbying the legislators we targeted, going to the legislators' home offices and their Sacramento offices, explaining our situation, distributing the various reports from Justice Served, answering the questions from staff.

I speak for all the official reporters of California when I say we are truly grateful for the freelance reporters throughout the state who saw that this is NOT a problem affecting only officials, and responded by meeting with legislators, gathering information, distributing information, and donating to the Special Fund.

Last, but not least, I need to thank my fellow court reporters in Tulare County, who have literally taken over my court duties on a daily basis, allowing me the time necessary to handle the problems at hand, covering my court, running my errands, transcribing legislative hearings, bringing me food, and donating to the Special

*continued on Page 4*

# President's Message

*(continued from Page 3)*

Fund. I could not even imagine trying to be in trial and dealing with this crisis at the same time. (Oh, yeah, my hubby is getting pretty good at the shopping, cleaning, laundry, and cooking.)

Now we're in a "wait and see" pattern. The groundwork has been laid, now we wait. We will keep you apprised of any new developments as soon as we learn of them.



## California Court Reporters Board announces a new toll free number

**877-3ASKCRB or  
877-327-5272....**



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## CCRA's Legislative Efforts — A Month in Review

*By Sandy Bunch VanderPol, CCRA Legislative Advisor*

CCRA's legislative efforts this past month have been focused on the two budget subcommittee hearings as relates to the Legislative Analyst's Office proposed budget that included a phaseout of the stenographic reporter over the next five years. However, this focus was not to the detriment of the other bills CCRA is sponsoring, supporting or watching. It's those efforts that I would like to summarize for you.

Rather than reciting the specific language of what each of the bills summarized below does, please see the legislative report for the relevant language that affects our profession. This can be found in each month's CCRA Online and on our Web site.

AB 2884 (Portantino) is a bill sponsored by CCRA. This bill has been amended with agreement and support of the Administrative Office of the Courts (AOC), and clarifies that the official reporter or official pro tempore reporter's "Instant Visual Display" (also known and referred to as realtime reporting) cannot be certified and cannot be used, cited or transcribed as the official transcript of the proceedings. The "Instant Visual Display" of the proceedings shall not be used to rebut and/or contradict the official certified transcript of the proceedings. This bill is currently awaiting a vote on the Assembly floor after moving out of the Assembly Judiciary on the consent calendar on April 23. At the request of the AOC, CCRA provided a background paper on this bill. We have also sent a sponsor letter to the Assembly Judiciary Committee. You can find both of these documents on CCRA's Web site under "Legislation."

AB 1925 (Eng) is a bill that your CCRA board felt strongly over-reached its intended purpose. Our lobbyist has weighed in with the author's office that CCRA is concerned with this bill, especially as it suspends your CSR license if you owe taxes to the Franchise Tax Board. The author's intent and rationale for this bill is to reach the vocations and professions that work on a cash basis and address the tax issue in their \*that\* regard. However, this bill does not specify that, but included all licensees of vocations and professions. As of a few days ago, the bill was amended to grant a delinquent taxpayer the

opportunity for an additional hearing for financial hardship prior to the suspension of a professional or occupational license. I would just add that by no means does CCRA condone the practice of nonpayment of taxes. Our concern was that there was suspension of your license without the opportunity to show that suspension would create a financial hardship. This bill in its current form will not be opposed by CCRA.

AB 2189 (Karnette) is a bill sponsored by the Court Reporters Board. CCRA was the association that obtained an author for this bill through the efforts of your lobbyist. CCRA supports the Court Reporters Board in their efforts to obtain mandatory continuing education. I personally was in attendance when Assemblymember Karnette presented the bill on the Assembly floor. The bill passed the floor on a vote of Y:46 N:26 A:8. CCRA has written a letter in support of this bill. You may find that letter posted on our Web site under "Legislation."

AB 1545, AB 3037, AB 1869 and SB 797 are all bills that CCRA is tracking very closely. Each of these bills relates to the sunseting of the Court Reporters Board, the Executive Director position, and/or the abolishment of the CRB. As recently as April 25, SB 797 was amended to extend the sunset date of the executive officer of the Court Reporters Board until January 1, 2012. These bills also affect other consumer boards.

SB 1490 (Padilla) and SB 1583 (Corbett) are bills that you, as a deposition reporter and/or firm owner, will need to be aware of should they pass through the legislature. CCRA is tracking these bills and will keep you updated if they are amended. Generally speaking, each applies to the treatment of independent contractors, paperwork you must maintain, et cetera. Again, please see the CCRA legislative report for a long summary of these bills.

As you can see, CCRA is using your member dollars to represent the profession in a very diligent way in the legislature. We thank you for your membership and support in this regard.



# Assembly Budget Hearing Update

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

On April 23, representatives from CCRA's DR Task Force and CCRA Board of Directors attended the Assembly Budget Subcommittee meeting in Sacramento and testified in opposition to the Legislative Analyst Office's (LAO's) budget proposal for DR in California courtrooms and the Administrative Office of the Courts' (AOC) assertion (at the Senate budget subcommittee hearing on April 9th) that shifting of "ownership" of the transcript from the reporter to the court would result in cost savings. (Video link below)

At the April 23 hearing, the AOC did **not** put forth shifting "ownership" of the transcript, nor did they suggest that juvenile and family law hearings be electronically recorded. However, the LAO has now **added** shifting of "ownership" of the transcript and replacing court reporters in juvenile and family law proceedings into their proposal.

The AOC was once again complementary to court reporters in general, indicating our realtime skills having progressed dramatically in the last decade, resulting in a substantial benefit to the courts, while electronic recording essentially has not.

In response to the proposal for shifting of "ownership," CCRA commissioned a report by Justice Served, entitled Cost Implications of State "Ownership" of the Verbatim Record, Click Here: <http://www.cal-ccra.org/documents/Crawford-TranscriptOwnershipFinal.pdf> for distribution to the legislature, refuting the cost savings to the court.

The report findings are as follows:

- (1) *Court reporters work as independent contractors and this privatized arrangement results in a cost savings to the court;*
- (2) *The courts are currently paying 18-year-old fees to court reporters for transcription. Court reporters are able to continue producing transcripts at these rates because of privately-funded efficiencies that will cease to exist if the state "owns" the record;*
- (3) *Court reporters currently bear all direct and overhead costs for transcription, including*

*investments in technology. These costs will shift to the state and result in higher costs.*

**"In short, shifting ownership of the court record from the court reporter to the court does not provide hard cost savings, and results in substantial negative consequences that impact its accuracy, timeliness and integrity."**

CCRA once again presented to the committee the independent analysis of digital recording entitled Digital Reporting in the California Courts, prepared by Justice Served, <http://www.cal-ccra.org/CrawfordAnalysis.pdf> pointing out the fallacies that DR is more efficient and cost effective.

As part of our strategic plan, CCRA once again met with the legislators on the committee, setting forth our position and distributing the information before the hearing. Having done our homework in advance, the legislators on the committee asked some very pointed questions of the LAO and AOC. CCRA was able to refute many of the points made by the LAO in our testimony before the committee. The April 23rd hearing was "informational" only; therefore, no formal action was taken.

The highlight of the day came after CCRA's opposition testimony. Assemblymember Sandre Swanson (D-Oakland) stated, **"I think court reporters are awesome."**

CCRA has laid a very good groundwork to the legislature and we're hoping for a positive result. We now wait and see what is included in the Governor's May revised budget, called the May Revise. This will occur in about the third week of May. Watch for important updated information and visit the CCRA Web site often for updated information. [www.cal-ccra.org](http://www.cal-ccra.org)

The response by our members to CCRA's Call to Action has been impressive. Donations to the Special Fund continue to come in. Because CCRA represents both freelance and official reporters, we have the unique ability to address a broad spectrum

*continued on Page 7*



# Assembly Budget Hearing Update

*(continued from Page 6)*

of issues and utilize the strength of the entire profession. Our freelance members have recognized this is not just an issue affecting official reporters. A big thank you to our freelance members who have stepped up and taken action in a big way to help their fellow official reporters by meeting with legislators, gathering information, distributing information, and donating to the special fund.

Video link:

<http://www.calchannel.com/MEDIA/0423F.asx>

Issue #4 Electronic Court Reporting

TIME CLOCK

BEGIN	END	SPEAKER
2:13:54	2:16:55	LAO
2:16:55	2:19:48	William Vickrey, Executive Director of the Courts

2:20:52	2:21:33	Chuck DeVore, Assemblymember
2:21:35	2:23:22	William Vickrey, Executive Director of the Courts
2:23:26	2:25:55	Gene Mullin, Assemblymember
2:26:20	2:26:50	LAO
2:26:52	2:27:25	William Vickrey, Executive Director of the Courts
2:27:35	2:32:10	Lesia Mervin, President CCRA
2:32:15	2:32:22	Sandre Swanson, Assemblymember "Court Reporters are Awesome"



## SAVE THE DATE — CCRA 2008 ANNUAL CONVENTION OCTOBER 11-12, 2008 • RIVIERA HOTEL & CASINO



# Hyphenating Compound Adjectives

By Margie Wakeman-Wells

A *compound adjective* is two or more words that form one unit to modify a noun or pronoun. It might be one word, hyphenated, or two words. It is important to check a standard dictionary for a compound adjective form to see whether it is one word. However, when you find a compound adjective hyphenated in the dictionary, you are going to have to know a little more about how that adjective is being used before you decide to hyphenate it.

When two or more words form one unit in front of a noun, they are hyphenated.

We installed wall-to-wall carpeting.  
That was not part of our long-range plans.  
It was a two-lane highway in each direction.

To check to see whether the words form a unit, use the words individually in front of the noun. If each word modifies separately and makes sense, then the words do not form a unit, and no hyphen should be used.

big green bug                      big bug                      green bug

Since it is both a *big bug* and a *green bug*, the combination in front of the noun is not hyphenated: *big green bug*

two door automobile              two automobile              door automobile

Since it is neither a *two automobile* nor a *door automobile*, the combination in front of the noun is hyphenated: *two-door automobile*

Remember that the words should make sense as a unit if you are going to hyphenate them. For example, the phrase “sunny breakfast room,” *sunny* and *breakfast* do not take a hyphen because there is no such thing as a “sunny breakfast.”

If the adjective combination is not in front of the noun modified, it is usually **NOT** hyphenated.

He has long-range plans.  
His plans are long range.

He is a nice-looking and well-mannered young man.  
The young man, nice looking and well mannered, helped us with the problem.

If two (or more) words are recognized as a unit already, there is no need to hyphenate them as they already form a unit. This is the case with all two-word compound nouns.

income tax                      social security                      high school  
senior citizen                      real estate                      credit card  
due diligence                      genital herpes                      general admission

Since these words are found in the dictionary as compound nouns, which means they are already thought of as a unit, **AND** they are already two words, they remain two words wherever they appear including when they are adjectives in front of a noun.

income tax payment              social security check              high school graduation  
senior citizen event              real estate transaction              credit card debt  
due diligence process              genital herpes outbreak              general admission ticket





# Digital Recording Update Senate Budget Subcommittee Meeting

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

On April 9, representatives from CCRA's DR Task Force, CCRA President Lesia Mervin and CCRA past president Tom Pringle, testified before the Senate Budget Subcommittee meeting in regards to the Legislative Analyst Office's (LAO's) budget proposal for DR in California courtrooms.

Prior to the meeting, our team had set in motion a strategic plan that included meeting with these subcommittee members in their local offices. Included in the information distributed to the committee was a report commissioned by CCRA providing an independent analysis of digital reporting in the California courts, prepared by Chris Crawford of Justice Served.

The [Crawford Report](#) pointed out many of the fallacies that DR is more efficient and cost effective, including the loss of the \$26 million civil user-fee revenue the courts charge for the use of a court reporter in civil hearings; loss of \$11 million in civil court reporter filing fees; accuracy and integrity of the record; and the myth that reviewing DR files, in lieu of the written word, would be more efficient.

A representative from the Administrative Office of the Courts (AOC), including Executive Director William Vickery, made representations at the meeting outlining the AOC's desire to maintain reporters in all felony trial matters, stating, in part: ***"realtime reporting has improved significantly and has been a major asset to the justice system, I would urge felony trial matters be excluded from the discussion."***

Mr. Vickery further indicated that no cost savings could be achieved by replacing reporters with DR in civil courts due to the civil court reporter user fee and filing fee charged to the litigants that pay the costs for reporters in civil courts; however, it was his opinion ***"cost savings could be achieved by replacing reporters in juvenile and family law matters."***

The next area where the AOC believes they can achieve cost savings is ownership of the record. ***"If the state owns [the transcript], then you have to pay the reporter to prepare it on state time, but there probably is some savings there. I think that's a different policy issue than the policy decision to***

***eliminate court reporting in total from the court system."***

The budget committee voted to "hold open" the item for further discussion pending further information.

CCRA's task force will be working diligently to gather the information necessary to rebut the assertion that a cost savings could be achieved by taking ownership of the record away from the reporters, and the assertion that family law and juvenile reporters are not a necessary function of the court system.



Watch the ER page of [CCRA's Web site](#) often to stay updated on the progress of this issue.

A big "thank you" goes to all of you who have participated at the grassroots level by meeting with their legislators in their local offices, and thanks also to those that have been so generous in your donations to the Special Fund! Keep those donations coming! To donate, [click here](#).

To view the full video of the proceedings [click here](#).

LAO testimony starts at 59:00

Vickery testimony starts at 1:02

CCRA Testimony starts at 2:06

To view the entire transcript, [click here](#).



*Eric Johnson, CSR, RPR*

Eric Johnson is owner of Depobook Court Reporting Services and Depobook Court Reporting Products, located in Modesto, California.

There's been a lot of talk this past year about "refreshable" realtime and who offers it, how to do it, and what's the best setup. The reality is that if you are on the latest Eclipse software, you can take "Advantage" of their Bridge realtime browser which allows for instantly auto-refreshable realtime — and it's FREE. The Bridge software is tokenless and is compatible with all CAT systems. I've used the Bridge software with Stenocat via a simple WLAN (wireless local area network) and it's awesome. Clients hook up just by logging into my network via their wireless laptop. Did I already say it's FREE? Oh, and it runs off of a thumb drive as well. Pure genius.

[More Info](#)

On a side note, Advantage Software offers the open-source refresh code to ALL CAT vendors at no charge to implement into their CAT systems. This would make my Stenocat and your anyCAT realtime feed auto-refreshable on a FREE, tokenless, realtime browser — not to mention the wireless capability!

Denoto from Procat offers the same ability to refresh the realtime feed via a "refresh" command, but the refreshability is proprietary to Procat Winner users. It'll cost you about \$295/copy. This is also a tokenless realtime browser, works via a WLAN, and it is compatible with all CAT systems.

[More Info](#)

Another proprietary realtime browser is CaseviewNet from Stenograph. CaseviewNet has a lot of great security and end-user features. This software is tokenless and provides auto-refresh to all CaseCATalyst users. CaseviewNet is not compatible with any other CAT system. Like the others, it also works over a WLAN, but it will set you back \$595/year to use it.

[More Info](#)

**Have a question or product suggestion?**  
Email me [eric@depobook.com](mailto:eric@depobook.com).



## Cal-e-licious

*By Gerie Bunch*

### THE PERFECT DIABETIC CASSEROLE

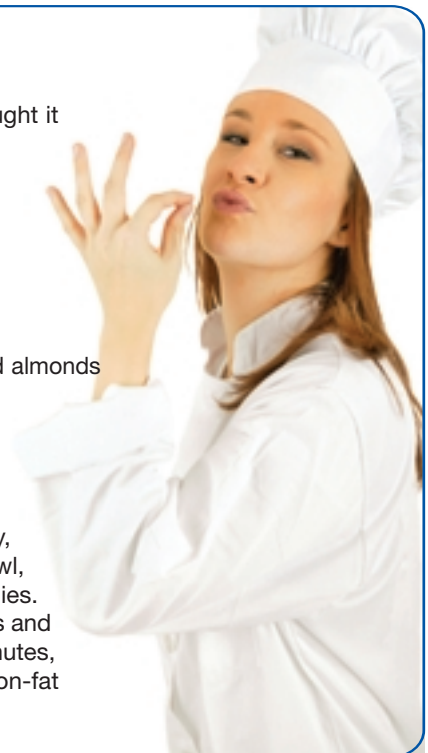
There are so many of us who either are or know someone who is diabetic. I thought it would be helpful to share this great discovery.

### CHICKEN CASSEROLE

2 Tbsp. olive oil  
4 celery ribs, chopped  
2 medium carrots, finely chopped  
1 small onion, finely chopped  
2 cloves garlic, minced  
1 tsp. salt  
Freshly ground pepper to taste  
1 tsp. basil  
3 c. cooked chicken, coarsely chopped

1/2 c. sour cream  
1/2 c. buttermilk  
1 c. mayonnaise  
1/4 c. sherry  
1 c. coarsely chopped roasted almonds  
1/4 c. breadcrumbs  
1/4 c. Parmesan cheese  
Paprika

Preheat oven to 375. In a frying pan, heat oil over medium heat. Add celery, carrots, onion, garlic, salt, pepper and basil. Cook about 5 minutes. In a large bowl, combine chicken, sour cream, buttermilk, mayo, wine, almonds and sautéed veggies. Mix well and spoon into a 2-quart sprayed casserole dish. Combine breadcrumbs and Parmesan cheese and sprinkle over the top. Sprinkle with paprika. Bake 30 minutes, until lightly browned on top. If you are concerned about calories, low fat or non-fat dairy products may be substituted.



# Cost Implications of State “Ownership” of the Verbatim Record in California

Prepared April 22, 2008 by:



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## Executive Summary

This report examines the cost implications of state “ownership” of the verbatim record in California courts. The reason this examination is necessary is that the state is facing a substantial budget deficit, and one of the cost-saving recommendations from the state Legislative Analyst’s Office (LAO) is to convert verbatim record methodology from stenographic court reporting to digital recording.

At the initial budget hearings, the state Administrative Office of the Courts disagreed with the LAO’s projected cost savings because civil court reporting services and transcript production costs are borne by the litigants, and because of productivity benefits derived from the computer aided court reporting “Realtime” record (especially in criminal proceedings). The attention has now shifted to prospective cost savings attributable to state “ownership” of the verbatim record, ostensibly to reduce transcript production costs.

## Findings

We conclude that the California courts will not achieve cost savings by state “ownership” of the verbatim record for three primary reasons:

1. Court reporters currently produce transcripts as independent contractors, and this privatized arrangement results in cost savings that cannot be achieved if the courts assumed this responsibility.
2. The court is currently paying 18-year-old transcript production fees to court reporters as provided by statute. Court reporters are able to continue producing transcripts at these rates because of privately-funded efficiencies that will cease to exist if the state “owns” the record. When the court pays salary and overtime, and/or seeks outside contractors to perform this work, transcript production costs will be higher.
3. As independent contractors, court reporters currently bear all direct and overhead costs associated with producing and delivering transcripts, including investments in technology. These costs would be shifted to the state, resulting in added higher cost and delay.

These findings are covered in more detail in the remainder of this report.

## How Transcripts are Produced

When preparing transcripts, official court reporters in California courts act as independent contractors, bear all production costs, and work mostly after hours and on weekends. These court-reporter-paid costs include personal labor for production, purchasing and use of computerized technology, purchasing of supplies, hiring of support personnel, and delivery. When the court orders a transcript, it is filed within the court-directed or statutory time requirements.

*continued on Page 12*



# Cost Implications of State “Ownership” of the Verbatim Record in California

*(continued from Page 11)*

The California courts cannot possibly achieve the free-market efficiencies in terms of timeliness and cost for production that court reporters produce as private contractors working on a profit incentive. If the state “owned” the record, court reporters would have to be paid straight salary to produce transcripts during an eight-hour workday, the vast majority of which is currently filled capturing the record in the courtroom. The result would be either (a) payment of overtime to existing court reporting staff; (b) hiring of additional court reporting staff; (c) hiring of transcription staff; or (d) a combination, all of which will increase the cost and time needed to produce transcripts.

**It is important to note that the court does not currently pay overtime to court reporters** because after-hours time spent producing transcripts is performed by the reporter as a private contractor. This public/private employment relationship is unique to the official court reporting profession and rarely found elsewhere. It is recognized by U.S. statute in the Fair Labor Standards Act, which was amended in 1995 to allow this unique “privatization” and relieves the courts from having to pay overtime for work demands that easily exceed 40 hours per week.

Like other professions, court reporting has been dramatically affected by technology. However, what sets court reporters apart are two distinctions: First, these technologies are privately funded by individual court reporters at no expense to the courts they serve; and, second, court reporters have been “early adopters” of technology for the past 25 years — much earlier than a vast majority of the courts they serve. Currently, over 98% of court reporters in California use Computer Aided Transcription (CAT) for reporting and preparing transcripts of proceedings. Transcripts prepared by court reporters are backed up for redundancy, significantly reducing instances of lost records, and they are capable of storage in Web repositories for wider accessibility.

The reason for this phenomenon is simple. In their role as private contractors producing transcripts, official court reporters are highly motivated to improve productivity. Investing in and developing technology are business necessities driven by a free market incentive. The side benefits to the courts, lawyers, and litigants are impressive. CAT technology not only helps the court reporter to quickly produce a transcript, but proficient court reporters are able to simultaneously create and display a rough draft of the verbatim record at the time the proceedings occur. This feat is called Realtime reporting that judges, attorneys, litigants, and others are quickly learning to use to improve their own productivity. This instant display and text file of the spoken word allows judges, lawyers, clerks, interpreters, and others to add notes and annotations for current or later needs.

By changing the nature of their “product” from a paper transcript to a digital file, court reporters have provided several additional opportunities for cost savings and improved productivity by the court and its users.

## **Privately Financed Court Reporter Transcription Costs**

Unlike most California public employees, court reporters must personally pay for a wide variety of technology, and even staffing, in order to perform their dual role of court employee, to capture the verbatim record, and private contractor, to produce transcripts. The California Government Code sections 70311 (a) and (b), and 70313 prohibit the courts from supplying stenotype equipment, transcription equipment, and related supplies to court reporters.

These annual and start-up costs are as high as \$23,000 or more for technology, equipment and supplies, and could run as high as \$15,000, \$20,000 to \$30,000 or more for staffing. The choice to hire transcript production staff differs from reporter to reporter, and the decision is largely driven by the amount of transcript workload. A reporter could decide to hire only a scopist (editor of stenographic notes), only a proofreader, both or neither. There is no choice when it comes to technology, equipment and supplies — these are necessary and ongoing costs.

*continued on Page 13*

# Cost Implications of State “Ownership” of the Verbatim Record in California

(continued from Page 12)

Accordingly, court reporters have made a significant investment in technology and productivity, which benefits the court in the form of low-cost and rapid transcript production. For instance, *in the last 100 years*, court-paid transcript reimbursement costs have increased only 325% for original and 50% for copies, while the consumer price index during this period has increased 2,000%. Court reporters have not received any increase in transcript fees in 18 years.

A detailed breakdown of court reporter-paid costs is provided below:

## STAFF COSTS

### Annual Volume of Transcript Production

	Scopist (85¢ per page)	Proofreader (40¢ per page)
1,000 pages	\$850 per year	\$400 per year
5,000 pages	\$4,250 per year	\$2,000 per year
10,000 pages	\$8,500 per year	\$4,000 per year
25,000 pages	\$21,250 per year	\$10,000 per year

**NOTE:** The decision as to whether to hire a scopist (editor of stenographic notes) and/or a proofreader is optional and differs from reporter to reporter, and the decision is largely workload driven.

## EQUIPMENT AND SUPPLY COSTS

### Hardware, Software, Supplies, Etc. (replacement cycle indicated in parentheses)

	Initial Cost	Annual Cost
<b>Software:</b> Transcript prep & billing (3-4 years)	\$4,100	
<b>Hardware:</b> Stenotype machine (5 yrs), laptop & desktop computers (3-4 yrs), two printers (4-5 yrs), photocopier (leased), fax machine (5 years)	\$10,180	\$3,000
<b>Supplies:</b> Copy paper (13 boxes X \$30), stenotype ribbons (\$15 x 3), carrying case (7 yrs), printer toner (\$80 x 3), cables, serial converter, connectors (5 yrs), fax toner (\$35 X 4), binding equipment & supplies (6 boxes/yr @ \$40 per 100+shipping), office supplies, “original” & “copy” stamps, packaging material, diskettes, address labels, research material, business cards, CDs.	\$420	\$1,665
<b>Other:</b> Stenotype machine (annual maintenance, support for software, including updates), Internet provider, wheeler (5 yrs), home office furniture (5 yrs), training/seminars, training/vendor, postage, professional dues, CSR license, equipment insurance, cell phone, liability insurance.	\$570	\$3,397
<b>Investment in equipment and supplies</b>	<b>\$15,270</b>	
<b>Annual ongoing costs</b>	<b>\$ 8,062</b>	
<b>Combined costs (start-up and annual)</b>	<b>\$23,332</b>	

continued on Page 14

# Cost Implications of State “Ownership” of the Verbatim Record in California

*(continued from Page 13)*

## California Reporting of the Record Task Force (RRTF)

In April 2002, the California Judicial Council created a Reporting of the Record Task Force (RRTF) to examine how court reporting services are provided. Their final report and recommendations were published in February, 2005. Among their charges was to consider state “ownership” of transcripts and related products.

After considering all the productivity and cost implications, the RRTF did **not** recommend that the courts take over responsibility for **producing** transcripts, and specifically recommended that court reporters continue to be paid as independent contractors for this purpose. Ironically, most of the cost-saving recommendations that resulted from the RRTF report are directly attributable to the technological advances that court reporters have privately funded to convert the verbatim record into a digital format, which is three to five times faster to review and can be easily stored, retrieved, transmitted, shared, and more productively used by judges, attorneys, litigants and court staff.

## The Unquantifiable

While it is important to present accurate cost figures as we have done in this analysis of the financial impact of shifting ownership of the record from the court reporters to the court, there are also a substantial number of unquantifiable negative consequences for doing so.

The Electronic Recording Project Advisory Committee asked in their 1992 final report: *“Who is in charge of making the record? Is there a chain of players and equipment, or one individual who is responsible and accountable for accuracy and the integrity of the record.”* A court reporter is currently the central figure in charge of the record. When the responsibility for the record is shared among several parties, such as a court monitor, court clerks and court management, chances for errors and delay increase precipitously.

Since the Electronic Recording Project and its final report form the primary basis for the LAO’s recommendations, several other observations from that report are worth repeating:

***“An orderly system of justice requires an accurate and timely record for appellate review.”***

***“Audio reporting is an acceptable method in all courts which do not have testimony if there is a trained monitor who has no other duties while recording.”***

***“We found inconsistency in quality of audio transcripts.”***

***“A computer integrated (court reporter) and video reporting system (are) the state of the art. It promises a trial with a near instant record.”***

***“Courts should be open to technological advances.”***

In short, shifting ownership of the court record from the court reporter to the court does not provide hard cost savings, and results in substantial negative consequences that impact its accuracy, timeliness and integrity.

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This report was prepared by Chris Crawford, president of JUSTICE SERVED®, a court management and technology consulting firm. Mr. Crawford has more than 34 years of court management experience, including 21 years managing California trial courts. For more information, please visit [www.justiceserved.com](http://www.justiceserved.com).





# CCRA Needs a Few More Great Leaders to Come Forward!

The Nominating Committee of CCRA is in the process of selecting qualified candidates for service as officers and members of the Board of Directors for 2008-2009.

Each year, half of the positions on the Board of Directors of CCRA expire. Nominations are accepted each spring to fill the following vacant positions: District A, Northern California; District C, Central Valley; and an at large position.

## May 30 is the deadline for nominations for the 2008-09 CCRA Board of Directors.

Do you know someone you feel would be an asset to the leadership of your profession? Have your life circumstances changed and you now find a little extra time to give back to the profession that's been so good to you? If so, please nominate yourself or a respected colleague. But don't delay! The deadline is fast approaching.

Go to: [www.cal-ccra.org/boardnominations.htm](http://www.cal-ccra.org/boardnominations.htm) for the nomination form.

As an active CCRA member, you have a special understanding of the qualities of leadership which candidates for CCRA office should possess. You have

the opportunity to assess their character and to determine in your own mind those who possess the leadership capabilities which are so necessary to the administration of CCRA and to the court reporting profession as a whole.

The Nominating Committee hopes you will consider it your personal responsibility to participate in our nominating procedures by submitting names of candidates for consideration by the Nominating Committee. Please state the reasons for your recommendation of each candidate.

Candidates will be contacted by CCRA regarding their willingness to serve. Your recommendation should be received by CCRA headquarters by **May 30, 2008**.

Go to: [www.cal-ccra.org/boardnominations.htm](http://www.cal-ccra.org/boardnominations.htm) for the nomination form.

**This is a very important matter, so please give it your attention.**



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## Create Your Own Newspaper

**Q. I'm a news junkie and though many sites permit me to customize the type of news I want, I was wondering if there is any way to pull together news from various sources so I can just go to one place and see my favorite news items?**

A. One of the oldest news sites on the Web is one that does permit you to do that in a clever way, and for free. The site is called CRAYON ([www.crayon.net](http://www.crayon.net)). The name is an acronym derived from CReAte Your Own Newspaper. After registering on the site, go to Your Paper's Settings where you can name your publication, give it a motto, select the page layout, graphics, and then select your news sources from a vast array of publications, news media, by topic or other criteria. Once you've made and saved all your selections, log-in and click "Read My Paper." It will be assembled and presented to you faster than you can holler, "Extra! Extra! Read all about it!" If you're a news junkie, be sure to check out [www.newser.com](http://www.newser.com), also.

**Q. When I click View > Details in a folder, is there any way I can keep that view so I don't have to re-select the Details view again with the next folder?**

A. Theoretically, Windows will remember the View selected for each folder and will display it the same way each time the folder is opened. The operative word in the previous sentence is "theoretically." Sometimes Windows remembers, sometimes Windows doesn't. I can relate.

You can encourage Windows to remember your View settings by first configuring a folder the way you want it to appear. Then, go to the Control Panel > Folder Options > View tab. For versions of Windows prior to XP, look at the list of options in the Advanced Settings section and locate "Remember each folder's view Settings." Click to place a check mark in front of this option, then click Apply > OK to save and exit. XP users, click the "Apply to All Folders" button, followed by Apply > OK.

Vista users, go to the Control Panel > Appearance and Personalization > Folder Options > View tab and click the "Apply to Folders" button. A less click-intensive method with Vista is to click the Start button and in the "Start Search" field, type "folder options." Click Folder Options when it appears as a search result and you'll be transported to the Folder Options dialog box.

**Q. I'm divorced, but my married name appears in the From: field of email that I send using Outlook. I can't figure out how to change the name people see when I send messages. Can you help, Mr. M?**

A. You can easily change the name that identifies you as the sender. The process is the same for both Outlook and Outlook Express: Click Tools > Accounts > Mail tab. If you have more than one email address, you will see them displayed in a list. If you only have one, it will be the only one displayed. (When it comes to stating the obvious, you can count on Mr. Modem.)

Click to select the account you want to change,

*continued on Page 17*

(continued from Page 16)

then click the Properties button. The current name displayed on your email will appear in the Name: field, which you can edit to reflect your new name — or old name, as the case may be. When you're finished, click Apply > OK to save your changes.

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

### The American Roadside

This site is bumper-to-bumper full of entertaining roadside attractions, interesting destinations along scenic routes, and wonderful old "meat-loaf-and-taters" diners. Read articles, view the photo gallery, or buy books, t-shirts, and other American Roadside paraphernalia, all destined to end up in your junk drawer. [www.theamericanroadside.com](http://www.theamericanroadside.com)

### About Big Numbers

Have you ever wondered how big an octovigintillion is? How about a tredecillion, or a quattuordecillion,

or a million-jillion, or perhaps a penicillin? There are so many big numbers here that you'll have a splitting headache in no time. <http://tinyurl.com/yslq65>

### Brain Training

BrainMetrix advises us that when it comes to our neurons, "use 'em or lose 'em." To help keep the ol' brain cells stimulated, BrainMetrix provides an assortment of cerebral games and exercises that will keep our minds sharp for... for... well, perhaps it's too late for me, but hopefully it won't be for you. Give your gray matter a vigorous workout by participating in any of a number of these mind-training exercises. <http://brainmetrix.com>

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## History of Shorthand

History's first recorded shorthand reporter was Marcus Tullius, a freed Roman slave who became Cicero's secretary. In 63 B.C., he used a metal stylus to report a speech. Julius Caesar, a shorthand writer, supposedly was stabbed with his own stylus.

Shorthand later declined in popularity when it was declared by the church to be necromantic and diabolical.

In 1588, Dr. Timothe Bright is credited with authoring the first practical system of shorthand published in English. Dedicated to Queen Elizabeth the First, the system had no alphabet but consisted of more than 500 characters that had to be memorized.

That system was later improved in 1750 by Thomas Gurney, the first official reporter of parliamentary debates in England. One of the most famous of these "court reporters" was author Charles Dickens, whose efforts to master shorthand became a subplot in his book, "David Copperfield."

In the United States, Thomas Jefferson and James Madison used shorthand for diverse purposes. Using personally developed shorthand, Madison recorded the 1787 Constitutional Convention.

But it is Isaac Pitman who is considered the father of modern shorthand. In 1837, he developed the first system of phonetically based shorthand in England. His brother, Ben, later used the system to report the trial of the assassin of President Lincoln.

Irishman John Robert Gregg, in 1888, established his own shorthand school. He moved to the U.S. in 1893 and established schools in Boston.



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