



COURT REPORTERS BOARD OF CALIFORNIA

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MEETING OF THE COURT REPORTERS BOARD

Thursday, July 6, 2017
9:00 a.m. to 12:15 p.m.
1:00 p.m. to conclusion

DoubleTree by Hilton Ontario Airport
222 North Vineyard Avenue
Ontario, CA 91764
AGENDA

Board Members: Davina Hurt, Chair; Rosalie Kramm, Vice Chair; Elizabeth Lasensky; Carrie Nocella; and Toni O'Neill

CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF A QUORUM – Davina Hurt, Chair

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| | 4. AB 701 (Gallagher) – Access to judicial and nonjudicial proceedings: hearing impaired | |
| | 5. AB 703 (Flora) – Professions and vocations: licensees: fee waiver | |
| | 6. AB 710 (Wood) – Department of Consumer Affairs: boards: meetings | |

(continued)

7. AB 767 (Quirk-Silva) – Master Business License Act
8. AB 976 (Berman) – Court reporters: electronic transcripts
9. AB 1005 (Calderon) – Department of Consumer Affairs
10. AB 1285 (Gipson) – Alcohol Beverage Control Act: administrative hearings: records
11. AB 1450 (Oberholte) – Court reporters: electronic transcripts
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13. SB 76 (Nielsen) – Excluded employees: arbitration
14. SB 244 (Lara) – Privacy: agency: personal information
15. SB 484 (Roth) – Deposition reporting services: unlawful business practices
16. SB 715 (Newman) – Department of Consumer Affairs: regulatory boards: removal of board members

The Board may discuss other items of legislation not listed here in sufficient detail to determine whether such items should be on a future Board meeting agenda and/or whether to hold a special meeting of the Board to discuss such items pursuant to Government Code section 11125.4.

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	Pursuant to Government Code Section 11126(C)(3), the Court Reporters Board will convene into closed session to deliberate on disciplinary matters (stipulated settlements, default decisions, and proposed decisions).	

RETURN TO OPEN SESSION

ADJOURNMENT

Action may be taken on any item on the agenda. All times are approximate and subject to change. The meeting may be cancelled or shortened without notice. Any item may be taken out of order in order to accommodate speaker(s) and/or to maintain quorum. For further information or verification of the meeting, the public can contact the Court Reporters Board (CRB) via phone at (877) 327-5272, via e-mail at paula.bruning@dca.ca.gov, via written correspondence by writing to: Court Reporters Board, 2535 Capitol Oaks Drive, Suite 230, Sacramento CA 95833, or via internet by accessing the Board's web site at www.courtreportersboard.ca.gov.

In accordance with the Bagley-Keene Open Meeting Act, all meetings of the CRB are open to the public. The CRB intends to webcast this meeting subject to availability of technical resources.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting may make a request by contacting Paula Bruning at (877) 327-5272, e-mailing paula.bruning@dca.ca.gov or sending a written request to 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation. Requests for further information should be directed to Yvonne Fenner at the same address and telephone number. If any member of the public wants to receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting. Otherwise, the documents, if any, will be available at the meeting.

The public can participate in the discussion of any item on this agenda. To better assist the Board in accurately transcribing the minutes of the meeting, members of the public who make a comment may be asked to disclose their name and association. However, disclosure of that information is not required by law and is purely voluntary. Non-disclosure of that information will not affect the public's ability to make comment(s) to the Board during the meeting. Please respect time limits. The public may comment on any issues not listed on this agenda. However, please be aware, that the Board CANNOT discuss or comment on any item not listed on this agenda.

COURT REPORTERS BOARD MEETING – JULY 6, 2017

**AGENDA ITEM I – Approval of December 7, 2016 and January 27, 2017
Meeting Minutes**

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Agenda Description: Review and approval of minutes

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Brief Summary:

- A. Minutes from December 7, 2016 meeting
 - B. Minutes from January 27, 2017 meeting
- =====

Support Documents:

Attachment 1 – Draft minutes for December 7, 2016
Attachment 2 – Draft minutes from January 27, 2107

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Fiscal Impact: None

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Report Originator: Yvonne Fenner, 6/26/2017

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Recommended Board Action: Staff recommends the Board approve minutes
through separate motions for each set of minutes.

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**COURT REPORTERS BOARD OF CALIFORNIA
SPECIAL MEETING
MINUTES OF OPEN SESSION
DECEMBER 7, 2016**

Attachment
Agenda Item I.A

DRAFT

CALL TO ORDER

Ms. Davina Hurt, chair, called the meeting to order at 2:31 p.m. at the Department of Consumer Affairs HQ2, 1747 North Market Boulevard, Hearing Room, Sacramento, California, and the following two videoconference sites:

Kramm Court Reporting
401 West A Street, Suite 750
San Diego, CA 92101

Bureau of Automotive Repair
16735 Von Karman Avenue, Suite 100
Irvine, CA 92606

ROLL CALL

Board Members Present:

Davina Hurt, Public Member, Chair
Rosalie Kramm, Licensee Member, Vice Chair
Elizabeth Lasensky, Public Member
Carrie Nocella, Public Member
Toni O'Neill, Licensee Member

Staff Members Present:

Yvonne K. Fenner, Executive Officer
Norine Marks, Senior Staff Counsel
Fred Chan-You, Staff Counsel
Paula Bruning, Executive Analyst
Kim Kale, Licensing Analyst

A quorum was established, and the meeting continued.

I. FINDING OF NECESSITY FOR SPECIAL MEETING – GOVERNMENT CODE SECTION 11125.4(c)

Ms. Fenner explained that in order to call a Special Meeting, the Board must find that delaying the meeting for the required notice period or for the next regularly scheduled meeting would cause a substantial hardship on the Board or would be in violation of protecting the public interest. She added that the next regular meeting is scheduled for January 27, 2017, and that waiting until then to discuss an immediate retest would effectively be denying the request.

Mr. Chan-You clarified that regular meetings require a 10-day notice.

Ms. Nocella moved that the Board find that there is a necessity to convene a special meeting to address the issue of scheduling an additional examination because a delay in meeting would cause a substantial hardship on the Board due to the pressing need and time involved in scheduling such an exam. Ms. Lasensky seconded the motion. Ms. Hurt called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Kramm, Ms. Lasensky, Ms. Nocella, Ms. O'Neill, and Ms. Hurt.

Opposed: None

Absent: None

Abstain: None

Recusal: None

Ms. Hurt thanked the Board members for gathering on such short notice to hear this request. She also thanked Board staff for an accelerated review of the examination, gathering information, and communicating with the public.

Ms. Hurt shared two reasons she thought it important to call the meeting. The first was that there may have been an inadvertent violation of Board policy. Secondly, the Board has a fiduciary duty related to any large expenditure, and an additional test would require a large amount of money.

II. CONSIDERATION OF REQUEST FOR EMERGENCY RE-TEST OF THE SKILLS PORTION OF LICENSING EXAMINATION

Ms. Fenner provided a brief history of the November 18, 2016, dictation examination. She indicated that during setup, a decision was made to change the seating order of the examination readers. The change was intended to make it easier for reporting the questioning of the proceeding. However, it has come to staff's attention that there is a Board policy that sets out the order of the speakers and apparently that the schools are teaching that setup only. The students were not able to make the speaker identification change when the seating order was changed. Ms. Fenner stated that one of the court reporting schools offered the use of their facility to host an emergency retest.

Ms. Kramm inquired if there are any Board policies about where the test may be given. Ms. Fenner responded that there are no policies regarding location.

Ms. Lasensky requested statistics from the November 18, 2016, examination and a comparison to previous examination results. Ms. Fenner indicated that the overall pass rate was 7 percent. The previous lowest pass rate for an examination was 11 percent. The number of people who turned in an incomplete examination was considerably higher than usual. If the incomplete tests are taken out of the equation, the pass rate increases to 10 percent.

Ms. Fenner indicated that the cost to offer a retest would range from \$13,000 to \$32,000 in Los Angeles. In Sacramento, the cost range would be \$5,900 to \$14,000. The cost varies depending on the number of sleeping rooms reserved under the Board's room block.

Ms. Lasensky asked what is involved in preparing for an examination. Ms. Fenner indicated that the test is developed by working court reporters based on actual transcripts that are counted out to 200 words per minute with a 1.3 to 1.5 syllabic density. Although

it's time-consuming, the actual material preparation is not a factor for the retest. The logistics for offering an examination also include reviewing applications. Ms. Kale stated that a special application could be mailed with the November examination results mid-December with a deadline for application of December 30, 2016. The notices for retest could then be mailed out within a week, making it possible to hold a retest mid-January 2017.

Ms. O'Neill inquired as to the logistics for getting a hotel facility. Ms. Fenner indicated that Department of Consumer Affairs Contracts Unit stated that with proper justification, a contact could be completed in seven to ten days.

Ms. Kramm asked about the location of the school who offered the use of the facilities. Ms. Fenner responded that it is Sage College in Moreno Valley. Ms. Nocella asked if Sage College would be the only location the Board would explore or if there would be two locations. Ms. Fenner did not know if there were other schools with facilities large enough to host. During the meeting, South Coast College and Downey Adult Schools both offered their facilities.

Ms. Lasensky inquired if there would be any requirement to hold the meeting in Northern California since the November test was given in Northern California. Ms. Fenner said that a regularly scheduled examination would need to be in Northern California, but an emergency retest does not have any policies. If the Board is attempting to replicate the test, it would be in Sacramento; however, the Board could decide to offer it in Southern California to expedite it.

Ms. Nocella asked staff counsel if there was any policy that prohibits the Board from using a school facility free of charge without a conflict of interest or being viewed as accepting a gift. Mr. Chan-You responded that there is not a policy, but he had a concern of potential conflict of interest since the Board oversees the schools. He said he could research the issue and have an answer to the Board by the end of the week.

Ms. O'Neill expressed a hesitation with using a school facility due to an unfair advantage to the students of that program.

The Board took a break at 2:53 p.m. due to technical difficulties and returned to open session at 3:10 p.m.

Ms. Fenner shared that the original request for a retest came from Sage College, who offered their facility for the retest. She reiterated that since the start of the meeting, South Coast College, Downey Adult School, and Humphreys University have offered their locations for the retest. Mr. Chan-You stated there may be a conflict with having a retest at a school that is requesting the retest. The perception could be that the test is being given as a compensation for the use of the facility. Ms. Marks suggested the Board focus on whether or not there is a need for the retest before discussing the logistics of how it would be offered.

Ms. Hurt invited Tracy Montez, Ph.D., Chief of the DCA Division of Programs and Policy Review, to discuss the psychometric aspect of the examination. Dr. Montez reviewed the details associated with the examination and determined that the Board did not attempt to measure a skill set that was outside of the examination plan. Additionally, the candidates

were not treated differently from one group to another within the same examination. These are two areas that Office of Professional Examination Services (OPES) reviews to determine if the examination has been compromised. She determined that the November examination was valid and given in a standardized manner. The procedure was different, but it does not deviate from the expectations of what happens on the job. She added that comparing pass rates is not valuable because of variables that impact the reliability of those rates. She encouraged the Board to consider revising the Board policy regarding the seating of readers. Although it is important to give candidates a reasonable expectation of what is on the exam based on the exam plan, providing too many details can create problems with schools teaching to pass an examination instead of teaching to prepare for the profession.

Ms. Hurt opened the discussion to public comment.

Lorri Doll of the Argonaut Court Reporting Program asked if any notation will be placed on the statistics from the November dictation examination for the purpose of educating program accrediting agencies who review the statistics. Ms. Hurt stated that staff would need to research the matter.

Lauren Somma of Sage College thanked the Board for having the meeting. She stated that in a real life situation, the reporter has control over their environment and has the opportunity to grasp where everyone is seated before dictation is started. She asked the Board to consider the fact that 67 percent of the test takers submitted an incomplete examination, which she asserted is a significant factor in determining that a retest is necessary.

Sandy Finch of Golden State College agreed with Ms. Somma. She added that the pass rates from the November dictation examination is detrimental to the licensure pass rate benchmarks of 70 percent set by school accreditor ACICS. She stated that the test is very difficult, but is supposed to be entry level. She inquired if the March examination would still be offered if a retest is given.

Brooke Ryan, president of the California Court Reporters Association (CCRA), thanked the Board and staff for having an expedited meeting. She stated that CCRA acts in a support role to the students at the test. She offered support to the Board for whichever direction they decide to go with the request. Ms. Ryan suggested the Board consider waiving the exam fee for the next test for those who did not pass the November examination.

Monica Orosz, court reporting candidate, reported that she took the dictation examination for the first time in November. She stated that the test was comparably different in November than it had been at previous examinations since the Board policy was set in 1999.

Debra Bollman, vice-president of CCRA, stated that a violation of the Board policy should have an effect on the Board's decision to grant the request for a retest.

Tami Comet, court reporting candidate, challenged the analysis that all three groups at the November dictation examination were the same. She stated that during one group, there appeared to be an emotional open forum about the speaker lineup that caused a disadvantage to the candidates in that group.

Jocelyn Epperson, program coordinator for both Downey Adult School and Tri Community Adult Education, stated that she always urges students to write the examination regardless of how tough it is. However, at the November dictation examination, many of her students did not complete the test. She attributed the disruption in the dictation room as a big factor to students' loss of focus and ability to complete the exam.

Yolanda Krieger, director at South Coast College, stated that there was a retest in 1994 that was held at South Coast College. The retest was given to one group due to a disruption caused by an individual entering the room during dictation. Ms. Hurt inquired as to how many tests were given annually at that time. Ms. Fenner responded that only two tests were given each year.

Ms. Hurt asked how many of the candidates at the November dictation examination were repeat candidates. Ms. Kale responded that of the 127 candidates, 41 candidates were taking the test for the first time.

Latoya Nelson, court reporting candidate, expressed that she felt like a guinea pig and betrayed at the November dictation examination. She stated that she went to school in Virginia where she worked for four years. She asserted that in a real life situation, she is able to utilize her Case CATalyst software and make a seating chart.

Courtney Albright, court reporting candidate, stated that she has now taken three dictation examinations. She felt the July dictation test was very fair and entry level, but the material for November dictation examination was very difficult and dense. She stated that there were words in the test not provided in the glossary and the subject was not close to material used to study and prepare in school.

Joanna Hashwa, court reporting candidate, reported that the energy for the November dictation examination was bad. She agreed that the material was not entry level. She also stated that it is financially difficult to continue taking tests.

Michael McMorran, court reporter, stated that licensees pride themselves on passing a test where the integrity was not compromised. With a violation of Board policy, he asserted there is a break in integrity of that examination. He shared concerns regarding holding a retest at a school; however, it appears there is a precedent for doing so. He offered support in helping make a retest happen.

Jordan Barry, former court reporting candidate, took the November dictation examination although he no longer intends to pursue a license. He also observed the open forum that occurred during the group 2 dictation portion.

Heather Sachs, court reporting candidate, questioned why the test is considered valid if a policy was violated. Ms. Fenner responded that the test was read properly at 200 words per minute and contained the correct syllabic density. The location of the speakers was the only violation. She stated that it would be a disservice to those who passed the test to invalidate the entire test.

Dr. Montez reiterated that the validity of the test is based on the occupational analysis, which is a study of the court reporting profession that utilizes licensees. The exam plan is then created and the test is developed. Although many variables have been discussed,

including a violation of policy, reader order, speed, difficulty, and entry level material, she suggested the Board focus on whether or not it was a valid and fair process. She emphasized that this is a licensure examination, which carries its own expectations that the candidates are prepared for entry-level practice – something very different from student examinations.

Ms. Hurt closed the public comment period portion of the discussion. She asked for questions and comments from the Board members, requesting that they keep the protection of California consumers at the forefront.

Ms. O'Neill asked if there are any legal ramifications to the violation of a policy. Mr. Chan-You responded that there is no provision for a remedy to a policy violation. The silence of such a provision appears to give the Board more discretion on how they wish to proceed.

Ms. Lasensky asked what would happen to those individuals who passed the examination if the Board invalidated the November dictation examination. Dr. Montez suggested the Board not invalidate the examination and allow those who passed to move forward toward licensure.

Ms. Kramm stated that she believes the test was valid and those who passed should keep their status; however, a policy was broken, and, therefore, she supported a retest of the November dictation examination, possibly at a school facility.

Ms. O'Neill questioned whether those who turned in a complete test and did not pass should be allowed to also retake the test. Ms. Kramm supported the idea of all people who did not pass the test, whether they turned in a complete or incomplete examination transcript, to be allowed to retest before the March dictation examination. Ms. Lasensky agreed.

At Ms. Nocella's request, Ms. Fenner recapped the cost and timeline that would be involved in offering a retest before the March dictation examination. She added that the Board is under contract for the March dictation examination, so there would be fiscal ramifications for cancelling the March exam just to hold a retest sooner. She also stated that it was unlikely that staff would have the retest graded prior to the application filing deadline for the March examination.

Ms. Hurt reiterated that the Board takes responsibility that a policy was violated; however, the integrity of the examination was solid, which is evident by the candidates who did pass. She asserted that the high emotions affected the large percentage of candidates who did not finish the test. She questioned if the candidates would be in the right mind set to practice in preparation for a late-January or early-February dictation examination, considering the short turnaround time and the impending holidays. She asked the Board to consider the additional cost and workload that would be put on staff to hold an additional examination and what benefit the consumer would receive.

Ms. Lasensky stated that students are consumers of the Board as well. She asked for clarification of who would be allowed to take a retest. Ms. Fenner clarified that only people who had taken and failed the November dictation examination would be able to take the retest due to the logistics of the application process.

Ms. Marks stated that the policy is just a practice that does not have a value judgment behind it. The Board would need to decide at this point if a difference in the practice significantly disadvantaged the test takers enough to entitle them to a retest and whether or not to waive the fee. If the Board decides to move forward with a retest, she stated that the circumstances would need to be recreated, such as offering the test in Northern California.

Ms. Hurt suggested that the Board not offer a retest, but waive the fees for the March 2017 dictation examination.

Ms. O'Neill stated that some tests are more difficult for some candidates than for others, and she did not take the reported difficulty into consideration for a retest. She asked if retest candidates would still be able to take the examination in March. Ms. Fenner responded that the candidates would be able to apply for the March dictation exam, but may need to do so before knowing their results from the retest.

Ms. Kramm suggested the Board offer a retest in Northern California to candidates who were not successful at the November dictation examination. She further proposed the Board waive the fees for the retest and put the speakers in the order as indicated in the Board's policy. She recommended the Board make a decision about whether or not to offer the retest and work out the logistics of the location after consultation from staff counsel.

Ms. Nocella recommended that if a retest was offered it be in a hotel setting in Northern California. She did not support the idea of waiving fees for the test. She indicated that she was struggling with the idea of a retest and was not aware of any other state test that is redone because candidates felt wronged.

Ms. Kramm moved to offer a retest in Northern California, waive the fees, and to only allow individuals who did not pass the November 18, 2016 dictation examination to retest, with the readers sitting in their historical places. Ms. Lasensky seconded the motion. Ms. Hurt called for public comment.

Ms. Nocella indicated that the perspective of the candidates could be altered by changing the location, potentially offering a competitive advantage over candidates who had taken it at a hotel setting. Ms. O'Neill agreed, adding that the site needs to be in neutral territory.

Ms. Kramm amended her motion to include that the retest should be given in a similarly situation hotel as the November 18, 2016, dictation examination.

Ms. O'Neill stated that she believed the readers should be seated just as they were at the November dictation examination to be a replication. Ms. Kramm contended that the replication of a wrong practice would deviate from the reason for the retest.

Ms. Nocella requested an amendment to the motion to remove the waiver of the fees. Ms. Kramm accepted the amendment.

The motion was reread as follows:

Ms. Kramm moved to offer a retest in Northern California, to only allow individuals who did not pass the November 18, 2016, dictation examination to retest, with the readers sitting in their historical places. Ms. Lasensky seconded the motion.

Ms. Hurt called for public comment. No further comments were offered. A vote was conducted by roll call.

For: Ms. Kramm, Ms. Lasensky, Ms. Nocella, and Ms. O'Neill.

Opposed: Ms. Hurt

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

Ms. Marks indicated that for future reference, examinations can be given in school settings with little or no cost; however, there may be a conflict in utilizing schools that are under the Board's purview.

III. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

No comments were offered.

ADJOURNMENT

Ms. Hurt adjourned the meeting at 4:45 p.m.

DAVINA HURT, Board Chair

DATE

YVONNE K. FENNER, Executive Officer

DATE



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COURT REPORTERS BOARD OF CALIFORNIA MINUTES OF OPEN SESSION JANUARY 27, 2017

Attachment
Agenda Item I.B

DRAFT

CALL TO ORDER

Ms. Davina Hurt, chair, called the meeting to order at 10:00 a.m. at 2535 Capitol Oaks Drive, Third Floor Conference Room, Sacramento, California.

ROLL CALL

Board Members Present:

Davina Hurt, Public Member, Chair
Elizabeth Lasensky, Public Member
Carrie Nocella, Public Member
Toni O'Neill, Licensee Member

Board Members Absent:

Rosalie Kramm, Licensee Member, Vice Chair

Staff Members Present:

Yvonne K. Fenner, Executive Officer
Norine Marks, Senior Staff Counsel
Fred Chan-You, Staff Counsel
Paula Bruning, Executive Analyst

A quorum was established, and the meeting continued.

I. MINUTES OF THE SEPTEMBER 23, 2016 MEETING

Ms. Hurt requested that the date be corrected from "2015" to "2016" in the second line of the first paragraph under the heading "Update Regarding the Online Testing Policy and Procedures Task Force" on page 11 of the minutes.

Ms. Lasensky moved to approve the minutes as amended. Ms. Nocella seconded the motion. Ms. Hurt called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Lasensky, Ms. Nocella, Ms. O'Neill, and Ms. Hurt
Opposed: None
Absent: Ms. Kramm
Abstain: None
Recusal: None

MOTION CARRIED

II. REPORT OF THE EXECUTIVE OFFICER

A. Year in Review

Ms. Fenner provided an overview of the work completed by the Board and staff in 2016 via a slide show presentation. Highlights include:

- Passage of the Board's sunset bill, including a license fee cap increase;
- Publication of two newsletters and six best practice pointers;
- Development of the communications plan;
- Onsite reviews of two recognized court reporting schools;
- Coordination of various meetings, including four Board meetings, two town hall meetings, and six subcommittee and task force meetings;
- Application review for all three examinations, as well as administration of three skills tests;
- Completion of seven exam development and occupational analysis workshops;
- Processing of 6,900 renewal applications;
- Processing of 100 formal written complaints and closure of 91 investigations; and
- Approval of more than 350 TRF invoices.

Ms. Hurt expressed that the staff has stepped up to accomplish a lot of work and thanked Ms. Fenner and her staff for making the Board look great.

B. CRB Budget Report

Ms. Fenner referred to page 20 of the Board agenda packet for the current expenditure projections and offered to answer any questions. The costs for the retest are not included, but are anticipated to be \$3,000 to \$8,000. Ms. Hurt inquired about the "Temp Help" line item. Ms. Fenner said the cost is for staff who grade the dictation examinations.

Ms. Fenner directed attention to page 21 of the Board agenda packet for the Board's fund condition. The Board is statutorily required to maintain a minimum of two months in reserve, with a maximum allowance of 24 months in reserve.

C. Staffing

Ms. Fenner shared that the Board hired a half-time analyst for the Transcript Reimbursement Fund (TRF) Pro Per Program. She indicated that former analyst Melissa Davis was welcomed back. Since she previously held the position, training time has been minimal, and her positive energy is an asset to staff.

D. Transcript Reimbursement Fund

Ms. Bruning reiterated that Ms. Davis rejoined the Board's staff on January 17, 2017. She jumped right in to processing Pro Per Program applications and had already approved eight applications of the more than 100 pending.

Ms. Bruning added that \$180,000 in invoices had been approved for the Pro Bono Program so far for fiscal year 2016-17. She stated that the backlog for the Pro Bono Program would see relief with the new staff member taking over the Pro Per Program.

E. Exams

Ms. Fenner mentioned the historical examination pass rates found on pages 23 through 28 of the Board agenda packet.

Ms. Fenner requested the Board appoint a task force made up of court reporters to assist in writing the skills portion of the examination. She provided a brief summary of what the test entails, including the requirement for the test to be 200 words per minute for 15 minutes, of which 10 minutes will be transcribed, and a syllabic density of between 1.3 and 1.5. Although it is not technically difficult to count the tests out, it is time consuming. The tests are then read to newly licensed reporters for feedback. Ms. O'Neill volunteered to chair such a task force, and Ms. Hurt appointed her as such.

Tracy Montez, Ph.D., Chief of the DCA Division of Program and Policy Review, offered to provide consultation through the Office of Professional Examination Services (OPES) to the newly appointed task force for psychometric guidance. She stated that for legal defensibility it's important to have a three-prong approach to the examination, including subject matter experts, Board oversight, and the psychometric component.

F. Occupational Analysis

Ms. Fenner invited Amy Welch-Gandy of OPES to provide an update to the occupational analysis (OA). Ms. Welch-Gandy reported that the project began with interviews with licensees throughout the state to discover what a typical day is like, what changes have taken place over the last five years, and what is anticipated for the future. Additionally, a workshop was held with approximately eight reporters to develop task and knowledge statements to include in the OA survey. The pilot survey for the OA will be sent out soon to the participants of the interviews and workshop, then to a sample of 2,000 licensees in the state. Another workshop will take place to review the responses and ensure a wide demographic was covered, including both official and freelance reporters, and to finalize the exam plan. It is anticipated that the final product, a valuation report, will be complete in June 2017.

G. Enforcement

Ms. Fenner referred to the enforcement statistics found on pages 29 and 30 of the Board agenda packet. There were no notable trends.

H. School Update

Reviews

Ms. Fenner reported that staff completed onsite reviews of two recognized court reporting programs: College of Marin and Golden State College. These were the first reviews completed by the team, which includes expert consultant Ned Branch. The staffs of both schools were very hospitable and open.

Accreditation

Ms. Fenner indicated that the Board has been following the issue with the Accrediting Council for Independent Colleges and Schools (ACICS). As of December 12, 2016, the U.S. Department of Education (DOE) ceased recognition of ACICS, which has left the private court reporting programs in a terrible position.

Sandy Finch of Golden State College reported that DOE sent out an addendum of terms and conditions and required the ACICS-accredited schools to sign it. DOE is now requiring the schools to have an "in progress" status with a new accreditor by March 12, 2017. Ms. Finch stated that she has applied to the Accrediting Council for Continuing Education and Training (ACCET), a federally recognized accreditor. Students can continue to access federal student aid (Title IV) until June 12, 2018, by way of DOE acting as the interim accreditor. She is continuing to onboard students with full disclosure regarding restriction of access to financial aid after the deadline if a new accreditor is not secured. She also submitted an application to the Bureau of Private Postsecondary Education (BPPE) in hopes of gaining full approval by them, which would allow them to continue operating, but does not give students access to federal aid after the DOE cutoff date.

Ms. Finch thanked the Board for the letters sent to the accrediting bodies, which she attached to her applications. She is hopeful that her school will receive approval by an accreditor so she may be able to continue serving her students. Ms. Hurt offered to send additional letters as deemed necessary. Ms. Fenner shared that she was assured by BPPE that they are giving priority to schools affected by the ACICS issue.

Ms. Fenner referred to the letters regarding the closure of Sage College on pages 39 and 40 of the Board agenda packet. She accompanied team members from BPPE to a workshop on January 9, 2017, to provide students of Sage College with assistance and additional information. There were approximately 90 people who attended the meeting.

Ms. Hurt shared that there are 2,320 projected job openings in court reporting by 2018. She emphasized the need to have schools so that consumers can obtain court reporting services.

I. Disciplinary Guidelines Regulation

Ms. Fenner did not have any updates on this item.

III. LICENSE FEE INCREASE

Ms. Fenner referred the Board to page 47 of the Board agenda packet to view the overall Fund Condition. She stated that by fiscal year 2017-18, the Board's reserve will dip under six months, which triggers a stop of transfers to the TRF. Additionally, the projections for 2018-19 indicate the reserve will go to less than two months in reserve, which is a statutory problem since the minimum requirement is two months in reserve. She highlighted the three scenarios provided by DCA Budgets, with choices of a \$25, \$50, or \$75 increase to the fee for an initial license and renewal.

Ms. Hurt expressed thanks to Senator Hill for authoring the bill in which the license fee cap increase was accomplished.

Ms. Lasensky and Ms. O'Neill shared the opinion that a \$25 increase to a total license fee of \$150 was not enough, but that a \$50 increase to a license fee of \$175 would give the Board a healthy fund without too big of a jump in fees.

Ms. Nocella asked when the Board last raised its license fee. Ms. Fenner responded that it was July 2010. Ms. Nocella inquired which amount between \$50 or \$75 would be more fiscally responsible. Ms. Fenner indicated that the license fee increase is done by Board resolution; therefore, there is not a need for legislation to change the license fee up to the maximum amount set in statute. However, some lead time is needed for the programing changes that must be made to the databases and updates to the renewal notification forms. She stated that the Board has been considerate with the timing of needed fee increases in the past, and since the process is not overly complicated there is flexibility to wait longer before going to a license fee of \$200. She requested the Board determine both the new license fee and when it will become effective.

Ms. Nocella was supportive of a \$50 increase to provide necessary results. Ms. Hurt agreed. She asked the Board when they would like to make the license fee increase effective. Ms. Fenner stated that she originally suggested that the increase take effect on July 1, 2018, but after consulting with staff counsel, she changed her recommendation to have the increase take effect January 1, 2018, so that the TRF would not be affected by the reserve in fund condition.

Toni Pulone, licensee, stated that the proposed amount and effective date seem reasonable.

Ms. O'Neill moved to adopt by resolution to increase the license fee to \$175 for any license that expires on or after January 1, 2018. Ms. Lasensky seconded the motion. Ms. Hurt called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Lasensky, Ms. Nocella, Ms. O'Neill, and Ms. Hurt

Opposed: None

Absent: Ms. Kramm

Abstain: None

Recusal: None

MOTION CARRIED

IV. NON-LICENSEE-OWNED FIRMS SUBCOMMITTEE REPORT

Ms. Hurt reported that at its September 23, 2016 meeting, the Board formed a subcommittee to work with stakeholders to formulate options for ways to fulfill its consumer protection mission by ensuring all firms offering court reporting services are adhering to existing statutes and regulations. She and Ms. Nocella are serving on the committee and have had multiple meetings with the Office of the Attorney General, staff, and stakeholders.

Ms. Nocella expressed that the subcommittee meetings were beneficial in receiving direction from stakeholders. She believes firm registration and exploring legislative solutions are priorities for the Board. She requested the Board empower the subcommittee with the authority to act in furtherance of legislation between Board meetings. Ms. Hurt added that time limits in the legislative arena would make it difficult to meet with the full Board each time a decision was needed, but the subcommittee would still be very much connected to the Board's goals and strategies it has discussed over many years.

Ms. Hurt shared that in order to meet a legislative deadline, the subcommittee submitted language to the Office of Legislative Counsel as a placeholder for a spot bill. The subcommittee has not yet sought an author and requested the Board decide if it wants to pursue legislation.

Ms. O'Neill supported the pursuit of legislation and granting of authority for the subcommittee to move forward with legislation. She shared that quick decisions often have to be made when sponsoring a bill, which does not allow time for formal meetings of the Board. Ms. Lasensky agreed.

Ms. Hurt called for public comment.

Ms. Pulone, on behalf of the Deposition Reporters Association (CaIDRA), stated that the association is pleased that the Board has developed language for a spot bill as the issue of non-licensee owned firms has negatively affected their members. She added that she believes it is appropriate that the Board is taking the lead on a bill and offered support.

Ms. Marks asked if the Board would have an opportunity to weigh in on the actual proposed language and any policy it may affect. Ms. Hurt stated that language will be shared once it is formalized. Ms. Nocella added that substantive changes would trigger the subcommittee to bring the language back to the Board. Ms. Hurt also indicated that the Board has had many discussions regarding litigation in the matter and that she understands the direction the Board wishes to go.

Ms. Lasensky moved to delegate authority to the subcommittee to further firm registration legislation in between Board meetings. Ms. O'Neill seconded the motion. Ms. Hurt called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Lasensky, Ms. Nocella, Ms. O'Neill, and Ms. Hurt
Opposed: None
Absent: Ms. Kramm
Abstain: None
Recusal: None

MOTION CARRIED

V. ONLINE SKILLS EXAM TASK FORCE REPORT

Ms. Lasensky, task force co-chair, reported that the task force met on January 20, 2017, at the campus of Bryan University in Los Angeles. She thanked Bryan University for their gracious hospitality and Realtime Coach for their expertise. She indicated that the task

force will bring recommended policies and procedures to the Board for consideration. Ms. Lasensky shared that the task force will meet again on February 7, 2017, in Sacramento.

Ms. O'Neill, task force co-chair, added that the process and issues are being vetted thoroughly. The task force is made up of a variety of stakeholders, which aids in seeing all aspects of the process.

Ms. Hurt thanked the task force for their work and looks forward to hearing their recommendations. Ms. Hurt called for public comment.

Ms. Finch commented that the approving authorities and accreditors are asking schools to show placement in the workforce in as few as 90 to 120 days after graduation. The benchmarks for gainful employment are difficult to reach due to low examination pass rates. She requested the task force and Board consider allowing candidates to retake an examination sooner than the next four-month testing cycle in hopes they can pass within the mandatory timeframe. Additionally, she would like to have more specific information regarding which students pass for reporting to the accreditor.

Ms. Fenner stated that retesting sooner is under consideration of the task force; however, the size of the test bank is a factor.

VI. STRATEGIC AND COMMUNICATION PLANS

Ms. Fenner referred to the Action Plan Timeline on page 55 of the Board agenda packet. She welcomed feedback from the Board in reference to the priority of the action items.

Ms. Hurt stated that she, Ms. Kramm, and Ms. Fenner recently discussed and drafted a rough timeline of the action items for 2017. Due to the shorter sunset period, she expressed that the Board will need to be succinct and directed for accomplishing action items.

Ms. Hurt indicated that other items have been added to the Board's to-do list since the Strategic Plan was developed, including the formation of the task forces to explore an online skills exam and Web site improvement. The Board plans to update its Web site before taking on the Communication Plan.

VII. RETIRED CATEGORY

Ms. Fenner reported that current statute allows the Board to have an "inactive" category for license status, but the Board currently uses the following categories: active, delinquent, and canceled. The Board may explore adding a "retired" category, but it would require the Board to go through the regulatory process. She requested direction from the Board on whether they would like to move forward with adding the category, and if they want to have staff or a subcommittee bring back specific regulatory language for approval.

Ms. Fenner added that court reporters often identify with their job and that a retired status category may be a courtesy title so they can continue to be associated with the profession. If a retired category is pursued, the Board would need to decide what the category would allow the individual to do within the Scope of Practice, such as certify transcripts they had taken while the license was active. Additionally, parameters would need to be set in

regards to how many times a person could "unretire." Ms. Fenner also suggested the Board determine whether or not there would be a fee associated with a retired status.

Ms. Hurt believed that a subcommittee would be appropriate.

Ms. O'Neill indicated that most reporters who retire from court no longer want to produce transcripts. However, she finds that it is best when the transcript is produced by the reporter who took the hearing. She added that some reporters keep their license active because they never want to take the test again.

Ms. Bruning clarified that reporters who allow their license to expire can prepare transcripts, but they cannot certify them. In some cases, the original reporter prepares the transcript and arranges for an active licensee to certify it. In other cases, the reporter with a non-active license passes the notes to an active licensee to both prepare and certify the transcript.

Ms. Hurt stated that there appeared to be reporters who are retired but active and reporters who are retired but not active, posing two potential status categories.

Ms. Lasensky indicated that the issue is complicated and agreed that a subcommittee or task force with individuals more familiar with the issue would be more suitable to bring suggestions to the Board. She also stated that she is concerned about reporters being retired for long periods of time and then returning to the field with out-of-date skills. Since the Board does not have mandatory continuing education, it may be difficult to ensure someone has remained current in the industry.

Ms. Hurt reminded the Board of the recent court case that may prevent the executive officer from holding a license. She shared how helpful it has been that Ms. Fenner has a background in the industry to aid the Board with real life application of any policies it sets. A retired category may benefit the Board in retaining an industry-experienced executive officer without her having to completely give up the license.

Ms. O'Neill stated that the license fee increase may push some non-working reporters to stop renewing their license. She added that she has questions that need to be answered before she could support the creation of a retired category.

Kay Reindl from Humphreys University suggested the Board consider how other states accommodate this issue. She commented that encompassing a retired category may aid the Board in gleaning accurate statistics on how many reporters are actively engaged in the industry.

Ms. Pulone asked for details about the canceled category. Ms. Fenner responded that licenses can be canceled by request of the licensee, for disciplinary reasons, or if the license is left in the delinquent status for more than three years. Canceled licenses cannot be renewed. If a reporter later desires to be licensed again, he or she must reapply for the licensing examination and will be issued a new license number if successful. Ms. Pulone suggested the Board require proof of skills from retired category licensees before allowing them to return to the active category. In addition, she recommended that if a fee is collected, it should be the same as the active status renewal fee if the retired status allowed reporters to still perform a certain level of practice.

Diane Freeman of CalDRA stated that reporters that have not practiced in many years may cause harm to consumers, even if they maintain an active license. Ms. Lasensky questioned how a retired category would affect the Board's budget if they were no longer paying to keep their licenses active. Ms. Nocella shared her concern.

Ms. Marks expressed concern over a retired status category that would allow a portion of the practice. She commented that an inactive status category may allow licensees to more easily go back and forth between active and inactive. She suggested anyone with an inactive license status be ineligible to practice.

Monica Orosz, court reporting student, suggested that a requirement of renewal be proof that the licensee is still connected to the field.

Ms. Nocella would like more information about how other states address retired court reporter licensees. Ms. Hurt asked staff to add the matter to a future meeting agenda.

VIII. FUTURE MEETING DATES

Ms. Hurt asked staff to poll Board members for the next Board meeting, potentially connected to a dictation examination offered in Southern California.

IX. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

No comments were offered.

Ms. Hurt indicated that Mr. Chan-You would be leaving DCA and no longer working with the Board. She presented a Certification of Appreciation to him for his dedicated service and support to the Board and the consumers of the state of California.

The Board took a break at 12:25 p.m. and convened into closed session at 12:32 p.m.

X. CLOSED SESSION

The Board convened into closed session pursuant to Government Code section 11126(e)(1).

The Board returned to open session at 12:39 p.m.

ADJOURNMENT

Ms. Hurt adjourned the meeting at 12:39 p.m.

DAVINA HURT, Board Chair

DATE

YVONNE K. FENNER, Executive Officer

DATE

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM II – Report of the Executive Officer

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Agenda Description: Report on:

- A. CRB Budget Report
- B. Transcript Reimbursement Fund
- C. Occupational Analysis
- D. Update on amicus brief in re Burd v. Barkley
- E. Enforcement
- F. School Update
- G. BreEZe

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Support Documents:

Attachment 1, Item A – Budget Report, FM 11 Projection 2016-17
Attachment 2, Item A – CRB Fund Condition
Attachment 3, Item B – TRF Fund Condition
Attachment 4, Item E – Enforcement Statistics

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Fiscal Impact: None.

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Report Originator: Yvonne Fenner, 6/26/2017

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Recommended Board Action: Informational only

Updated 6/20/2017

SURPLUS/(DEFICIT):	4.8%
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**0771 - Court Reporters Board
Analysis of Fund Condition**

(Dollars in Thousands)

Prepared on

8/27/2017

**2017-18 Governor's Budget
FM11 Expenditure Projections**

	ACTUAL 2015-16	CY 2016-17	BY 2017-18	BY +1 2018-19
BEGINNING BALANCE	\$ 1,135	\$ 1,134	\$ 556	\$ 246
Prior Year Adjustment	\$ 6	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,141	\$ 1,134	\$ 556	\$ 246
REVENUES AND TRANSFERS				
Revenues:				
125600 Other regulatory fees	\$ 11	\$ -	\$ -	\$ -
125700 Other regulatory licenses and permits	\$ 38	\$ 37	\$ 37	\$ 37
125800 Renewal fees	\$ 866	\$ 856	\$ 850	\$ 850
125900 Delinquent fees	\$ 17	\$ 18	\$ 18	\$ 18
150300 Income from surplus money investments	\$ 5	\$ 3	\$ 3	\$ 3
161400 Miscellaneous revenues	\$ 1	\$ -	\$ -	\$ -
Totals, Revenues	\$ 938	\$ 914	\$ 908	\$ 908
Transfers to Other Funds				
T00410 Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2	\$ -	\$ -300	\$ -	\$ -
Totals, Revenues and Transfers	\$ 938	\$ 614	\$ 908	\$ 908
Totals, Resources	\$ 2,079	\$ 1,748	\$ 1,464	\$ 1,154
EXPENDITURES				
Disbursements:				
9900 Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 57	\$ 76	\$ 76
1110 Program Expenditures (State Operations)	\$ 942	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 1,134	\$ 1,140	\$ 1,163
8880 Financial Information System for California (State Operations)	\$ 2	\$ 1	\$ 2	\$ 2
Total Disbursements	\$ 944	\$ 1,192	\$ 1,218	\$ 1,241
FUND BALANCE				
Reserve for economic uncertainties	\$ 1,134	\$ 556	\$ 246	\$ -87
Months in Reserve	11.4	5.5	2.4	-0.8

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- C. ASSUMES INTEREST RATE AT 0.3%.

Updated

6/20/2017

0410 - Transcript Reimbursement Fund Analysis of Fund Condition

(Dollars in Thousands)

2017-18 Governor's Budget FM 11 Expenditure Projections

	ACTUAL 2015-16	CY 2016-17	BY 2017-18	BY+1 2018-19
BEGINNING BALANCE				
Prior Year Adjustment	\$ 209	\$ 105	\$ 95	\$ 83
Adjusted Beginning Balance	\$ (85)	\$ -	\$ -	\$ -
	\$ 124	\$ 105	\$ 95	\$ 83
REVENUES AND TRANSFERS				
Revenues:				
125600 Other regulatory fees	\$ -	\$ -	\$ -	\$ -
125700 Other regulatory licenses and permits	\$ -	\$ -	\$ -	\$ -
125800 Renewal fees	\$ -	\$ -	\$ -	\$ -
125900 Delinquent fees	\$ -	\$ -	\$ -	\$ -
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 1	\$ 1	\$ 1	\$ 1
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1	\$ 1	\$ 1	\$ 1
Transfers from Other Funds				
F00771 Revenue Transfer from Court Reporters Fund per B&P Code Section 8030.2(d)	\$ -	\$ 300	\$ 300	\$ 300
Totals, Revenues and Transfers	\$ 1	\$ 301	\$ 301	\$ 301
Totals, Resources	\$ 125	\$ 406	\$ 396	\$ 384
EXPENDITURES				
Disbursements:				
9900 Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 14	\$ 14	\$ 14
1110 Program Expenditures (State Operations)	\$ 19	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 296	\$ 298	\$ 300
8880 Financial Information System for California (State Operations)	\$ 1	\$ 1	\$ 1	\$ 1
Total Disbursements	\$ 20	\$ 311	\$ 313	\$ 315
FUND BALANCE				
Reserve for economic uncertainties	\$ 105	\$ 95	\$ 83	\$ 69
Months in Reserve	4.1	3.6	3.2	2.7

NOTES:

- ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- ASSUMES INTEREST RATE AT 0.3%.

Consumer Protection Enforcement Initiative

Fiscal Year 2016-2017 Enforcement Report

July 1, 2016 - May 31, 2017

Complaint Intake

Complaints	July	August	Sept	Oct	Nov	Dec	January	Feb	March	April	May	June	Total
Received	6	7	4	5	2	8	16	7	9	12	5		81
Closed without Assignment for Investigation	0	0	0	0	0	0	0	0	0	0	0		0
Assigned for Investigation	6	7	4	5	2	8	16	7	9	12	5		81
Average Days to Close or Assign for Investigation	1	1	1	1	1	1	1	1	1	1	1		1
Pending	0	0	0	0	0	0	0	0	0	0	0		0 *

Convictions/Arrests Reports	July	August	Sept	Oct	Nov	Dec	January	Feb	March	April	May	June	Total
Received	1	0	1	0	0	0	0	0	0	0	1		3
Closed	0	0	0	0	2	0	0	0	0	0	0		2
Average Days to Close	0	0	0	0	104	0	0	0	0	0	0		104
Pending	1	1	2	2	0	0	0	0	0	0	1		2 *

Investigation

Desk Investigation	July	August	Sept	Oct	Nov	Dec	January	Feb	March	April	May	June	Total
Initial Assignment for Desk Investigation	6	7	4	5	2	8	15	7	9	12	5		80
Closed	4	9	2	11	5	2	6	7	2	4	7		59
Average Days to Close [Straightline]	77	36	53	82	67	23	76	36	9	99	91		64
Pending	27	25	27	21	18	24	33	33	40	48	47		31 *

Field Investigation (Sworn)*	July	August	Sept	Oct	Nov	Dec	January	Feb	March	April	May	June	Total
Assignment for Sworn Field Investigation	0	0	0	0	0	0	1	0	0	0	0		1
Closed	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Close	0	0	0	0	0	0	0	0	0	0	0		0
Pending	0	0	0	0	0	0	1	1	1	1	1		1

All Investigation	July	August	Sept	Oct	Nov	Dec	January	Feb	March	April	May	June	Total
Closed	4	9	2	11	5	2	6	7	2	4	7		59
Average Days to Close [Straightline]	77	36	53	82	67	23	76	36	9	99	91		64
Pending	27	25	27	21	18	24	33	33	40	48	47		31 *

*Average number of cases pending per month

Enforcement Actions

AG Cases	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
AG Cases Initiated	0	0	1	0	0	0	0	0	1	0	0		2
AG Cases Pending	9	8	8	8	8	8	5	2	3	3	2		6 *
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	0	0	1	0	0	0	0	0	0	0	0		1
SOIs Withdrawn	0	0	0	0	0	0	0	0	0	0	0		0
SOIs Dismissed	0	0	0	0	0	0	0	0	0	0	0		0
SOIs Declined	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Complete SOIs	0	0	152	0	0	0	0	0	0	0	0		152
Accusations Filed	2	0	2	0	0	0	0	0	0	0	0		4
Accusations Withdrawn	0	0	0	0	0	0	0	0	0	0	0		0
Accusations Dismissed	0	0	0	0	0	0	0	0	0	0	0		0
Accusations Declined	0	0	0	0	0	0	0	0	0	0	0		0
Average Days to Complete Accusations	217	0	211	0	0	0	0	0	0	0	0		214
Decisions/Stipulations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Proposed/Default Decisions	0	1	0	0	0	0	0	0	0	0	0		1
Stipulations	1	0	0	0	0	3	3	0	0	1	0		8
Disciplinary Orders	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	1	1	1	0	0	0	3	3	0	0	1		10
Average Days to Complete [Straightline]	329	336	643	0	0	0	637	347	0	0	615		488
Interim Suspension Orders	0	0	0	0	0	0	0	0	0	0	0		0
Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	0	1	0	1	0	1	3	2	0	1	4		13
Average Days to Complete [straightline]	0	41	0	108	0	38	112	64	0	167	77		86

*Average number of cases pending per month

AGENDA ITEM III – License Fee Increase

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Agenda Description: Fund condition review for discussion of fee increase

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Brief Summary:

At its January 27th meeting, the Board adopted a resolution to increase the license fee to \$175 for any license that expires on or after January 1, 2018. It has since been brought to staff's attention that the fund condition reports upon which the Board relied when making that decision were incomplete. The item is, therefore, again before the Board for consideration.

The Board's fund should contain a maximum of 24 months in reserve and a minimum of two months. Analysis of the fund condition reflecting the current license fee of \$125 charged by the Board predicts the fund balance falling below six months' reserve at the end of the current 2016-17 budget year as shown on Agenda item II, Attachment 2. The fund condition information shared at the January Board meeting showed that occurring at the end of 2017-18. However, those figures did not include transfers being made to the Transcript Reimbursement Fund, which is the reason for the disparity.

A review of the expenditure projection provided as Attachment 2 to Agenda Item II, the Executive Officer's Report, demonstrates precisely where the expenditures are being made, specifically on our mandated programs and the associated pro rata.

California Business and Professions Code Section 8031(d), Attachment 1, allows the Board via resolution adoption to set a renewal fee appropriate to meet operational expenses, not exceeding \$250. However, DCA staff counsel has informed us that the regulatory process will still have to be a part of the increase. Attachment 2, Scenario A, demonstrates the effects of increasing the license fee \$50 for a total of \$175. Attachment 3, Scenario B, demonstrates the effects of increasing the license fee \$75 for a total of \$200. Attachment 4, Scenario C, demonstrates the effects of increasing the license fee \$100 for a total of \$225. Attachment 5, Scenario D, demonstrates a stepped increase, to \$200 in 2018-19 and to \$225 in 2019-20.

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Support Documents:

Attachment 1 – California Business & Professions Code 8031
Attachment 2 – Analysis of Fund Condition with \$175 fee (Scenario A)
Attachment 3 – Analysis of Fund Condition with \$200 fee (Scenario B)
Attachment 4 – Analysis of Fund Condition with \$225 fee (Scenario C)
Attachment 5 – Analysis of Fund Condition with Stepped Increase (Scenario D)

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Fiscal Impact: Increase in fund balance as shown on Attachments 2, 3, 4, and 5.

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Report Originator: Yvonne Fenner, 6/27/2017

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Recommended Board Action: Staff recommends the Board increase the license fee to \$225 for any license that expires on or after July 1, 2018, and instruct staff to initiate the regulatory process.

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State of California

BUSINESS AND PROFESSIONS CODE

Section 8031

8031. The amount of the fees required by this chapter is that fixed by the board in accordance with the following schedule:

(a) The fee for filing an application for each examination shall be no more than forty dollars (\$40).

(b) The fee for examination and reexamination for the written or practical part of the examination shall be in an amount fixed by the board, which shall be equal to the actual cost of preparing, administering, grading, and analyzing the examination, but shall not exceed seventy-five dollars (\$75) for each separate part, for each administration.

(c) The initial certificate fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, except that, if the certificate will expire less than 180 days after its issuance, then the fee is 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, or fifty dollars (\$50), whichever is greater. The board may, by appropriate regulation, provide for the waiver or refund of the initial certificate fee where the certificate is issued less than 45 days before the date on which it will expire.

(d) By a resolution adopted by the board, a renewal fee may be established in such amounts and at such times as the board may deem appropriate to meet its operational expenses and funding responsibilities as set forth in this chapter. The renewal fee shall not be more than two hundred fifty dollars (\$250) nor less than ten dollars (\$10) annually, with the following exception:

Any person who is employed full time by the State of California as a hearing reporter and who does not otherwise render shorthand reporting services for a fee shall be exempt from licensure while in state employment and shall not be subject to the renewal fee provisions of this subdivision until 30 days after leaving state employment. The renewal fee shall, in addition to the amount fixed by this subdivision, include any unpaid fees required by this section plus any delinquency fee.

(e) The duplicate certificate fee shall be no greater than ten dollars (\$10).

(f) The penalty for failure to notify the board of a change of name or address as required by Section 8024.6 shall be no greater than fifty dollars (\$50).

(Amended by Stats. 2016, Ch. 567, Sec. 10. (AB 2192) Effective January 1, 2017.)

0771 - Court Reporters Board Analysis of Fund Condition

(Dollars in Thousands)

Prepared on

6/21/2017

2017-18 Governor's Budget

Proposed FY 2018-19 Fee Increase of \$50

	ACTUAL 2015-16	CY 2016-17	BY 2017-18	BY +1 2018-19	BY+2 2019-20	BY+3 2020-21	BY+4 2021-22	BY+5 2022-23
BEGINNING BALANCE	\$ 1,135	\$ 1,134	\$ 556	\$ 122	\$ (160)	\$ (465)	\$ (794)	\$ (1,147)
Prior Year Adjustment	\$ 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,141	\$ 1,134	\$ 556	\$ 122	\$ (160)	\$ (465)	\$ (794)	\$ (1,147)
REVENUES AND TRANSFERS								
Revenues:								
125600 Other regulatory fees	\$ 11	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
125700 Other regulatory licenses and permits	\$ 38	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37
Fee Increase of \$50			\$ 2	\$ 4	\$ 4	\$ 4	\$ 4	\$ 4
125800 Renewal fees	\$ 866	\$ 856	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850
Fee Increase of \$50			\$ 170	\$ 340	\$ 340	\$ 340	\$ 340	\$ 340
125900 Delinquent fees	\$ 17	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18
Fee Increase (50% of proposed fee increases)			\$ 4	\$ 7	\$ 7	\$ 7	\$ 7	\$ 7
150300 Income from surplus money investments	\$ 5	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
161400 Miscellaneous revenues	\$ 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 938	\$ 914	\$ 1,084	\$ 1,259	\$ 1,259	\$ 1,259	\$ 1,259	\$ 1,259
Transfers to Other Funds								
T00410 Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2	\$ -	\$ -300	\$ -300	\$ -300	\$ -300	\$ -300	\$ -300	\$ -300
Totals, Revenues and Transfers	\$ 938	\$ 614	\$ 784	\$ 959	\$ 959	\$ 959	\$ 959	\$ 959
Totals, Resources	\$ 2,079	\$ 1,748	\$ 1,340	\$ 1,081	\$ 799	\$ 494	\$ 165	\$ (188)
EXPENDITURES								
Disbursements:								
9900 Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 57	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76
1110 Program Expenditures (State Operations)	\$ 942	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 1,134	\$ 1,140	\$ 1,163	\$ 1,186	\$ 1,210	\$ 1,234	\$ 1,259
8880 Financial Information System for California (State Operations)	\$ 2	\$ 1	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
Total Disbursements	\$ 944	\$ 1,192	\$ 1,218	\$ 1,241	\$ 1,264	\$ 1,288	\$ 1,312	\$ 1,337
FUND BALANCE								
Reserve for economic uncertainties	\$ 1,134	\$ 556	\$ 122	\$ -160	\$ -465	\$ -794	\$ -1,147	\$ -1,525
Months in Reserve	11.4	5.5	1.2	-1.5	-4.3	-7.3	-10.3	-13.4

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- C. ASSUMES INTEREST RATE AT 0.3%.

SCENARIO A

0771 - Court Reporters Board Analysis of Fund Condition

(Dollars in Thousands)

Prepared on

6/28/2017

2017-18 Governor's Budget

Proposed FY 2018-19 Fee Increase of \$75

FM11 Expenditure Projections

	ACTUAL 2015-16	CY 2016-17	BY 2017-18	BY +1 2018-19	BY+2 2019-20	BY+3 2020-21	BY+4 2021-22	BY+5 2022-23
BEGINNING BALANCE	\$ 1,135	\$ 1,134	\$ 556	\$ 46	\$ 239	\$ 209	\$ 155	\$ 177
Prior Year Adjustment	\$ 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,141	\$ 1,134	\$ 556	\$ 46	\$ 239	\$ 209	\$ 155	\$ 177
REVENUES AND TRANSFERS								
Revenues:								
125700 Other regulatory licenses and permits	\$ 49	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37
Fee Increase of \$75				\$ 5	\$ 5	\$ 5	\$ 5	\$ 5
125800 Renewal fees	\$ 866	\$ 856	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850
Fee Increase of \$75				\$ 510	\$ 510	\$ 510	\$ 510	\$ 510
125900 Delinquent fees	\$ 17	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18
Fee Increase (50% of proposed fee increases)				\$ 11	\$ 11	\$ 11	\$ 11	\$ 11
150300 Income from surplus money investments	\$ 6	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
Totals, Revenues	\$ 938	\$ 914	\$ 908	\$ 1,434	\$ 1,434	\$ 1,434	\$ 1,434	\$ 1,434
Transfers to Other Funds								
T00410 Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2	\$ -	\$ -300	\$ -200	\$ -	\$ -200	\$ -200	\$ -100	\$ -100
Totals, Revenues and Transfers	\$ 938	\$ 614	\$ 708	\$ 1,434	\$ 1,234	\$ 1,234	\$ 1,334	\$ 1,334
Totals, Resources	\$ 2,079	\$ 1,748	\$ 1,264	\$ 1,480	\$ 1,473	\$ 1,443	\$ 1,489	\$ 1,511
EXPENDITURES								
Disbursements:								
9900 Statewide General Administrative Expenditures (Pro Rata)		\$ 57	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76
1110 Program Expenditures (State Operations)	\$ 942	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 1,134	\$ 1,140	\$ 1,163	\$ 1,186	\$ 1,210	\$ 1,234	\$ 1,259
8880 Financial Information System for California (State Operations)	\$ 2	\$ 1	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
Total Disbursements	\$ 944	\$ 1,192	\$ 1,218	\$ 1,241	\$ 1,264	\$ 1,288	\$ 1,312	\$ 1,337
FUND BALANCE								
Reserve for economic uncertainties	\$ 1,134	\$ 556	\$ 46	\$ 239	\$ 209	\$ 155	\$ 177	\$ 174
Months in Reserve	11.4	5.5	0.4	2.3	1.9	1.4	1.6	1.5

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- C. ASSUMES INTEREST RATE AT 0.3%.

SCENARIO B

0771 - Court Reporters Board Analysis of Fund Condition

(Dollars in Thousands)

Prepared on

6/27/2017

2017-18 Governor's Budget

Proposed FY 2018-19 Fee Increase of \$100

FM11 Expenditure Projections

	ACTUAL 2015-16	CY 2016-17	BY 2017-18	BY +1 2018-19	BY+2 2019-20	BY+3 2020-21	BY+4 2021-22	BY+5 2022-23
BEGINNING BALANCE	\$ 1,135	\$ 1,134	\$ 556	\$ 246	\$ 615	\$ 661	\$ 683	\$ 681
Prior Year Adjustment	\$ 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,141	\$ 1,134	\$ 556	\$ 246	\$ 615	\$ 661	\$ 683	\$ 681
REVENUES AND TRANSFERS								
Revenues:								
125700 Other regulatory licenses and permits	\$ 49	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37
Fee Increase of \$100				\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
125800 Renewal fees	\$ 866	\$ 856	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850
Fee Increase of \$100				\$ 680	\$ 680	\$ 680	\$ 680	\$ 680
125900 Delinquent fees	\$ 17	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18
Fee Increase (50% of proposed fee increases)				\$ 14	\$ 14	\$ 14	\$ 14	\$ 14
150300 Income from surplus money investments	\$ 6	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
Totals, Revenues	\$ 938	\$ 914	\$ 908	\$ 1,610	\$ 1,610	\$ 1,610	\$ 1,610	\$ 1,610
Transfers to Other Funds								
T00410 Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2	\$ -	\$ -300	\$ -	\$ -	\$ -300	\$ -300	\$ -300	\$ -300
Totals, Revenues and Transfers	\$ 938	\$ 614	\$ 908	\$ 1,610	\$ 1,310	\$ 1,310	\$ 1,310	\$ 1,310
Totals, Resources	\$ 2,079	\$ 1,748	\$ 1,464	\$ 1,856	\$ 1,925	\$ 1,971	\$ 1,993	\$ 1,991
EXPENDITURES								
Disbursements:								
9900 Statewide General Administrative Expenditures (Pro Rata)		\$ 57	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76
1110 Program Expenditures (State Operations)	\$ 942	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 1,134	\$ 1,140	\$ 1,163	\$ 1,186	\$ 1,210	\$ 1,234	\$ 1,259
8880 Financial Information System for California (State Operations)	\$ 2	\$ 1	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
Total Disbursements	\$ 944	\$ 1,192	\$ 1,218	\$ 1,241	\$ 1,264	\$ 1,288	\$ 1,312	\$ 1,337
FUND BALANCE								
Reserve for economic uncertainties	\$ 1,134	\$ 556	\$ 246	\$ 615	\$ 661	\$ 683	\$ 681	\$ 654
Months in Reserve	11.4	5.5	2.4	5.8	6.2	6.2	6.1	5.8

NOTES:

- ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- ASSUMES INTEREST RATE AT 0.3%.

SCENARIO C

0771 - Court Reporters Board Analysis of Fund Condition

(Dollars in Thousands)

2017-18 Governor's Budget

Proposed FY 2018-19 Fee Increase of \$75 & \$25

FM11 Expenditure Projections

	ACTUAL 2015-16	CY 2016-17	BY 2017-18	BY +1 2018-19	BY+2 2019-20	BY+3 2020-21	BY+4 2021-22	BY+5 2022-23
BEGINNING BALANCE	\$ 1,135	\$ 1,134	\$ 556	\$ 246	\$ 440	\$ 486	\$ 508	\$ 506
Prior Year Adjustment	\$ 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,141	\$ 1,134	\$ 556	\$ 246	\$ 440	\$ 486	\$ 508	\$ 506
REVENUES AND TRANSFERS								
Revenues:								
125700 Other regulatory licenses and permits	\$ 49	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37	\$ 37
Fee Increase of \$75				\$ 6				
Fee Increase of \$25					\$ 8	\$ 8	\$ 8	\$ 8
125800 Renewal fees	\$ 866	\$ 856	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850	\$ 850
Fee Increase of \$75				\$ 510				
Fee Increase of \$25					\$ 680	\$ 680	\$ 680	\$ 680
125900 Delinquent fees	\$ 17	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18	\$ 18
Fee Increase (50% of proposed fee increases)				\$ 11				
Fee Increase (50% of proposed fee increases)					\$ 14	\$ 14	\$ 14	\$ 14
150300 Income from surplus money investments	\$ 6	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
Totals, Revenues	\$ 938	\$ 914	\$ 908	\$ 1,435	\$ 1,610	\$ 1,610	\$ 1,610	\$ 1,610
Transfers to Other Funds								
T00410 Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2	\$ -	\$ -300	\$ -	\$ -	\$ -300	\$ -300	\$ -300	\$ -300
Totals, Revenues and Transfers	\$ 938	\$ 614	\$ 908	\$ 1,435	\$ 1,310	\$ 1,310	\$ 1,310	\$ 1,310
Totals, Resources	\$ 2,079	\$ 1,748	\$ 1,464	\$ 1,681	\$ 1,750	\$ 1,796	\$ 1,818	\$ 1,816
EXPENDITURES								
Disbursements:								
9900 Statewide General Administrative Expenditures (Pro Rata)		\$ 57	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76	\$ 76
1110 Program Expenditures (State Operations)	\$ 942	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 1,134	\$ 1,140	\$ 1,163	\$ 1,186	\$ 1,210	\$ 1,234	\$ 1,259
8880 Financial Information System for California (State Operations)	\$ 2	\$ 1	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2	\$ 2
Total Disbursements	\$ 944	\$ 1,192	\$ 1,218	\$ 1,241	\$ 1,264	\$ 1,288	\$ 1,312	\$ 1,337
FUND BALANCE								
Reserve for economic uncertainties	\$ 1,134	\$ 556	\$ 246	\$ 440	\$ 486	\$ 508	\$ 506	\$ 479
Months in Reserve	11.4	5.5	2.4	4.2	4.5	4.6	4.5	4.2

NOTES:

- ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- ASSUMES INTEREST RATE AT 0.3%.

SCENARIO D

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM IV – Legislation

Agenda Description:

A. Non-Licensee-Owned Firms Subcommittee Report – AB 1660 (Kalra)

Brief Summary:

Since the January 27, 2017 Board meeting, the Non-Licensee-Owned Firms (NLOF) Subcommittee has worked with CCRA and DRA to find an author for a firm registration bill. With the Board as the lead sponsor, Assemblyman Ash Kalra agreed to author AB 1660, which, if enacted, would permit court reporting services to be offered by licensees, shorthand corporations as described in Business and Professions Code 8040, or individuals or entities registered with the Board as a court reporter provider. This bill also requires registered court reporter providers to abide by the same laws and regulations as licensed court reporters, and it prohibits licensed court reporters from working with non-registered providers. The text of the bill is Attachment 1, and the sponsor letter is Attachment 2.

Early opposition includes a coalition of out-of-state firms known as California Advocates, Inc., as well as various insurance company associations. Multiple meetings were held with representatives from the insurance companies to reassure them that no underlying court reporting laws were being changed. As long as they were currently following the law, it would be business as usual for them.

The bill has since passed out of the Assembly and is in the Senate. It has been assigned to the Business, Professions, and Economic Development Committee.

Recommended Action: Staff recommends the Board receive the recommendations and report, accept, and file it and to adopt the recommendation/actions of the committee as their own.

Agenda Description:

B. Briefing on current legislation related to the court reporting industry and/or the Court Reporters Board with discussion and possible action.

Brief Summary: (Bills with a notation of *** are of particular interest or impact to court reporting or the Court Reporters Board specifically)

AB 12 (Cooley) – State government: administrative regulations: review (Assembly Committee on Appropriations – held under submission)

This bill would require each state agency to, on or before January 1, 2020, review that agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, as provided, and report to the Legislature and Governor, as specified.

AB 77 (Fong) – Regulations: effective dates and legislative review

(Assembly Committee on Appropriations – two-year bill)

This bill would require the Office of Administrative Law, for each major regulation it approves, to submit a copy to the Legislature for review. Additionally, this bill would provide that a regulation does not become effective if the Legislature enacts a statute to override the regulation.

AB 210 (Wood) – Department of Consumer Affairs: boards: meetings

(Senate Business, Professions & Economic Development Committee)

This bill would require a board to meet once every other calendar year in rural California.

AB 241 (Dababneh) – Personal information: privacy: state and local agency breach

(Assembly Committee on Appropriations – held under submission)

This bill also would require a state or local agency, if it was the source of the breach, to offer to provide appropriate identity theft prevention and mitigation services at no cost to a person whose information was or may have been breached if the breach exposed or may have exposed the person's social security number, driver's license number, or California identification card number.

***** AB 701 (Gallagher) – Access to judicial and nonjudicial proceedings: hearing impaired**

(Assembly Committee on Appropriations – held under submission)

This bill would require the Court Reporters Board of California, no later than January 1, 2019, to adopt rules and identify standards to certify operators of computer-aided transcription systems, as defined, and, on or before July 1, 2019, would require operators of those systems to be certified pursuant to those rules and standards. The bill would prohibit the official reporter or pro tem reporter assigned by the court to produce the official transcript of the proceeding from acting as the operator of the computer-aided transcription system. The bill also would prohibit a civil or criminal proceeding, court-ordered or court-provided alternative dispute resolution, or administrative hearing of a public agency from commencing until the requested system is in place and functioning and would prohibit the court from requiring the use of a computer-aided transcription system if the participant who is deaf or hard of hearing has expressed a preference to use an interpreter. The bill would require the operator of a computer-aided transcription system to provide the speech-to-text equipment to be used, unless otherwise provided by the court.

AB 703 (Flora – Professions and vocations: licensees: fee waiver

(Assembly Business & Professions Committee – two-year bill)

This bill would require every board within the Department of Consumer Affairs to grant a fee waiver for application and issuance of an initial license for an applicant who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States if the applicant holds a current license in the same profession or vocation in another state, district, or territory. The bill would require that an applicant be granted fee waivers for both the application for and issuance of a license if the board charges fees for both. The bill would prohibit fee waivers from being issued for renewal of

a license, for an additional license, a certificate, a registration, or a permit associated with the initial license, or for the application for an examination.

AB 767 (Quirk-Silva) – Master Business License Act

(Assembly Committee on Appropriations - two-year bill)

This bill would create within the Governor's Office of Business and Economic Development, or its successor, a business license center to develop and administer a computerized master business license system to simplify the process of engaging in business in this state.

AB 976 (Berman) – Court reporters: electronic transcripts

(Senate Committee on Judiciary)

This bill is sponsored by the Judicial Council and includes e-filing provisions.

AB 1005 (Calderon) – Department of Consumer Affairs

(Assembly Committee on Appropriations – held under submission)

This bill would require all programs within DCA to issue a 30-day order of abatement in lieu of a fine for all finable violations.

***** AB 1285 (Gipson) – Alcohol Beverage Control Act: administrative hearings: records**

(Senate Committee on Governmental Organization)

Existing law requires proceedings at an administrative hearing to be reported by a stenographic reporter unless there is consent for an electronic report.

This bill would authorize an audio record to be kept as the official record of any administrative hearing conducted by the Department of Alcoholic Beverage Control. In an appeal to the Alcoholic Beverage Appeals Board, when a hearing record has been created by audio recording, the bill would require the department to provide the board and each party with a written transcription and would also authorize the board to request that the department provide the board and each party with a copy of the audio recording in lieu of a transcript as a record of the administrative hearing.

***** AB 1450 (Oberholte) – Court reporters: electronic transcripts**

(Senate Committee on Judiciary)

This bill would instead require an official reporter or official reporter pro tempore to deliver a transcript in electronic form, in compliance with the California Rules of Court, to any court, party, or person entitled to the transcript, as specified, unless, among other things, the party or person requests the transcript in paper form.

SB 27 (Morrell) – Professions and vocations: licensees: military service

(Senate Committee on Appropriations – held under submission)

This bill would require every board within the Department of Consumer Affairs to grant a fee waiver for the application for and the issuance of an initial license to an applicant who supplies satisfactory evidence, as defined, to the board that the applicant has served as an active duty member of the California National Guard or the United States Armed Forces and was honorably discharged. The bill would require that a veteran be granted only one fee waiver, except as specified.

***** SB 76 (Nielsen) – Excluded employees: arbitration**

(Assembly Committee on Judiciary)

This bill would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specified conditions are met. The bill would require the designation of a standing panel of arbitrators and, under specified circumstances, the provision of arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board. The bill would then require the arbitrator to be chosen in a specified manner and would prescribe the duties of that arbitrator. The bill would provide that a party to the arbitration has the right to have a certified shorthand reporter transcribe the proceeding and that the transcription would be the official record of the proceeding. The bill would require a nonprevailing party, other than an excluded employee, to bear the costs of arbitration, including the cost of a certified shorthand reporter, and would prohibit the costs of arbitration from being passed on to the excluded employee. The bill would make a statement of legislative intent and various findings and declarations with regard to the above.

SB 244 (Lara) – Privacy: agency: personal information

(Assembly Committees on Judiciary and Privacy and Consumer Protection)

This bill would amend Business and Professions Code section 30 to clarify that personally identifiable information such as a federal employer identification number, individual taxpayer identification number, or social security number furnished for the purposes of licensure are exempt from disclosure under the California Public Records Act, and not open for public inspection.

SB 484 (Roth) – Deposition reporting services: unlawful business practices

(Assembly Judiciary Committee)

This bill would provide that it is unlawful for a who is employed by or who independently contracts with an entity that arranges for deposition officers to report or transcribe deposition testimony offer, pursuant to any agreement or understanding, oral or otherwise, any gift, incentive, reward, or anything of value to any person or entity, as defined, associated with a proceeding being reported or transcribed. The bill would also provide that a violation of this provision is punishable by a civil fine not to exceed \$5,000 for each violation, and would authorize the Attorney General, a district attorney, or a city attorney to bring a civil action for a violation of this provision.

SB 715 (Newman) – Department of Consumer Affairs: regulatory boards: removal of board members

(Assembly Appropriations Committee)

This bill would grant the Governor the power to remove from office at any time, any member of any board appointed by him or her for continued neglect of duties required by law, which may include the failure to attend board meetings or for incompetence, or unprofessional or dishonorable conduct.

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Support Documents:

- Attachment 1 – AB 1660 (Kalra)
- Attachment 2 – AB 1660 (Kalra) Sponsor Letter
- Attachment 3 – AB 701 (Gallagher)
- Attachment 4 – AB 1285 (Gipson)
- Attachment 5 – AB 1450 (Oberholte)
- Attachment 6 – SB 76 (Nielsen)

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Report Originator: Yvonne Fenner, 6/23/17

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Recommended Board Action:

Staff recommends the Board review the proposed bills and decide if they wish to support, oppose, or remain neutral.

**AMENDED IN SENATE JUNE 20, 2017
AMENDED IN ASSEMBLY MAY 2, 2017
AMENDED IN ASSEMBLY APRIL 3, 2017**

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

Assembly Bill No. 1660

Introduced by Assembly Member Kalra

February 17, 2017

An act to add Article 6 (commencing with Section 8050) to Chapter 13 of Division 3 of the Business and Professions Code, relating to court reporters, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1660, as amended, Kalra. Court reporter providers.

Existing law requires, upon court order or, in certain cases, upon request of a party to the action, an official court reporter or reporter pro tempore to take down in shorthand all testimony, objections made, rulings of the court, exceptions taken, arraignments, pleas, sentences, arguments of the attorneys to the jury, and statements and remarks made and oral instructions given by the judge or other judicial officer. Existing law requires shorthand reporters to be licensed and regulated by the Court Reporters Board of California, which is within the Department of Consumer Affairs. Existing law prohibits a person from being appointed to the position of official reporter of any court unless the person has first obtained a license to practice as a certified shorthand reporter from the Court Reporters Board of California. Existing law requires licensees to pay a fee that is deposited into the Court Reporters' Fund, which is continuously appropriated. Existing law makes a violation of these provisions a misdemeanor.

This bill, on and after January 1, 2019, would authorize an individual or entity to engage in the business of providing or arranging for court reporters for the transcription of court proceedings if specified conditions are met, including that an individual be licensed by the board as a court reporter, that an entity be a shorthand reporting corporation or that the individual or entity be registered as a court reporter provider. The bill would require an individual or entity that registers with the board as a court reporter provider to adhere to the same laws and regulations that are applicable to the conduct of certified shorthand reporters, including the requirement for a licensee to pay a fee, as specified, that will be deposited into the Court Reporter's Fund. By requiring a court reporter provider to pay a fee that is deposited into a continuously appropriated fund, the bill would make an appropriation. The bill would require the board to create and make available on its Internet Web site a directory of registered court reporter providers. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes. Local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Article 6 (commencing with Section 8050) is added to Chapter 13 of Division 3 of the Business and Professions Code, to read:

Article 6. Court Reporter Providers

8050. (a) On and after January 1, 2019, an individual or entity may engage in the business of providing or arranging for court reporters for the transcription of court proceedings if one of the following requirements are met:

- (1) The individual is licensed as a court reporter.
- (2) The entity is a shorthand reporting corporation as described in Section 8040.
- (3) The individual or entity is registered with the board as a court reporter provider.

(b) (1) An individual or entity registered as a court reporter provider described in paragraph (3) of subdivision (a) shall be subject to the same laws and regulations that are applicable to the conduct of certified shorthand reporters.

(2) The board may charge a fee for the registration of individuals or entities described in paragraph (3) of subdivision (a) that shall not be more than reasonably necessary for the administration of a registration program.

(c) An individual or entity described in paragraph (1) or (2) of subdivision (a) shall not engage in the practice of court reporting on behalf of an individual or entity that is not registered with the board as a court reporter provider, and shall verify whether a person or entity is registered with the board as a court reporter provider before engaging in the practice of court reporting on behalf of that person or entity.

(d) Nothing in this section shall be construed to prohibit a licensed court reporter, shorthand reporting corporation, or registered court reporter provider from providing long-term or multicase volume discounts or services ancillary to reporting and transcribing a deposition or judicial proceeding in contracts that are subject to laws related to shorthand reporting.

8052. The board shall create and make available on its Internet Web site a directory of registered court reporter providers.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

**COURT REPORTERS BOARD
OF CALIFORNIA**

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Fax (916) 263-3664 / www.courtreportersboard.ca.gov



April 13, 2017

Attachment 2
Agenda Item IV.A

The Honorable Ash Kalra
Member, California State Assembly
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0027

RE: AB 1660 (Kalra) Court Reporter Providers - Sponsor

Dear Assemblyman Kalra:

The Court Reporters Board of California (Board) is deeply grateful for your authorship of AB 1660 and your support of the board's efforts to ensure the consumers of court reporting services in California are protected whether they secure those services through a licensee-owned firm or through a non-licensee-owned firm. There is room in the California court reporting market for all competition who are willing to follow the law as properly set out by the California Legislature.

While out-of-state firms have operated successfully in California for a number of years, it has only been within the last ten years or so that a growing number have boldly asserted that they are not subject to the laws and regulations that govern the court reporting industry and that the Board has no jurisdiction over them. What started out as a "minor" stretching of the law has evolved into a flagrant disregard for California consumers and the protections determined by the legislature to be absolutely necessary. And, the Board emphasizes California consumers because many of these firms have no problem submitting to firm registration and following laws in their own home states such as Texas. Why can they not follow similar laws in California?

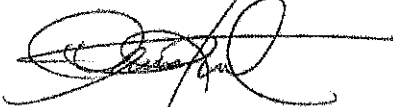
After working with the Attorney General's office for many years and exhausting the various options for compliance to existing laws, firm registration is an uncomplicated, smart solution for all businesses who are providing court reporting services, as well as a vetted standard by many other large states. As you are aware, court reporting is not a "true" free market. In a deposition setting, the noticing attorney has the ability to choose the court reporter, and opposing counsel are forced to get transcripts from that reporter. Because of this dynamic, the Code of Civil Procedure sets out laws to ensure goods and services are handled fairly, available to all sides at the same time. AB 1660 expressly states, without doubt or confusion, that the Board regulates all providers of court reporting services and all will be held to the same laws and regulations as intended by the Legislature.

To ensure the integrity, neutrality and fairness of the judicial process, all litigants must be assured that transcripts provided by court reporting services are honestly and accurately prepared. This is a hallmark of this industry that must not be compromised. Without holding all entities to the same laws and regulations, it creates inequities within the provision of court reporting services and can undermine the integrity of the judicial system.

AB 1660 (Kalra) Court Reporter Providers - Sponsor
April 13, 2017
Page 2

Thank you for authoring and advocating for this bill; we look forward to doing all we can to support you. Please consider the Board a valuable resource and do not hesitate to contact me if you have any thoughts or questions to discuss.

With many thanks and appreciation,

A handwritten signature in black ink, appearing to read 'Davina Hurt', with a long horizontal flourish extending to the right.

DAVINA HURT
Chairperson

CC: Department of Consumer Affairs

AMENDED IN ASSEMBLY MARCH 30, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

Assembly Bill No. 701

Introduced by Assembly Member Gallagher

February 15, 2017

An act to amend Section 54.8 of the Civil Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 701, as amended, Gallagher. Access to judicial and nonjudicial proceedings: hearing impaired.

Existing law requires that a participant in any civil or criminal proceeding, court-ordered or court-provided alternative dispute resolution, or administrative hearing of a public agency, who is hearing impaired be provided with a functioning assistive listening system or a computer-aided transcription system, upon his or her request. Existing law requires, if a computer-aided transcription system is requested, sufficient display terminals be provided to allow the hearing impaired individual to read the real-time transcript of the proceeding without difficulty. Existing law requires the Court Reporters Board of California to license and regulate the practice of shorthand reporting, defined to generally mean, among other things, the making of a verbatim record of any oral court proceeding.

~~This bill would require an operator of a computer-aided transcription system to be certified by a state or national association approved by the Court Reporters Board of California. California, no later than January 1, 2019, to adopt rules and identify standards to certify operators of computer-aided transcription systems, as defined, and, on or before July 1, 2019, would require operators of those systems to be certified pursuant to those rules and standards. The bill would prohibit the 98 official reporter or pro tem reporter assigned by the court to produce the official transcript of the proceeding from acting as the operator of the computer-aided transcription system. The bill also would prohibit a civil or criminal proceeding, court-ordered or court-provided alternative dispute resolution, or administrative hearing of a public agency from commencing until the requested system is in place and functioning and would prohibit the court from requiring the use of a computer-aided transcription system if the participant who is deaf or hard of hearing has expressed a preference to use an interpreter. The bill would require the operator of a computer-aided transcription system to provide the speech-to-text equipment to be used, unless otherwise provided by the court.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 54.8 of the Civil Code is amended to line 2 read:

54.8. (a) In (1) ~~any~~ For a civil or criminal proceeding, including, but not limited to, traffic, small claims court, family court proceedings and services, and juvenile court

proceedings, ~~in any~~ for a court-ordered or court-provided alternative dispute resolution, including mediation and arbitration, or ~~in any for an~~ administrative hearing of a public agency, where ~~in which~~ a party, witness, attorney, judicial employee, judge, juror, or other participant who is ~~hearing-impaired, deaf or hard of hearing~~, the individual who is ~~hearing-impaired, deaf or hard of hearing~~, upon his or her request, shall be provided with a functioning assistive listening system or a computer-aided transcription system. Any individual requiring this equipment shall give advance notice of his or her need to the appropriate court or agency at the time the hearing is set or not later than five days before the hearing. ~~the services of an operator of a computer-aided transcription system.~~

(2) *An individual requiring this equipment or the services of an operator of a computer-aided transcription system shall give advance notice of his or her need to the appropriate court or agency at the time the hearing is set or not later than five days before the hearing.*

(3) *If an assistive listening system or the services of an operator of a computer-aided transcription system are requested, the proceeding or administrative hearing described in paragraph (1) shall not commence until the requested system is in place and functioning or the services can be performed.*

(b) (1) Assistive listening systems include, but are not limited to, special devices ~~which that~~ transmit amplified speech by means of audio-induction loops, radio frequency systems (AM or FM), or infrared transmission. Personal receivers, headphones, and neck loops shall be available upon request by individuals who are ~~hearing-impaired, deaf or hard of hearing~~.

(2) *A computer-aided transcription system is a system that provides real-time captioning or other similar technology and that is operated by a person certified pursuant to subdivision (c).*

(c) *No later than January 1, 2019, the Court Reporters Board of California shall adopt rules and identify standards to certify operators of computer-aided transcription systems. On or before July 1, 2019, an operator of a computer-aided transcription system shall be certified pursuant to the rules and standards established pursuant to this subdivision.*

(d) *The official reporter or pro tem reporter assigned by the court to produce the official transcript of the proceeding shall not be the operator of a computer-aided transcription system.*

(e) *The operator of a computer-aided transcription system shall provide the speech-to-text equipment to be used, unless otherwise provided by the court.*

(e) (f) *If a computer-aided transcription system is requested, sufficient display terminals shall be provided to allow the individual who is hearing impaired to read the real-time transcript captioning of the proceeding without difficulty.*

(d) (g) *A sign shall be posted in a prominent place indicating the availability of, and how to request, an assistive listening system and the services of an operator of a computer-aided transcription system. Notice of the availability of the systems shall be posted with notice of trials.*

(e) (h) *Each superior court shall have at least one portable assistive listening system for use in any court facility within the county. When not in use, the system shall be stored in a location determined by the court.*

(f) (i) *The Judicial Council shall develop and approve official forms for notice of the availability of assistive listening systems and the services of operators of computer-aided transcription systems for individuals who are hearing-impaired, deaf or hard of hearing. The Judicial Council shall also develop and maintain a system to record*

utilization by the courts of these assistive listening systems and computer-aided transcription systems.

~~(g) (j)~~ (1) If the individual who is ~~hearing-impaired- deaf or hard of hearing~~ is a juror, the jury deliberation room shall be equipped with an assistive listening system or a computer-aided transcription system upon the request of the juror.

~~(h) (2) A court reporter- The operator of a computer-aided transcription system~~ may be present in the jury deliberating room during a jury deliberation if the services of a ~~court reporter for the purpose of operating a computer-aided transcription system- the operator~~ are required for a juror who is ~~hearing-impaired- deaf or hard of hearing~~.

~~(i) (k)~~ In any of the proceedings referred to in subdivision (a), or in any administrative hearing of a public agency, in which the individual who is ~~hearing-impaired- is a party- If a~~ witness, attorney, judicial employee, judge, juror, or other participant, and has requested use of an assistive listening system or computer-aided transcription system, the proceedings shall not commence until the system is in place and functioning. ~~participant who is deaf or hard of hearing has expressed a preference to use an interpreter pursuant to Section 754 of the Evidence Code, the court shall not require the use of a computer-aided transcription system in lieu of the interpreter.~~

~~(j) (l)~~ As used in this section, "individual who is ~~hearing-impaired- deaf or hard of hearing~~" means an individual with a hearing loss, who, with sufficient amplification or ~~with the services of an operator of~~ a computer-aided transcription system, is able to fully participate in the proceeding.

~~(k) (m)~~ In no case shall this section- This section shall not be construed to prescribe a lesser standard of accessibility or usability than that provided by Title II of the Americans with Disabilities Act of 1990 (Public Law 101-336) and federal regulations adopted pursuant to that act.

AMENDED IN SENATE JUNE 19, 2017
AMENDED IN SENATE MAY 24, 2017
AMENDED IN ASSEMBLY APRIL 19, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

Assembly Bill No. 1285

Introduced by Assembly Member Gipson

February 17, 2017

An act to amend Sections 23083 and 24310 of, and to add Section 24301 to, the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1285, as amended, Gipson. Alcoholic Beverage Control Act: administrative hearings: records.

Existing law, the Alcoholic Beverage Control Act, requires a record of any administrative hearing of the Department of Alcoholic Beverage Control, and if an appeal is made to the Alcoholic Beverage Appeals Board, requires the board to determine the appeal upon the record of the department and upon any briefs authorized to be filed by the parties.

Existing law requires proceedings at an administrative hearing to be reported by a stenographic reporter unless there is consent for an electronic report.

~~This bill would authorize an audio record to be kept as the official record of any administrative hearing conducted by the Department of Alcoholic Beverage Control. In an appeal to the Alcoholic Beverage Appeals Board, when a hearing record has been created by audio recording, the bill would require the department to provide the board and each party with a written transcription and would also authorize the board to request that the department provide the board and each party with a copy of the audio recording in lieu of a transcript as a record of the administrative hearing. prohibit the department from creating a videographic recording of a hearing as a record and provide that a videographic recording is inadmissible in specified hearings.~~

~~If any party to the appeal requests the right to appear before the board, existing law requires the Alcoholic Beverage Appeals Board to fix a time and place for argument.~~

~~This bill would authorize the Alcoholic Beverage Appeals Board to keep a record of the argument before the board by audio recording.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. Section 23083 of the Business and Professions Code is amended to read:~~
~~23083.~~

~~(a) The board shall determine the appeal upon the record of the department and upon any briefs which may be filed by the parties. If any party to the appeal requests the right to appear before the board, the board shall fix a time and place for argument. The board may keep a record of the argument by audio recording. The board shall not~~

~~receive any evidence other than that contained in the record of the proceedings of the department.~~

~~(b)Notwithstanding Section 11425.10 of the Government Code, Chapter 4.5 (commencing with Section 11400) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to the determination.~~

~~SEC. 2. SECTION 1.~~

~~Section 24301 is added to the Business and Professions Code, to read:~~

~~24301.~~ ~~Notwithstanding subdivision (d) of Section 11512 of the Government Code, an audio record may be kept as the official record of any administrative hearing conducted by the department. The department shall not create such a record by videographic recording. Videographic recording of a hearing shall be inadmissible in any proceeding before the Alcoholic Beverage Control Appeals Board or in any proceeding taken under Section 23090.~~

~~SEC. 3. Section 24310 of the Business and Professions Code is amended to read: 24310.~~

~~(a)Any person requesting a transcript from the department in a case on appeal to the Alcoholic Beverage Control Appeals Board, shall pay the transcript cost specified in Section 69950 of the Government Code. Any actual cost in excess thereof shall be paid by the Appeals Board from the Alcoholic Beverage Control Appeals Fund.~~

~~(b)A party in a case on appeal to the Appeals Board who, in 1983 or 1984, has paid that portion of the transcript fee in excess of the fee specified in Section 69950 of the Government Code shall be refunded that excess by payment from the Alcoholic Beverage Control Appeals Fund, providing the Appeals Board has not issued a dismissal or other final decision in the case on appeal.~~

~~(c)When a hearing record has been created by audio recording, the department shall provide the Appeals Board and each party with a written transcription of the audio recording. The Appeals Board may request that the department provide it and each party with a copy of the audio recording in lieu of a transcript. In these cases, the recording shall serve as the record of the hearing for purposes of Section 23083.~~

AMENDED IN SENATE JUNE 19, 2017
AMENDED IN ASSEMBLY APRIL 20, 2017
AMENDED IN ASSEMBLY APRIL 6, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

Assembly Bill No. 1450

Introduced by Assembly Member Obernolte

February 17, 2017

An act to repeal and add Section 271 of the Code of Civil Procedure, relating to court reporters.

LEGISLATIVE COUNSEL'S DIGEST

AB 1450, as amended, Obernolte. Court reporters: electronic transcripts.

Existing law requires an official reporter or official reporter pro tempore of the superior court to take down in shorthand specified information regarding the testimony and proceedings before the court in civil cases, felony cases, and misdemeanor or infraction cases on order of the court, and in only civil cases or felony cases, at the request of a party or counsel. Existing law authorizes a court, party, or other person entitled to a transcript to request that it be delivered in computer-readable form, except as specified.

This bill would instead require an official reporter or official reporter pro tempore to deliver a transcript in electronic form, in compliance with the California Rules of Court, to any court, party, or person entitled to the transcript, as specified, unless, among other things, the party or person requests the transcript in paper form. *The bill would provide that an official reporter or official reporter pro tempore is not required to use a specific vendor, technology, or software to comply with this requirement unless he or she agrees with the court, party, or person entitled to the transcript to use a specific vendor, technology, or software.*

Vote: majority. Appropriation: no. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 271 of the Code of Civil Procedure is repealed.

SEC. 2. Section 271 is added to the Code of Civil Procedure, to read:

271. (a) An official reporter or official reporter pro tempore shall deliver a transcript in electronic form, in compliance with the California Rules of Court, to any court, party, or person entitled to the transcript, unless any of the following apply:

(1) The party or person entitled to the transcript requests the reporter's transcript in paper form.

(2) ~~If, prior to January 1, 2020, Prior to January 1, 2023, the court lacks the technical ability to use or store a transcript in electronic form pursuant to this section, the transcript may instead be delivered, upon request, in full-text searchable portable document format (PDF) or other searchable format approved by the court if the proceedings were produced utilizing computer-aided transcription equipment. section~~

and provides advance notice of this fact to the official reporter or official reporter pro tempore.

(3) If, ~~prior to January 1, 2020,~~ *Prior to January 1, 2023*, the official reporter or official reporter pro tempore lacks the technical ability to deliver a transcript in electronic form pursuant to this section and provides advance notice of this fact to the court, party, or person entitled to the transcript, ~~the transcript may instead be delivered, upon request, in full text-searchable portable document format (PDF) or other searchable format approved by the court if the proceedings were produced utilizing computer-aided transcription equipment.~~ *transcript.*

(b) If a paper transcript is provided pursuant to subdivision (a), a copy of the original transcript ordered within 120 days of the filing or delivery of the transcript by the official reporter or official reporter pro tempore shall be delivered upon request in full text-searchable portable document format (PDF) if the proceedings were produced utilizing computer-aided transcription equipment.

~~(b)~~

(c) Nothing in this section changes any requirement set forth in Section 69950 or 69954 of the Government Code, regardless of whether a transcript is delivered in electronic or paper form.

~~(c)~~ An

(d) *Except as provided in subdivision (b), an electronic transcript delivered in accordance with this section shall be deemed to be an original transcript for all purposes, including any obligation of an attorney to maintain or deliver a file to a client.*

~~(d)~~

(e) An electronic transcript shall comply with any format requirement imposed pursuant to subdivision (a). However, an official reporter or official reporter pro tempore shall not be required to use a specific ~~vendor~~ *vendor, technology, or software* to comply with this section, unless the official reporter or official reporter pro tempore agrees with the court, party, or person entitled to the transcript to use a specific ~~vendor~~ *vendor, technology, or software*. Absent that agreement, an official reporter or official reporter pro tempore may select the ~~technology~~ *vendor, technology, and software* to comply with this section and the California Rules of Court. *In adopting transcript format requirements for the California Rules of Court, consideration shall be given on a technology-neutral basis to the availability of relevant vendors of transcript products, technologies, and software.*

(f) *After January 1, 2023, if new or updated rule of court format requirements for electronic transcripts necessitate a significant change in equipment or software owned by official reporters or official reporters pro tempore, the official reporters and official reporters pro tempore shall be given no less than one year to comply with the format requirements. If the change is necessary to address a security issue, then a reasonable time shall be given to comply with the new format requirements.*

AMENDED IN SENATE MARCH 22, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

Senate Bill No. 76

Introduced by Senator Nielsen

January 10, 2017

An act to add Chapter 10.6 (commencing with Section 3539.75) to Division 4 of Title 1 of the Government Code, relating to state employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 76, as amended, Nielsen. Excluded employees: arbitration.

The Bill of Rights for State Excluded Employees permits, among other things, excluded employee organizations to represent their excluded members in their employment relations, including grievances, with the state. That law defines excluded employees as all managerial employees, confidential employees, supervisory employees, as well as specified employees of the Department of Personnel Administration, the Department of Finance, the Controller's office, the Legislative Counsel Bureau, the Bureau of State Audits, the Public Employment Relations Board, the Department of Industrial Relations, and the State Athletic Commission.

This bill would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specified conditions are met. The bill would require the designation of a standing panel of arbitrators and, under specified circumstances, the provision of arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board. The bill would then require the arbitrator to be chosen in a specified manner and would prescribe the duties of that arbitrator. The bill would provide that a party to the arbitration has the right to have a certified shorthand reporter transcribe the proceeding and that the transcription would be the official record of the proceeding. The bill would require a nonprevailing party, other than an excluded employee, to bear the costs of arbitration, including the cost of a certified shorthand reporter, and would prohibit the costs of arbitration from being passed on to the excluded employee. The bill would make a statement of legislative intent and various findings and declarations with regard to the above.

Vote: majority. Appropriation: no. Fiscal committee: yes. Local program: no.

The people of the State of California do enact as follows:

SECTION 1. (a) It is the intent of the Legislature that state excluded employees shall have the right to arbitration as a fifth step to the excluded employee grievance procedure. The present grievance procedure leaves too many grievances unresolved. This lack of resolution has caused more cases to be filed in California's courts, which could have been resolved at a lower level.

(b) The Legislature finds and declares all of the following:

(1) The grievance system for state excluded employees is virtually illusory, with the overwhelming majority of grievances of excluded employees being summarily denied.

(2) The practice of blanket grievance denial forces excluded employee organizations to go to court. Litigation is not only time consuming, but also costly to both the excluded employee organizations and the State of California.

(3) ~~Arbitration~~-*Employee grievance arbitration for excluded employees* results in timely resolution of grievances and is far less costly than ~~litigation~~. *litigation for both the State of California and for those excluded employees.*

(4) ~~Arbitration~~-*Employee grievance arbitration* promotes settlement of grievances in advance of actual arbitration. Sixty percent of arbitration requests are settled in advance of any arbitral hearing.

SEC. 2. Chapter 10.6 (commencing with Section 3539.75) is added to Division 4 of Title 1 of the Government Code, to read:

CHAPTER 10.6. Excluded Employee Arbitration Act

3539.75. This chapter shall be known, and may be cited, as the Excluded Employee Arbitration Act.

3539.76. For purposes of this chapter:

(a) "Department" means the Department of Human Resources.

(b) "Excluded employee" means an excluded employee of the state, as defined in subdivision (b) of Section 3527.

(c) "Employee organization" means any organization that represents excluded employees of the State of California.

(d) "Employer" means the State of California.

(e) "Arbitration" means the process that results in a binding ruling that resolves an excluded employee grievance as the final level of the excluded employee grievance process.

3539.77. An employee organization representing an employee who has filed a grievance with the department may request arbitration of the grievance if all of the following conditions are met:

(a) The grievance alleges a dispute that is subject to the procedures established in Section 599.859 of Title 2 of the California Code of Regulations, as that section read on January 1, 2017.

(b) The grievance has not been resolved to the employee organization's satisfaction after either of the following, as applicable, pursuant to regulations of the department governing grievances for excluded employees:

(1) The fourth level of review.

(2) In cases where there is no fourth level of review, the third level of review.

(c) The employee organization requests arbitration in writing, submitted to the department, within 21 days of a decision rendered in either of the following, as applicable:

(1) The fourth level of review.

(2) In cases where there is no fourth level of review, the third level of review.

3539.78. (a) After a request for arbitration is made, the department and the employee organization shall designate a standing panel of at least 20 arbitrators who shall be available for arbitration under this chapter.

(b) If there are fewer than three arbitrators available, then the employee organization or the employer may obtain the names of an additional five arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board.

(c) From that standing panel, the employee organization and the employer may consecutively strike any arbitrator from that panel until the name of one arbitrator is agreed upon, or, if no agreement is made, the last remaining person on the panel shall be designated the arbitrator. The name of that arbitrator shall be submitted in writing to the department.

(d) If the employee organization does not submit its choice of an arbitrator within 45 days after requesting arbitration, the request for arbitration shall be considered withdrawn. A request that is withdrawn shall not prevent the employee from pursuing other grievance procedures available by law.

3539.79. (a) A party to the arbitration shall have the right to have a certified shorthand reporter transcribe the proceeding. The transcript shall be the official record of the proceeding.

(b) The arbitrator shall apply California law to the facts. The arbitrator shall issue a decision for each grievance heard during the arbitration. The decision shall be based solely on the written record in the grievance, the grievance response, and the oral presentations made at the arbitration. The arbitrator's decision shall be legally binding.

(c) The arbitrator shall issue a written decision within 45 days of the conclusion of the hearing.

(d) The arbitrator shall order the nonprevailing party to pay the cost of the arbitration, including the cost of a certified shorthand reporter. The arbitrator shall not order the excluded employee to pay the cost of arbitration or the cost of a certified shorthand reporter, and the cost of arbitration, including the cost of a certified shorthand reporter, shall not be passed on to the excluded employee.

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM V – Retired Category

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Agenda Description: Discussion and possible action on establishing a license category of Retired.

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Brief Summary:

At the January 27, 2017 meeting, the Board discussed the concept of adding a Retired category to our license status as reflected in the minutes attached to agenda item I.B. The Board requested information on how other states address retired court reporter licenses and requested the matter be put on a future agenda.

Staff contacted court reporting boards in the states that license court reporters and found that most states do not have a retired category for their licensees. Those that did allowed licensees to “unretire” if they were current on fees and any continuing education required.

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Fiscal Impact: There would be IT costs associated with making changes to the databases currently used by the Board. Additionally, there would be staff time necessary to complete the regulatory process.

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Report Originator: Yvonne Fenner, 2/23/2017

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Recommended Board Action: If the Board wishes to pursue this issue, staff recommends appointment of a task force to meet with industry stakeholders to develop regulatory language for implementation of a Retired or Inactive category.

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM VI – Examination Pass Rates

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Agenda Description: Discussion and possible action on trending pass rates of the three portions of the license exam.

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Brief Summary:

The license exam consists of three portions: English (written), Professional Practice (written), and Dictation (skills). At each meeting, the Board reviews pass rates to watch for trends that may require Board action. The most recent pass rates for English are included on Attachment 1, for Professional Practice on Attachment 2, and for Dictation on Attachment 3.

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Support Documents:

Attachment 1 – English Examination Pass Rates
Attachment 2 – Professional Practice Pass Rates
Attachment 3 – Dictation Pass Rates

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Report Originator: Yvonne Fenner, 2/23/2017

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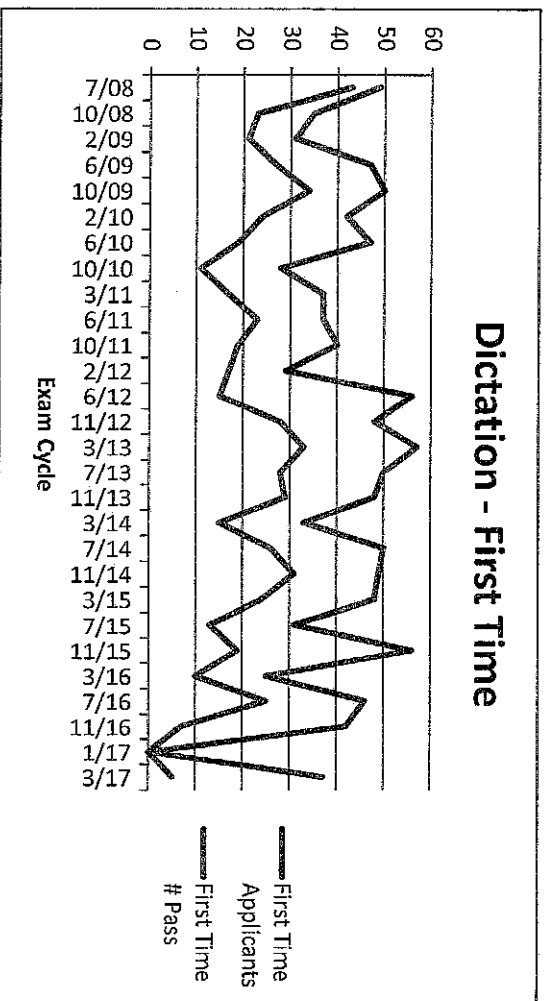
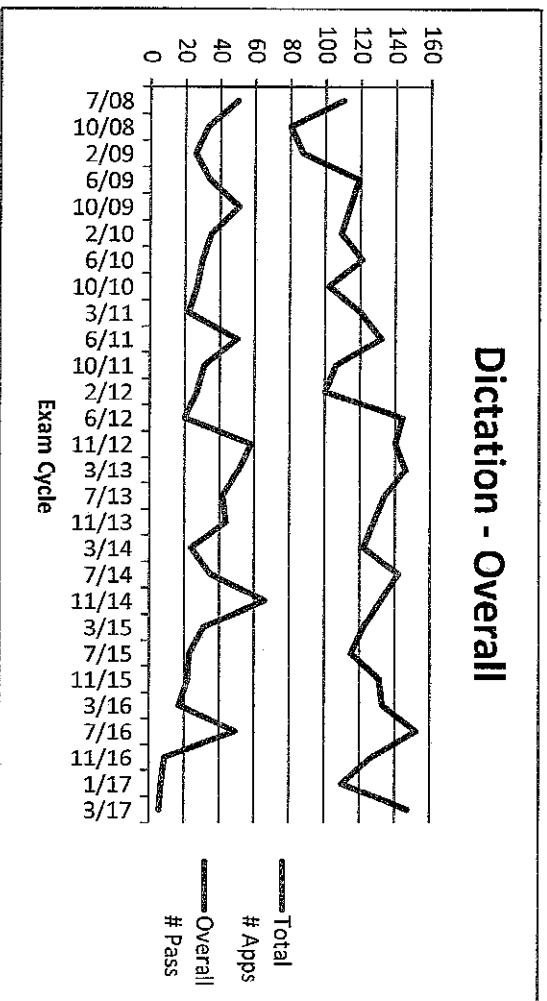
Recommended Board Action: Staff recommends the Board review the pass rates and discuss issues demonstrated from pass rate trends.

Dictation Exam

Attachment 1
Agenda Item VI

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008	110	50	45.45%	49	43	87.76%
Oct 2008	80	33	41.25%	35	23	65.71%
Feb 2009	87	26	29.89%	31	21	67.74%
Jun 2009	119	34	28.57%	47	27	57.45%
Oct 2009	114	51	44.74%	50	34	68.00%
Feb 2010	109	35	32.11%	42	24	57.14%
Jun 2010	121	30	24.79%	47	19	40.43%
Oct 2010	102	27	26.47%	28	11	39.29%
Mar 2011	120	22	18.33%	37	17	45.95%
Jun 2011	132	50	37.88%	37	23	62.16%
Oct 2011	106	31	29.25%	40	19	47.50%
Feb 2012	100	27	27.00%	29	17	58.62%
Jun 2012	144	20	13.89%	56	15	26.79%
Nov 2012	140	58	41.40%	48	28	58.33%
Mar 2013	146	51	34.90%	57	33	57.90%
Jul 2013	134	42	31.30%	50	28	56.00%
Nov 2013	128	44	34.40%	48	29	60.40%
Mar 2014	122	24	19.70%	33	15	45.50%
Jul 2014	142	35	24.60%	50	26	52.00%
Nov 2014	132	66	50.0%	49	31	63.3%
March 2015	122	31	25.4%	48	24	50.0%
July 2015	115	23	20.0%	31	13	41.9%
Nov 2015	131	22	16.8%	56	19	33.9%
March 2016	133	17	12.8%	25	10	40.0%
July 2016	152	49	32.2%	46	25	54.3%
Nov 2016	127	9	7.1%	42	7	16.7%
Jan 2017 (Nov 2016 retest)	110	7	6.4%	n/a	n/a	n/a
Mar 2017	147	6	4.1%	37	5	13.5%

Dictation Exam

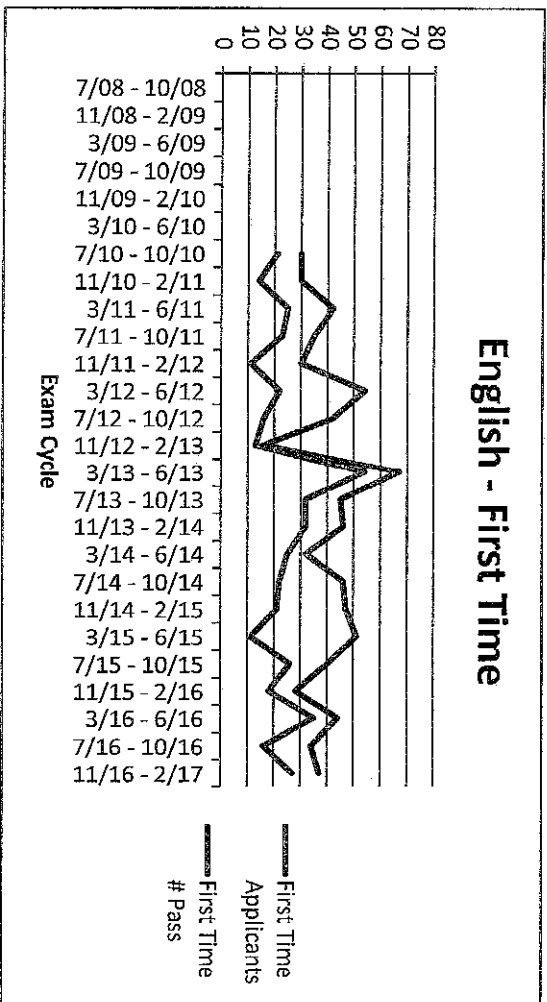
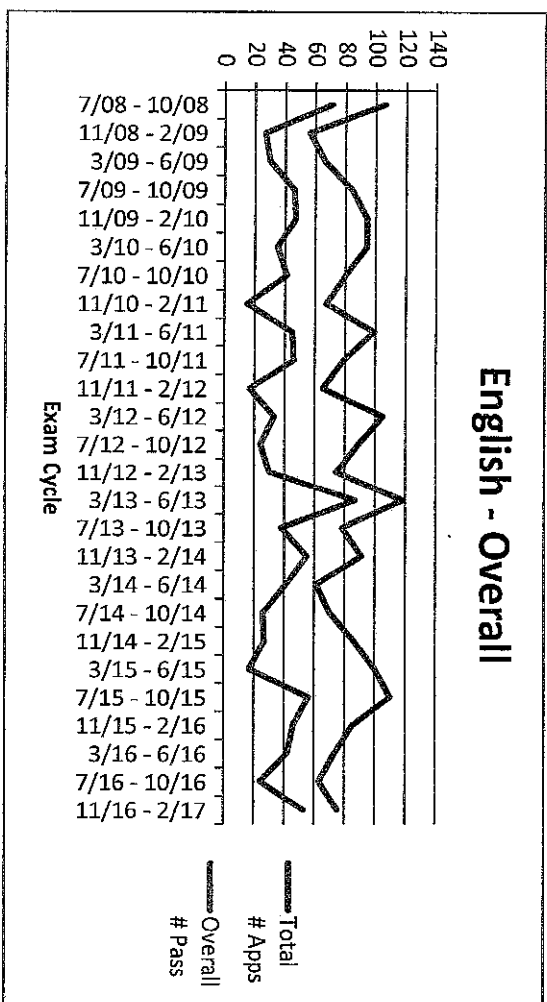


English Exam

Attachment 2
Agenda Item VI

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	106	71	65.7%			
Nov 2008 - Feb 2009	56	27	48.2%			
Mar 2009 - Jun 2009	66	30	45.5%			
Jul 2009 - Oct 2009	84	46	54.8%			
Nov 2009 - Feb 2010	94	47	50.0%			
Mar 2010 - Jun 2010	94	35	37.2%			
Jul 2010 - Oct 2010	80	41	51.3%	30	21	70.0%
Nov 2010 - Feb 2011	67	15	22.4%	30	14	46.7%
Mar 2011 - Jun 2011	99	45	45.5%	42	25	59.5%
Jul 2011 - Oct 2011	79	46	58.2%	35	23	65.7%
Nov 2011 - Feb 2012	65	17	26.2%	30	11	36.7%
Mar 2012 - Jun 2012	105	33	31.4%	54	22	40.7%
Jul 2012 - Oct 2012	89	24	27.0%	42	16	38.1%
Nov 2012 - Feb 2013	74	30	40.5%	16	13	81.3%
Mar 2013 - Jun 2013	118	87	73.7%	67	54	80.6%
Jul 2013 - Oct 2013	78	38	48.7%	45	32	71.1%
Nov 2013 - Feb 2014	91	55	60.4%	46	32	69.6%
Mar 2014 - Jun 2014	61	41	67.2%	32	25	78.1%
Jul 2014 - Oct 2014	70	26	37.1%	46	22	47.8%
Nov 2014 - Feb 2015	86	27	31.4%	47	21	44.7%
Mar 2015 - June 2015	100	17	17.0%	51	11	21.6%
Jul 2015 - Oct 2015	110	56	50.9%	40	26	65.0%
Nov 2015 - Feb 2016	85	46	54.1%	28	18	64.3%
Mar 2016 - Jun 2016	73	42	57.5%	44	35	79.5%
Jul 2016 - Oct 2016	63	24	38.1%	34	16	47.1%
Nov 2016 - Feb 2017	75	53	70.7%	37	27	73.0%

English Exam



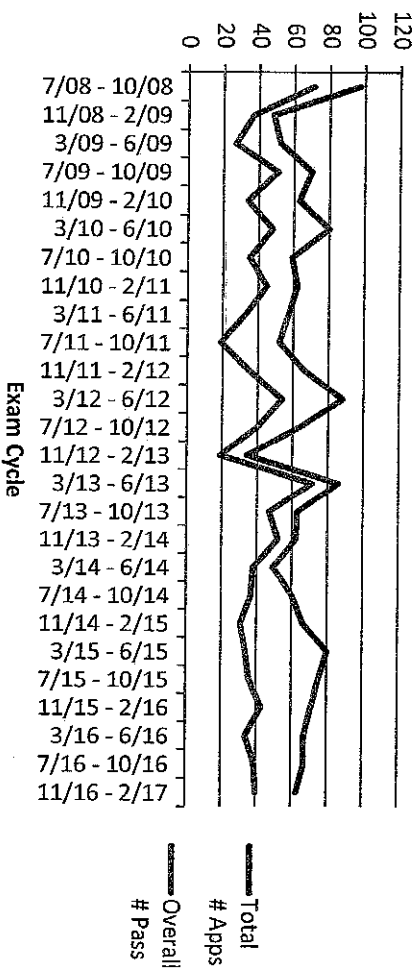
Professional Practice Exam

Attachment 3
Agenda Item VI

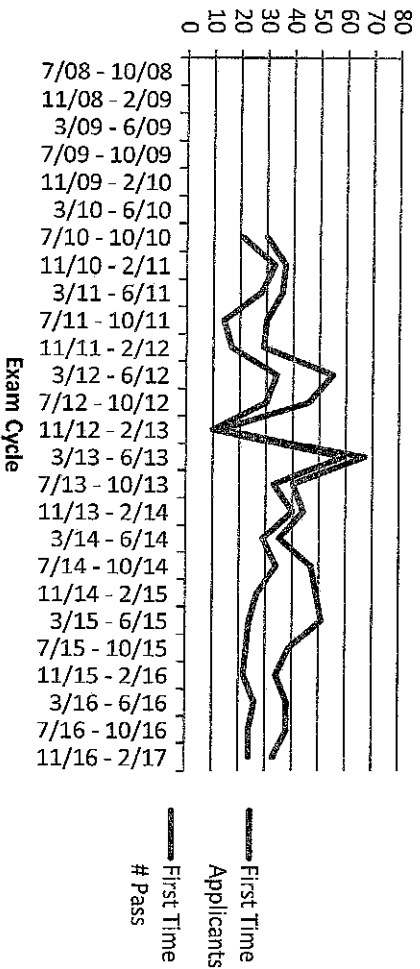
Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	97	71	73.2%			
Nov 2008 - Feb 2009	48	37	77.1%			
Mar 2009 - Jun 2009	52	27	51.9%			
Jul 2009 - Oct 2009	70	51	72.9%			
Nov 2009 - Feb 2010	63	34	54.0%			
Mar 2010 - Jun 2010	80	48	60.0%			
Jul 2010 - Oct 2010	59	35	59.3%	30	21	70.0%
Nov 2010 - Feb 2011	62	45	72.6%	37	33	89.2%
Mar 2011 - Jun 2011	57	33	57.9%	36	28	77.8%
Jul 2011 - Oct 2011	52	19	36.5%	30	14	46.7%
Nov 2011 - Feb 2012	66	35	53.0%	29	17	58.6%
Mar 2012 - Jun 2012	88	54	61.4%	55	34	61.8%
Jul 2012 - Oct 2012	64	40	62.5%	46	30	65.2%
Nov 2012 - Feb 2013	34	19	55.9%	13	10	76.9%
Mar 2013 - Jun 2013	86	71	82.6%	67	59	88.1%
Jul 2013 - Oct 2013	63	47	74.6%	40	33	82.5%
Nov 2013 - Feb 2014	62	52	83.9%	44	40	90.9%
Mar 2014 - Jun 2014	49	38	77.6%	35	29	82.9%
Jul 2014 - Oct 2014	60	37	61.7%	47	34	72.3%
Nov 2014 - Feb 2015	66	31	47.0%	49	27	55.1%
Mar 2015 - June 2015	80	34	42.5%	51	24	47.1%
Jul 2015 - Oct 2015	75	36	48.0%	39	23	59.0%
Nov 2015 - Feb 2016	71	43	60.6%	34	22	64.7%
Mar 2016 - Jun 2016	67	34	50.7%	38	26	68.4%
Jul 2016 - Oct 2016	67	39	58.2%	38	24	63.2%
Nov 2016 - Feb 2017	63	40	63.5%	33	24	72.7%

Professional Practice Exam

Professional Practice - Overall



Professional Practice - First Time



COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM VII – Online Skills Exam

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Agenda Description:

Discussion and possible action with regard to exam policies and procedures and proposed policies applicable to online delivery.

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Brief Summary:

The Online Skills Examination Policy and Procedures Task Force (Task Force) has completed its work as assigned to it by the Board at the April 8, 2016 meeting, specifically to draft policies and procedures to present to the Board. The Task Force met in both Northern and Southern California in order to gather as much stakeholder input as possible. The recommendations of the task force are found in Attachment 1.

As part of the Task Force's work, they reviewed current examination policy and procedures with the concept of moving the delivery online. The draft examination policy and procedures document is included as Attachment 2.

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Support Documents:

Attachment 1 – Task Force Results, Overview and Recommendations
Attachment 2 – Draft Online Skills Examination Policy and Procedures

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Recommended Board Action: Staff recommends the Board adopt the recommendations presented by the Task Force and instruct staff to move forward with steps necessary for implementation.

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Report Originator: Yvonne Fenner, 6/23/2017

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Task Force Results

Overview and Recommendations

Overview of process:

1. Candidate will apply as is done currently, submitting an application demonstrating eligibility.

Fees: Task Force recommends keeping the application fee at \$40, which lasts for one three-year exam cycle, and raising the per-section exam fee to \$50. This recommendation is made to encourage candidates to be ready to take the test before applying and to discourage candidates from sitting for the exam simply as a pretest, to see what the exam is like.

2. Candidate will receive an e-mail confirmation with a link to RTC, user name, and a password. The e-mail will include instructions to practice the testing procedure, which can be done unlimited times. When the candidate is comfortable with the process, the next step is then to schedule a proctored practice. Upon successful completion of the proctored practice, the testing session may be scheduled by the candidate. Candidates are encouraged to test their equipment each time they initiate a practice session as updates to software may have occurred between attempts to connect.
3. Once connected to ProctorU for the exam, the candidate is prompted to download an applet which will in turn connect the candidate's computer to the proctor via a two-way audio and video connection.
4. After connected to the proctor via webcam and screen-sharing software, the proctor asks to see candidate's ID and final notice. At this point the candidate may not leave proctor's sight.
5. Candidate is then asked to verify he/she has read the affidavit. Proposed language:

By agreeing to the terms of this disclaimer, I am aware of and accept the policies of the Court Reporters Board of California (Board) concerning testing honesty and integrity. This policy is available online on the Board's Web site at courtreportersboard.ca.gov. I further attest that the skills exam I am submitting is solely my own work developed during the exam session. I have used no materials or aids to take this exam. I further attest that, to the best of my knowledge, I have not retained a copy (either audio, text, or stenographic) of the skills exam.

Further, if I discover at any time that I have accidentally retained any copy, I will immediately delete it (any and all formats) and notify the Board promptly of the discovery. If I have printed notes from the exam session, I will destroy the notes upon completion of my testing session in front of the proctor.

I further attest that I will not share any copies of this exam with others, nor will I share its content (terminology or topic), either privately or on a public forum. I understand that doing so may constitute a violation of Business and Professions Code 123, a misdemeanor, and will result in the loss of current and future testing opportunities.

6. Candidates will then be asked to use their webcam to do a 360-degree pan of their testing area so the proctor may view the candidate's surroundings.
7. When the proctor is satisfied with the verification of the candidate's identity and the security of the surroundings, the candidate returns to the RTC site and initiates access to the exam. The proctor will enter a password, and when the candidate is ready, he/she will click the Play button.
8. The candidate may elect to write the approximate three-minute warm-up material or proceed directly to the approximate 12-minute exam.
9. Upon completion of the exam, the candidate will upload their steno notes file within two minutes in PDF format to the RTC site.
10. Upon completion of the transcription of the steno notes, the candidate will copy the text file onto the RTC site and submit it for grading within the allotted testing time period of two and a half hours.
11. Candidates will receive a provisional exam score immediately. Exams receiving between 40 and 80 errors will be forwarded to the Board for further review by Board staff.

Recommendations for both on-site and online exams:

1. Frequency: Implement a pilot period of up to two years offering online exams three times per year more or less in conjunction with the on-site exams. During the pilot period, candidates will have the option to either take the exam online or at a physical location, once per testing cycle. Candidates wishing to take the online exam will have a seven-day window in the middle of the testing cycle.
2. Evaluation: Survey online candidates via an exit survey to help Board evaluate the process.
3. Registration: Continue current registration protocol which includes generation by the Board of a unique ID number and final notice with passport photo.
4. Lead-in: Keep two-minute lead-in before exam without a break. (Continue current practice.)
5. Transcription time: Because of the requirement for CAT software for production, transcript production time will be shortened to two and a half hours. The task force recommends coordinating with schools to help prepare students for a shorter transcription period.
6. Breaks: No breaks will be allowed, including smoking or restroom breaks.
7. Appeals process: Exams will not be available for distribution to candidates, so no appeals process will be available. A summary of the types of errors will be provided to online candidates in the event of exam failure. (This feature will not be available during the pilot period.)
8. Create proctor guidelines to avoid interruptions and distractions.
9. Candidates will not be notified in advance of whether the proceeding is court or deposition.

Online Skills Examination Policy and Procedures - DRAFT

EQUIPMENT NEEDED

1. Writer – electronic interface required. Manual paper writer is not supported.
2. CAT software
3. Computer
4. External webcam – must be able to be positioned to the side of the candidate during the exam to show candidate and the steno writer simultaneously.
5. Headphones – must be wired. Bluetooth not permitted. Recommend over-the-ear as opposed to ear buds.
6. Shredder – required only in the case of printing a rough draft.
7. Printer – required only in the case of printing a rough draft. Must be hard-wired to computer.

(Proposed for adoption July 2017)

EXAMINATION ADMINISTRATION

EMPLOYMENT OF READERS

Persons producing videotapes (commercially) will not be eligible for employment as Readers for the CSR examination.

Adopted: December 1984

PROCTOR PAYMENT

The Board will reimburse the room and travel expenses related to the examination for one chief examiner, and two assistants, plus the four readers.

Adopted: July 1987

EXAMINEE IDENTIFICATION

- 1) A recent passport (not passport type) photo (2" x 2") of the applicant must accompany each examinee's application. An additional photo I.D. will still be required at the exam site.

Adopted: December 1987

- 2) A second photo I.D. will be required of all examinees, in addition to the photo attached to the Final Notice. The approved photos for the 2nd I.D. include Drivers Licenses (with a photo incorporated), Department of Motor Vehicle's Identification Card, United States Passport, Military Identification, Alien Identification Card, Certificate of Naturalization or any other photo identification issued by a State government, or by the United States government.

Adopted: February 1987

OBTAINING APPLICATIONS

Exam applicants will be required to request application forms and materials individually and directly from the Board office.

Adopted: May 1979

FAXED OR E-MAILED APPLICATION

The Board will accept faxed or e-mailed applications for purposes of review, but will require an applicant to submit an original signed application which must be received at the Board office within seven business days of the final filing date before final acceptance is granted by the Board.

Adopted: May 1993

QUALIFICATIONS

- 1) The license status of applicants who claim eligibility because they hold a valid out-of-state license will be confirmed with the state board that issued the license. "Valid" means in full force and effect, not in any status other than current/active, and not suspended or in any other such category resulting from discipline.

Adopted: January 1982

- 2) The Board will accept proof of successful completion of either the G.E.D. (offered by the federal government) or the California High School Proficiency Examination as acceptable equivalents to a high school diploma.

Adopted: January 1981

REQUALIFYING METHOD - DEADLINE

The Board will allow first time applicants to change their qualification method up until the day before the first examination taken by the applicant.

Adopted: August 1989

PRACTICE EXAMINATIONS

The exam fee will include one practice dictation. The practice dictation is not intended for speed-building purposes, but rather as a means to become comfortable with the process. Candidates may repeat the one practice dictation unlimited times in order to familiarize themselves with the process.

Once familiar with the process, it is recommended that candidates schedule a proctored practice exam. The exam fee will include two free proctored practice exams. Candidates must schedule 72 hours in advance of a proctored practice session or the actual exam.

(Proposed for adoption July 2017)

INTERNET FAILURE

If Internet failure occurs, the proctor will initially investigate the issue. If the failure is within the first five minutes of the exam, an automatic exam reload will occur. If the failure is more than five minutes into the exam, the test will end, and the proctor will file an incident report with the Board. The executive officer will review the incident report on a case-by-case basis to make a determination whether to allow retesting within the same exam cycle and if additional fees will be waived.

(Proposed for adoption July 2017)

OUTSIDE INTERRUPTIONS (causing failure or disqualification)

- 1) If someone walks into the testing room after the exam has begun, it will be considered a breach of security and will result in a failed exam.

- 2) With the exception of the proctor, the candidate may not respond to or talk with anyone during the exam. Doing so will result in a failed exam.
(Proposed for adoption July 2017)

HARD-COPY PROOFREADING

Candidates will be allowed to print one rough draft for proofreading purposes. The printer must be hard-wired to the candidate's computer. The proctor must see the candidate shred the rough draft before completion of the exam.

(Proposed for adoption July 2017)

SOFTWARE

The only software permitted to be open on the candidate's computer will be:

- CAT software
- Realtime Coach site
- Dictionary (loaded on hard drive, not online)

The most current edition of Merriam Webster's Collegiate Dictionary will be allowed either in hard copy or as a pre-loaded program on the candidate's computer. No access to online dictionary sites will be permitted.

No free-standing electronic spell-checkers will be permitted.

(Proposed for adoption July 2017)

RECRUITING AT EXAM SITES

No recruitment of examinees will be allowed in the exam area. This will include not only the area immediately adjacent to the exam rooms, but also the "warm-up" rooms and the areas adjacent to them, at a minimum. Staff will work with the exam site personnel to implement this policy.

Adopted: February 1986.

Revised to include 2nd and 3rd sentences December 1987.

(NOTE: This section would be removed if/when the exam is only available online.)

EXTENSION OF THREE-YEAR RULE (Delegation to E.O.)

The Board delegates its authority to the Executive Officer to make the determination as to whether or not to grant the applicant an extension of time up to one year or two exam cycles, per regulations section 2420(d).

Adopted: May 1993

EXAMINATIONS

DICTIONATION

- 1) In the construction of the Dictation portion of the exam, no less than 1.3 syllabic density, nor more than 1.5 syllabic density, within each 60 second interval of the exam material will be allowed.

Adopted: August 1989

- 2) The Board will attempt to avoid the use of hyphenated terms. For purposes of word count and correcting the examination, Merriam Webster's most current College Edition dictionary will be used to determine whether the term should be one word, two words, or hyphenated. In addition, the glossary distributed to examinees in the

transcription room will include both slang terms and colloquialisms.

Adopted: February 1987

- 3) The Board adopted a policy to appoint a Lead Reader for the dictation portion of the CSR examination. The Lead Reader has the authority to stop the reading of the transcript, should a disruption occur, if he/she deems necessary.

Adopted: July 1991

(NOTE: This section would be removed if/when the exam is only available online.)

- 4) In the Transcript there should be at least one or two interruptions per page, but four or five interruptions per page are excessive.

Adopted: June 1999

- 5) Seating arrangement of the speakers will be randomly assigned.

(Proposed for adoption July 2017)

- 6) Online exams will be video recorded (not audio only).

(Proposed for adoption July 2017)

TRANSCRIPTS

- 1) Examinees will not be allowed to type their transcripts in all caps.

Adopted: June 1990

- 2) Transcripts which do not comply with the Minimum Transcript Format Standards in California Code of Regulations, Title 16, Division 24, Section 2473 will not be graded.

Adopted: April 2010

- 3) Transcripts must be submitted with line numbers and page numbers in order to be graded.

Adopted: April 2010

- 4) Candidates will have two hours and 30 minutes to complete and submit their final transcripts. No breaks will be allowed, including smoking or restroom breaks.

(Proposed for adoption July 2017)

PROVISION OF STENO NOTES

Online candidates will have two minutes to upload their notes in PDF format to the RTC site following the conclusion of the dictation of the exam and before transcribing the exam. In the event of uploading an incorrect file, the candidate will have an additional two minutes to upload the correct file.

All candidates at live dictation exams are required to provide original paper steno notes or a printout of their original steno notes in PDF format.

(Proposed for adoption July 2017)

REVIEW BY E.O.

The Board grants the Executive Officer the authority to restore credit (in cases of clerical errors, thereby amending finalized results).

Adopted: March 1979

FAILURE TO APPEAR OR CANCELLATION

If, after an application has been submitted to the Board, an applicant finds that he or she is unable to appear for the exam, the Board must be notified immediately. An eligible applicant who fails to appear for the assigned examination subject shall forfeit his or her fee. If the Board is notified before the Final Notice of Examination is mailed from the Board office that an applicant will not be appearing, the fee will then be held over for the next regularly scheduled examination only. In cases where an applicant must cancel after the Final Notice of Examination is mailed, the Board can vote to hold the fee over for one exam only, if written request is mailed to the Board within 10 days of the exam. California Code of Regulations section 2419(d) specifies the grounds on which the Board can decide to hold the fee over. There will be no refunds issued. There are no exceptions.

(Proposed for adoption July 2017)

DISQUALIFICATION

Candidates will be automatically disqualified and the exam considered a failure for the following reasons:

- 1) Exam subversion (cheating)
- 2) Communication with anyone other than a proctor
- 3) (online) The door to the testing area is opened
- 4) (online) Outside person enters testing area

(Proposed for adoption July 2017)

RESULTS

- 1) Staff to discontinue the practice of advising examinees as to their scores on each segment of the two written knowledge portions of the exam.

Adopted: December 1987

- 2) Dictation exam results are to be mailed upon review by the Board.

Adopted: April 2010

SPECIAL ACCESSIBILITY

Applicants with Disabilities: Pursuant to the Americans with Disabilities Act, special testing arrangements are available for applicants who can substantiate the need for reasonable accommodation. It is the responsibility of the applicant to notify the Board of such needs, in writing, when filing each application so that suitable arrangements can be made. Medical verification of the disability must accompany this written notification. The written requests for special arrangements and medical verification must be received with each application in order to receive consideration. No special accommodation will be provided if the required documentation is not submitted with the application.

Candidates with a physical or mental impairment that substantially limits a major life activity may be eligible for a reasonable accommodation in the testing process. A

reasonable accommodation is defined as a "Major life activity" which includes limitations in walking, seeing, hearing, speaking, breathing, learning, working, caring for one's self, and performing manual tasks.

If you require a reasonable accommodation, you must notify the Court Reporters Board in writing when filing each application. Medical verification of the disability must accompany this written notification. The written requests for a reasonable accommodation and medical verification must be received with each application in order to receive consideration. The request needs to include what type of accommodation is needed, i.e., additional time, special tools, etc. A reasonable accommodation cannot be granted if the required documentation is not submitted with the application.

(Proposed for adoption July 2017)

IDENTIFICATION VERIFICATION

Candidates are required to submit two recent passport photographs with their examination application, one of which will be affixed to their final notice. Candidates will be required to show the proctor a valid government-issued photo ID and the final notice generated by the Board.

(Proposed for adoption July 2017)

PROCTOR PROTOCOL

Proctors will request permission to access the candidate's computer.

Video recording of the candidate's exam session is permissible and may be kept for up to 60 days following the candidate's exam session.

(Proposed for adoption July 2017)

TEST SUBVERSION

Test subversion of any type is a misdemeanor pursuant to Business and Professions Code section 123. The candidate will sign an affidavit agreeing not to save the file in any format or location, nor share the content in any manner.

(Proposed for adoption July 2017)

GRADING POLICIES

DICTIONARY RESEARCH

A word list will be provided for the dictation/transcription part of the exam. When there is a need to research a word -- spelling, hyphenation, one word/two words -- during transcription, the most recent Merriam-Webster hard copy dictionary is to be used. It is used by graders as the final authority for the spelling/form of a word.

WORD ERRORS

Omitted Word(s): Each word that is dictated and not transcribed is counted as one error, is indicated by the letters "OM," and is marked with a caret and the number of omitted words.

DICTATED: The **car on the right began** to slide as it rounded the corner.
TRANSCRIBED: The **car began** to slide as it rounded the corner.
(three errors)

Wrong Word(s): Each word that is dictated and incorrectly transcribed is counted as one error and indicated by a check mark over the top of the word.

DICTATED: The car on **the** right began to slide as it rounded the corner.
TRANSCRIBED: The car on **my** right began to slide as it rounded the corner.
(one error)

Inserted Word(s): Each word that was not dictated but was transcribed (as opposed to words that were incorrectly transcribed) is counted as one error and is indicated by the letters "IN" and a check mark over the word.

DICTATED: The car on the **right began** to slide as it rounded the corner.
TRANSCRIBED: The car on the **right side began** to slide as it rounded the corner.
(one error)

Misspelled Words: Each misspelled word is counted as one error and is indicated by a check mark over the word and the letters "SP." If the same word is misspelled the same way throughout the transcript, it is counted as one error regardless of how many occurrences there are of the misspelled word.

DICTATED: It does not fall into that **category**.
TRANSCRIBED: It does not fall into that **catagory**.
(one error)

DICTATED: There has been **definite** improvement, but I cannot be **definite** about the **definite** areas where it still needs work.
TRANSCRIBED: There has been **definate** improvement, but I cannot be **definate** about the **definate** areas where it still needs work.
(one error)

Transposed Words: Transposing adjacent words (or numbers) is counted as one error.

DICTATED: It was a **dark, stormy** night.
TRANSCRIBED: It was a **stormy, dark** night.
(one error)

DICTATED: My address is 56**34** Broadway.
TRANSCRIBED: My address is 56**43** Broadway.
(one error)

Hyphenated Words: Each word on either side of a hyphen counts as one word; e.g., *part-time* is two words, and *brother-in-law* is three words. One error is charged for any one wrong word in a hyphenated combination. (Compound words which are separate words -- e.g., *real estate* is two words, and *editor in chief* is three words -- are counted the same way.)

DICTATED: She had a **part**-time job.
TRANSCRIBED: She had a **full**-time job.
(one error)

DICTATED: My **brother**-in-law said it was not important.
TRANSCRIBED: My **brothers**-in-laws said it was not important.
(two errors)

SPEAKER IDENTIFICATION ERRORS:

Identifying the wrong speaker is counted as five errors and is indicated by the letters "WS." When the same speaker error is repeated in the same series, no further errors are counted.

Inserting a speaker who did not speak at all or inserting the wrong speaker is counted as five errors and is indicated by the letters "INS."

Omitting a speaker is counted as five errors and is indicated by the letters "OMS."

Omitting or inserting an incorrect Q or A is counted as five errors and is indicated by an "X" over the Q or A.

Failing to indicate the questioning attorney when coming out of colloquy is counted as five errors and is indicated by the letters "OMS."

(Gender) If a male speaker is indicated with a female title, one error is counted and is indicated with a check mark over the word. This is counted as one error regardless of the number of times the wrong indication is used.

DICTATED: **MR.** JOHNSON: Your Honor, I have just five minutes more.
TRANSCRIBED: **MS.** JOHNSON: Your Honor. I have just five minutes more.
(one error)

CONTRACTIONS

Contractions are avoided in the dictation portion of the exam. If one is used, either the separate word form or the contracted form will be considered to be correct.

DICTATED: She **wasn't** a part of the team at that time.
TRANSCRIBED: She **wasn't** a part of the team at that time.
(no error)
She **was not** a part of the team at that time.
(no error)

FEMALE TITLES IN FRONT OF NAMES

The only title in front of a female name that is dictated is "Ms." It is the only female title that is to be transcribed -- "Ms."

NUMBERS

Numbers may be transcribed as words or in figures/digits. If digits are used, each digit is counted as one word. If a digit is incorrect, one error is counted; If a digit is omitted or an extra digit is added, one error is counted. (For information on transposing numbers, see "Transposed Words" under "Word Errors.")

DICTATED: There were **425** cartons delivered on Friday.
TRANSCRIBED: There were **424** cartons delivered on Friday.
(one error)

DICTATED: There were **425** cartons delivered on Friday.
TRANSCRIBED: There were **4245** cartons delivered on Friday.
(one error)

CAPITALIZATION

Failure to capitalize the first word in a sentence is counted as one error.

Failure to capitalize a proper noun is counted as one error.

APOSTROPHES FOR POSSESSIVES

Singular possessive form: Add an apostrophe "s" to the singular form of the word to form the singular possessive. If the singular of a word ends in "s" or "z," it is acceptable, though not recommended, to add only the apostrophe.

DICTATED: She was seated to Mary's right.
TRANSCRIBED: She was seated to **Mary's** right.
(no error)

DICTATED: She was seated to **Tess's** right.

TRANSCRIBED: She was seated to **Tess's** right.
(no error)

TRANSCRIBED: She was seated to **Tess'** right.
(no error)

TRANSCRIBED: She was seated to **Tesses** right.
(one error)

Plural possessive form: Make the word plural. If the plural of the word ends in "s," add an apostrophe only to the plural form of the word to form the plural possessive. If the plural of the word does not end in "s," add apostrophe "s" to make the plural possessive form of the word.

DICTATED: He worked with the **Hansons'** agent.
TRANSCRIBED: He worked with the **Hansons'** agent.
(no error)

TRANSCRIBED: He worked with the **Hanson's** agent.
(one error)

DICTATED: He worked with the **Hollises'** agent.
TRANSCRIBED: He worked with the **Hollises'** agent.
(no error)

TRANSCRIBED: He worked with the **Hollis's** agent.
(one error)

TRANSCRIBED: He worked with the **Hollises's** agent.
(one error)

PUNCTUATION

Each incorrect punctuation mark is counted as one error. Errors in punctuation include but are not limited to the following:

Run-On and Comma Splice Sentences: There must be a period or a semicolon between two independent sentences that are not connected by a conjunction.

DICTATED: They arrived late **Friday. We** picked them up at the airport.
TRANSCRIBED: They arrived late **Friday. We** picked them up at the airport.
(no error)

TRANSCRIBED: They arrived late **Friday; we** picked them up at the airport.
(no error)

TRANSCRIBED: They arrived late **Friday we** picked them up at the airport.
(one error)

TRANSCRIBED: They arrived late **Friday, we** picked them up at the airport.
(one error)

DICTATED: She worked at the hospital at the **time; is** that correct/true/right?
TRANSCRIBED: She worked at the hospital at the **time; is** that correct/true/right?
(no error)

TRANSCRIBED: She worked at the hospital at the **time. Is** that correct/true/right?
(no error)

TRANSCRIBED: She worked at the hospital at the **time, is** that correct/true/right?
(no error)

TRANSCRIBED: She worked at the hospital at the **time is** that correct/true/right?
(one error)

Oxford Comma: A comma before the conjunction in the final item in a series is preferred but is not counted as an error.

DICTATED: I looked in the house, in the **garage, and** in the house.

TRANSCRIBED: I looked in the house, in the **garage, and** in the house.
(no error)

TRANSCRIBED: I looked in the house, in the **garage and** in the house.
(no error)

TRANSCRIBED: I looked in the **house in the garage and** in the house.
(one error)

TRANSCRIBED: I looked in the **house in the garage, and** in the house.
(one error)

Terminal Punctuation: All sentences must have terminal punctuation.

DICTATED: What time did you **arrive?**

TRANSCRIBED: What time did you **arrive**
(one error)

Terminal Punctuation: An obvious question must end in a question mark.

DICTATED: When will you be able to give me the figures?

TRANSCRIBED: When will you be able to give me the **figures?**
(no error)

TRANSCRIBED: When will you be able to give me the **figures.**
(one error)

TRANSCRIBED: When will you be able to give me the **figures**
(one error)

Terminal Punctuation: A polite request may end in a question mark or a period.

DICTATED: Will you give me the names of the people on the committee.

TRANSCRIBED: Will you give me the names of the people on the **committee.**
(no error)

TRANSCRIBED: Will you give me the names of the people on the **committee?**
(no error)

Terminal Punctuation: Command forms must end in a period.

DICTATED: Hand that document to counsel.
TRANSCRIBED: Hand that document to **counsel**.
(no error)
TRANSCRIBED: Hand that document to **counsel**?
(one error)

Abbreviations: Certain titles absolutely must have a period.

DICTATED: Mr. Hanson had left the meeting early.
TRANSCRIBED: **Mr. Hanson** had left the meeting early.
(no error)
TRANSCRIBED: **Mr Hanson** had left the meeting early.
(one error)

Compound Sentence: When two sentences are joined by one of the conjunctions *and*, *but*, *or*, or *nor*, there must be a comma before the conjunction. When there is not an independent sentence after one of these conjunctions, there is NOT a comma before the conjunction.

DICTATED: I called earlier in the day, but there was no answer.
TRANSCRIBED: I called earlier in the **day, but** there was no answer.
(no error)
TRANSCRIBED: I called earlier in the **day but** there was no answer.
(one error)

DICTATED: Ann wrote to me **daily and** always included a clever joke.
TRANSCRIBED: Ann wrote to me **daily and** always included a clever joke.
(no error)
TRANSCRIBED: Ann wrote to me **daily, and** always included a clever joke.
(one error)

Dash: A dash must be used for broken sentence structure, a sudden change in thought.

DICTATED: We were with my – it was very late at night.
TRANSCRIBED: We were with **my – it** was very late at night.
(no error)
TRANSCRIBED: We were with **my it** was very late at night.
(one error)
TRANSCRIBED: We were with **my, it** was very late at night.
(one error)
TRANSCRIBED: We were with **my. It** was very late at night.
(one error)

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM VIII – Strategic and Communication Plan

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Agenda Description: Update on Action Plan Accomplishments

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Brief Summary:

At its June 26, 2015 meeting, the Board approved an Action Plan for the 2015-2018 Strategic Plan. The Action Plan Timeline is used as a tool to update the Board on the progress of achieving the strategic plan goals.

At its April 8, 2016 meeting, the Board approved a Communications Plan and considered a Communications Plan Timeline at its September 23, 2016 meeting.

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Support Documents:

Attachment 1 – Action Plan Timeline

Attachment 2 – Communication Plan Timeline

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Fiscal Impact: None

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Report Originator: Yvonne Fenner, 6/23/2017

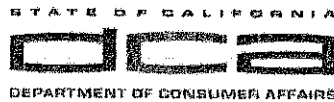
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Recommended Board Action: Staff requests feedback on timelines and priorities.

Court Reporters Board of California
2015-2018 Action Plan Timeline

Attachment 1
Agenda Item VIII

Action Items	Target Date	Status
Perform new occupational analysis to confirm that tested knowledge, skills and abilities are relevant to the industry	June 2017	In process
Conduct exam development workshops to produce a robust bank of test questions to safeguard the integrity of the exam	Dec 2018	Contract with OPES with 2017 calendar
Research realtime captioning standards and assess industry practices for the Board to evaluate the need for consumer protection	Sept 2018	
Educate the Governor's Office on the importance of mandatory continuing education	Dec 2016	Talking points to CCRA. Bill vetoed.
Identify entities providing court reporting services in California that are violating applicable laws and take correction action to effect compliance.	Dec 2018	Subcommittee formed 9/16
Conduct cross-training to protect the continuity and timeliness of the consumer complaint process	Dec 2016	
Educate stakeholders (such as courts, the general public and legal community) on the Board's complaint process to prevent or proactively address consumer harm	Sept 2018	Comm plan
Expand compliance and education for licensees to prevent enforcement issues.	Dec 2018	Best Practice Pointers – Developed ten
Support schools' recruitment efforts to preserve the integrity and continuity of the court reporter workforce for consumer protection	Sept 2018	Comm plan
Increase court reporter school site visits to more effectively monitor compliance with applicable laws and regulations	Dec 2018	Two sites reviewed 10/16
Launch a strategic awareness campaign in collaboration with external stakeholders (such as state bar, industry associations, law libraries, self-help centers, court Web sites, schools and legal non-profits) to educate consumers about the Board's services and standards	Dec 2018	Comm plan
Cross-train staff to protect continuity of effective and efficient service	Jan 2017	
Investigate and implement strategies to increase Web site use to maximize efficiency in addressing consumer information requests	Sept 2016	Comm plan



2016 CRB Communication Plan Timeline - DRAFT

AUGUST / SEPTEMBER 2016		DELIVERABLES	NOTES
Aug. 29th - Sept. 9th		Development of Complaint Process Outreach Campaign	
		Facebook campaign highlighting bullet points about the complaint process for consumers and licensees.	OPA to create copy and taglines. PDE to develop creative to compliment campaign.
		Bi-weekly postings of a fact about the complaint process w/corresponding copy/creative if necessary. With link to CRB's webpage for the unabridged version(s). To be shared on DCA's Facebook and Twitter.	Concept style similar to Nat. Car Care Month - OPA/PDE will provide 2-3 creative concepts for CRB's review/approval. Will submit to OPA Deputy Dir. for approval. Target approval date TBD.
			Social media provides the greatest cost effective audience reach and can link back to the board's website to complete complaint form online or print the downloadable form. CRB will ask stakeholders to share Facebook posts. DCA will share on its Facebook and Twitter pages.
SEPTEMBER 2016		DELIVERABLES	NOTES
Sept. 1st - 30th		OPA to Review/Evaluate CRB's Website	
		Evaluate and suggest recommendations to CRB.	Submit to CRB via email upon receipt of approval of OPA Deputy Dir.
Sept. 19th		Submit Complaint Process Outreach Campaign Concepts to CRB	
		Facebook campaign concepts submitted to the board for review/approval.	Upon receipt of approval, OPA will flush out remianing concepts and taglines. Timing contingent upon CRB's approval/direction.



2016 CRB Communication Plan Timeline - DRAFT

OCTOBER 2016	DELIVERABLES	NOTES
Oct. 3rd - Oct. 31st	Update Launching A Career As A Court Reporter Brochure - Support School's Recruitment Efforts	
	PDE will update existing brochure and create two versions. Change cover, make it fresh/alive, add diversity e.g., Men/Women, people of color. One version primary male audience. Posted to the board's website.	CRB will consult on content copy for both versions.
Oct. 3rd - Ongoing	CRB Best Practices Video Series (10 total)	
	Video #1 - The Art of Interruption (Mock deposition live or animated).	As of 6.29.16, CRB is currently developing a script.
		Videos will be archived on CRB & DCA YouTube channels, will live on CRB's website and be shared via social media.
NOVEMBER 2016	DELIVERABLES	NOTES
Nov. 1st - Ongoing	Launching A Career As A Court Reporter - Support School's	
	Updated brochures	Distribution method, electronic only?
	Print Media	
	Article in Consumer Connection - Winter 2016 (TBD) <i>Court Reporter's Can Do More Beyond the Court Room</i>	OPA will write an article to highlight alternate career paths with a CR degree. Highlight licensees that are in "non-traditional" careers.
	Social Media	
	Social Media campaign to compliment the brochure (similar look/tones), tag CR schools & associations to encourage sharing to make viral state/nationwide. Link to corresponding brochure(s).	Concept style similar to National Nurses Week - OPA/PDE will provide 2-3 creative concepts for CRB's review/approval. Will submit to OPA Deputy Dir. for approval. Target approval date 9/16.



2016 CRB Communication Plan Timeline - DRAFT

NOVEMBER 2016		DELIVERABLES	NOTES
		Share social media posts from students and stakeholders about what they are doing with their court reporter degree.	Upon receipt of approval, OPA will flush out remaining concepts and taglines. Timing contingent upon CRB's approval/direction.
		DCA Blog post about the career versatility with a CR degree.	Post date TBD
Nov. 1st - Ongoing		CRB Youth Focused PSA	
		CRB PSA will focus on recruitment to underrepresented groups.	Per 6.29.16 mtg., V. Harms will contact Senator Mendoza to gauge his interest in creating the PSA for CRB.
DECEMBER 2016		DELIVERABLES	NOTES
Ongoing		Relevant Health Related Celebratory Acknowledgements	
		Social Media Campaign (e.g., Nat. Car Care Month)	Depending on the topic CRB will either retweet posts from other entities, or tweet their own. Depending on the scope of the
Ongoing		Relevant Health Related Celebratory Acknowledgements	
JANUARY 2017		DELIVERABLES	NOTES
Ongoing		Relevant Health Related Celebratory Acknowledgements	
		Social Media Campaign (e.g., Nat. Car Care Month)	Depending on the topic CRB will either retweet posts from other entities, or tweet their own. Depending on the scope of the event (e.g., Nat. Car Care Month) OPA will create taglines and PDE will develop creative to compliment the campaign.



2016 CRB Communication Plan Timeline - DRAFT

FEBRUARY 2017		DELIVERABLES	NOTES
Feb. 11th - Feb. 18th		National Court Reporting & Captioning Week	
	Social Media Campaign (e.g., Nat. Car Care Month)	Dates for 2017 are not posted to website yet. Depending on the topic CRB will either retweet posts from other entities, or tweet their own. Depending on the scope of the event (e.g., Nat. Car Care Month) OPA will create taglines and PDE will develop creative to compliment the campaign.	
MARCH 2017		DELIVERABLES	NOTES
Date TBD		National Consumer Protection Week	
	Social Media Campaign (e.g., Nat. Car Care Month)	Dates for 2017 are not posted to website yet. Depending on the topic CRB will either retweet posts from other entities, or tweet their own. Depending on the scope of the event (e.g., Nat. Car Care Month) OPA will create taglines and PDE will develop creative to compliment the campaign.	
APRIL 2017 - DECEMBER 2017		DELIVERABLES	NOTES
Ongoing through 2016		Relevant Health Related Celebratory Acknowledgements	
	Social Media Campaign (e.g., Nat. Car Care Month)	Depending on the topic CRB will either retweet posts from other entities, or tweet their own. Depending on the scope of the event (e.g., Nat. Car Care Month) OPA will create taglines and PDE will develop creative to compliment the campaign.	

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM IX – Election of Officers

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Agenda Description: Election of Chair and Vice-Chair.

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Brief Summary:

The election of Board officers shall occur on an annual basis at the first regular meeting of the Board after June 1 of each year. The purpose of this item is to conform to this policy.

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Support Documents:

Attachment 1 – Board policy on election of officers.

Attachment 2 – Chair and Board member duties.

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Report Originator: Paula Bruning, 6/23/2017

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Recommended Board Action: Hold elections.

ANNUAL MEETINGS

The CSR Board shall hold an annual meeting for the purpose of electing a chairperson and a vice-chairperson in accordance with Business and Professions Code, Section 8003. Said annual meeting shall be held at the first regular meeting held after June 1 of each year.

Adopted: August 1987

CERTIFIED SHORTHAND COURT REPORTERS BOARD

Chairperson of the Board

Definition: The Chairperson is responsible for the effective functioning of the Board, the integrity of the Board process, and assuring that the Board fulfills its responsibilities for governance. The Chairperson instills vision, values, and strategic planning in Board policy making. The Chairperson sets an example reflecting the Board's mission as a State licensing and law enforcement agency. The Chairperson optimizes the Board's relationship with its executive officer and the public.

Specific Duties and Responsibilities:

- Chairs meetings to ensure fairness, public input, and due process;
- Prepares Board meeting notices and agendas;
- Appoints Board committees;
- Supports the development and assists performance of Board colleagues;
- Obtains the best thinking and involvement of each Board member. Stimulates each Board member to give their best effort;
- Implements the evaluation of the executive officer to the Board;
- Continually focuses the Board's attention on policy making, governance, and monitoring of staff adherence to and implementation of written Board policies;
- Facilitates the Board's development and monitoring of sound policies that are sufficiently discussed and considered and that have majority Board support;
- Serves as a spokesperson; and
- Is open and available to all Board members, staff and governmental agencies, remaining careful to support and uphold proper management and administrative procedure.

CERTIFIED SHORTHAND COURT REPORTERS BOARD

Board Members

Definition: As Board members, the Board is responsible for good governance of the Board. Appointed as representatives of the public, the Board presses for realization of opportunities for service and fulfillment of its obligations to all constituencies. The Board meets fiduciary responsibility, guards against the taking of undue risks, determines priorities, and generally directs organizational activity. The Board delegates certain administrative duties and responsibilities to its executive officer, but remains involved through oversight and policy making. The Board members are ultimately accountable for all Board actions.

Specific Duties and Responsibilities:

- Develops and sets policy and procedures as a State licensing and law enforcement agency;
- Supports and articulates the Board's mission, values and policies and procedures;
- Serves as spokespersons;
- Reviews and assures the executive officer's performance in managing the implementation of Board policies and procedures;
- Ensures that staff implementation is prudent, ethical, effective and timely;
- Assures that management and staff training and succession is being properly provided;
- Assures the ongoing (quarterly) performance review of the executive officer by the Chairperson, with an annual written evaluation by the Board which is to be conducted at a public Board meeting;
- Assures that the executive officer effectively administers appropriate staff policies;
- Maximizes accountability to the public; and
- Ensures staff compliance with all laws applicable to the Board.

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM X – Future Meeting Dates

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Agenda Description: Proposed Meeting Dates

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Support Documents:

Attachment – 2017 Board Calendar

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Current scheduled activities:

Exam Workshop:

July 14 – 15, 2017 – Sacramento
July 28 – 29, 2017 – Sacramento
August 11 – 12, 2017 – Sacramento
August 25 – 26, 2017 – Sacramento
September 15 – 16 – Sacramento
October 20 – 21, 2017 – Sacramento

CSR Dictation Exam:

July 7, 2017 – Ontario
December 1, 2017 – Sacramento

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Recommended Board Action: Information exchange

**A YEAR-AT-A-GLANCE CALENDAR 2017
COURT REPORTERS BOARD OF CALIFORNIA**

**Attachment
Agenda Item X**

JANUARY 2017

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2017

S	M	T	W	Th	F	S
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12	13	TF-SAC	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

MARCH 2017

S	M	T	W	Th	F	S
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12	13	14	15	16	Exam	Workshop
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24	25	26	27	28	29	30
31						

APRIL 2017

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23	24	25	26	27	28	29
30						Workshop

MAY 2017

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28	29	30	31			

JUNE 2017

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JULY 2017

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					Workshop

AUGUST 2017

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27	28	29	30	31		

SEPTEMBER 2017

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24	25	26	27	28	29	30

OCTOBER 2017

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21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER 2017

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26	27	28	29	30		

DECEMBER 2017

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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

ACTIVITY

	BD - Board Meeting or Activity
	Exam - Cotation Exam
	Workshop - Exam Workshop
	TF - Task Force Meeting
	TH - Town Hall Meeting
	OA - Occupational Analysis
	Shaded Dates - Board Office is Closed

CITY

LA-LOS ANGELES	SAC-SACRAMENTO
SD-SAN DIEGO	SF-SAN FRANCISCO
ONT-ONTARIO	
GENERAL LOCATION	
NC-NORTHERN CALIFORNIA	
SC - SOUTHERN CALIFORNIA	

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM XI – Public Comment for Items Not on the Agenda

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Public members are encouraged to provide their name and organization (if any).
The Board cannot discuss any item not listed on this agenda, but can consider
items presented for future board agendas.

COURT REPORTERS BOARD MEETING – JULY 6, 2017

AGENDA ITEM XII – Closed Session

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Agenda Description:

Pursuant to Government Code Section 11126(C)(3), the Court Reporters Board will convene into closed session to deliberate on disciplinary matters (stipulated settlements, default decisions, and proposed decisions).

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Fiscal Impact: None

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Report Originator: Yvonne Fenner, 6/26/2017