



DEPARTMENT OF CONSUMER AFFAIRS

**COURT REPORTERS BOARD
OF CALIFORNIA**2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833
Phone (916) 263-3660 / Toll Free: 1-877-327-5272
Fax (916) 263-3664 / www.courtreportersboard.ca.gov****REVISED******MEETING OF THE COURT REPORTERS BOARD****Friday, November 15, 2024
9:00 a.m. to conclusion**

The Court Reporters Board will hold a public meeting in-person and via a WebEx platform.

**Department of Consumer Affairs
HQ2 Ruby Room
1747 North Market Boulevard
Sacramento, CA 95834**

Important Notices to the Public: The Court Reporters Board will hold a public meeting via a teleconference platform pursuant to Government Code, section 11123.2.

INSTRUCTIONS FOR PARTICIPATION: Please see the Webex Instructions posted on the Board's meeting calendar to observe and participate in the meeting using WebEx.

Members of the public may, but are not obligated to, provide their names or personal information when observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

If Joining by Computer:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mf0d0d27d7593fbbf341be6194e4779f1>

Event number: 2491 085 2552

Event passcode: CRB1115

If Joining by Phone:

Audio conference: US Toll 1-415-655-0001

Access code: 2491 085 2552

Event passcode: 2721115

Please note the Board may ask members of the public to limit their comments to three minutes, unless, at the discretion of the Board, circumstances require a shorter period; the Board will advise when the three-minute time limit is approaching.



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MEETING OF THE COURT REPORTERS BOARD

Friday, November 15, 2024

9:00 a.m. to close of business

AGENDA

Board Members: Denise Tugade, Chair; Robin Sunkees, Vice Chair; Laura Brewer; Michael Dodge-Nam; Arteen Mnayan.

Action may be taken on any item on the agenda.

CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF A QUORUM – Denise Tugade, Chair

1. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA 5
The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code, §§ [11125](#), [11125.7](#), subd. (a)).
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 - 4.1 CRB Budget Report
 - 4.2 Transcript Reimbursement Fund
 - 4.3 Enforcement Activities
 - 4.4 License Exam
 - 4.5 Technology Modernization
5. LEGISLATION 43
Discussion and possible action
 - 5.1 [AB 2269](#) (Flora) – Board membership qualifications: public members.
 - 5.2 [AB 2862](#) (Gipson) – Department of Consumer Affairs: African American applicants.
 - 5.3 [AB 3013](#) (Maienschein) – Courts: remote court reporting.
 - 5.4 [AB 3252](#) (Berman. Principal coauthor: Ashby) Shorthand court reporters: sunset: certification.

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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	7.2 Title 16, Section 2401-2481 – Various Section 100 Proposed Language Discussion and possible action.	
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	Pursuant to Government Code, section 11126, subdivision (a)(1), the Board will meet in closed session to conduct the annual evaluation of its executive officer.	

ADJOURNMENT

Action may be taken on any item on the agenda. Items may be taken out of order or held over to a subsequent meeting, for convenience, to accommodate speakers, or to maintain a quorum. Meetings are open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act. Members of the public are not required to submit their name or other information to attend the meeting.

Please note the Board may ask members of the public to limit their comments to three minutes, unless, at the discretion of the Board, circumstances require a shorter period; the Board will advise when the three-minute time limit is approaching.

The meeting is accessible to the physically disabled. To request disability-related accommodations, contact the board using the information listed below. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

To receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting or visit the Board's Calendar under "Quick Hits" at www.courtreportersboard.ca.gov.

Contact Person: Paula Bruning
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paula.bruning@dca.ca.gov

COURT REPORTERS BOARD MEETING – NOVEMBER 15, 2024

AGENDA ITEM 1 – 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 may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting.

COURT REPORTERS BOARD MEETING – NOVEMBER 15, 2024

AGENDA ITEM 2 – Review and Approval of Meeting Minutes

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Agenda Description:

Review and approval of July 12, 2024, minutes

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Brief Summary:

The Board met on July 12, 2024, and minutes of that meeting are before the Board for consideration and approval.

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Support Documents:

Attachment – Draft minutes for July 12, 2024

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board approve minutes.

Proposed Motion: I move approval (as amended) of the minutes of the July 12, 2024, meeting.



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DRAFT

COURT REPORTERS BOARD OF CALIFORNIA
MINUTES OF OPEN SESSION
JULY 12, 2024

Attachment
 Agenda Item 2

CALL TO ORDER

Ms. Denise Tugade, Chair, called the meeting to order at 9:00 a.m. The public meeting was held at Department of Consumer Affairs, HQ1 Hearing Room, 1625 North Market Boulevard, Sacramento, CA 95834 and via a teleconference platform.

ROLL CALL

Board Members Present: Denise Tugade, Public Member, Chair
 Robin Sunkees, Licensee Member, Vice Chair
 Laura Brewer, Licensee Member
 Michael Dodge-Nam, Public Member
 Arteen Mnayan, Public Member

Staff Members Present: Yvonne K. Fenner, Executive Officer
 Helen Geoffroy, Board Counsel
 Steven Vong, Regulations Counsel
 Paula Bruning, Executive Analyst

Board staff established the presence of a quorum.

1. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

No comments were offered.

2. REVIEW AND APPROVAL APRIL 4, 2024, MEETING MINUTES

Ms. Brewer moved to approve the minutes. Mr. Dodge-Nam seconded the motion. Ms. Tugade called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade
 Opposed: None
 Absent: None
 Abstain: None
 Recusal: None

MOTION CARRIED

3. DEPARTMENT OF CONSUMER AFFAIRS UPDATE

Korrina Moreno with the Department of Consumer Affairs (Department/DCA) provided a Department update.

Ms. Moreno reported that Myriam Valdez-Singh was recently appointed by Governor Newsom as the Deputy Commissioner of Legislation at the Department of Financial Protection and Innovation. She previously worked closely with the Business, Consumer Services and Housing Agency as the Deputy Appointments Secretary at the Governor's Office.

She informed the Board that DCA developed a Workplace Violence Prevention Training to meet the requirements of SB 553. All staff, including Board Members, must complete the mandatory training annually.

She stated that the California Legislature approved a state budget that addresses the state's deficit. The new budget includes a permanent reduction of vacant positions for all departments. DCA boards and bureaus must continue to maximize cost savings and reduce expenditures to those that are mission critical and essential to operations and public services.

Ms. Moreno indicated that effective July 1, 2024, boards and bureaus must expedite licensure applications for service members currently enrolled in the U.S. Department of Defense SkillBridge Program. The program offers an opportunity for active-duty services members to gain valuable civilian work experience during their last 180 days of service by connecting the members with organizations that offer internship opportunities to build their resumes, explore career interests, develop job skills, and gain federal government work experience. Additional information may be found at www.dca.ca.gov/military.

She recapped the new federal regulation impacting Title IV funding for non-degree school programs that was to take effect on July 1, 2024. DCA worked with the California Legislature to develop and pass language to delay implementation of the new federal regulation and allow programs to come into compliance over the next two and a half years. However, the federal regulation was blocked by a preliminary injunction issued by federal district court in Texas on July 2, 2024, until the conclusion of the lawsuit. Consequently, the federal rule did not take effect as originally scheduled. DCA will continue to monitor the lawsuit and keep those boards impacted by the federal regulation updated.

She reported that the Department held its quarterly Board Leadership and Director's Meeting on June 11, 2024. Opening remarks were made by Agency Secretary Tomiquia Moss who shared her priorities for the Business, Consumer Services and Housing Agency. Discussions included updates from the Department on the state budget, information security initiatives, DEI activities, and a presentation from the Office of Data Innovation on California's plain language standard.

She indicated that the Department developed and released its Inclusive Hiring Principles to provide a Diversity, Equity, and Inclusion (DEI) perspective and tips for recruiting, screening, and selecting diverse and qualified candidates. A training to accompany the inclusive hiring principles will be developed with input from the DEI Steering Committee.

The DEI Steering Committee will meet on July 26, 2024, and will include a discussion on expanding language access and workforce development. Ideas for the committee to consider may be shared through your executive officer.

Board members are encouraged to participate in DEI-related training through the Learning Management System (LMS).

Ms. Tugade called for public comment. No comments were offered.

4. REPORT OF THE EXECUTIVE OFFICER

4.1 CRB Budget Report

Ms. Fenner provided a review of the Board's budget and referred the Board to page 21 of the Board agenda packet for the expenditure projections for Fiscal Month 10. She indicated that a 7% reversion of the budget was projected. She referred to the Board's overall fund condition on page 22 of the Board agenda packet. She indicated that transfers of \$200,000 to the Transcript Reimbursement Fund (TRF) were projected starting in Fiscal Years 2025/26.

In Fiscal Year 2026/27, the Months in Reserve is projected to approach the six-month threshold that stops transfers to the TRF. A close watch is being kept on the future projections in order to alert the Board to the need for a possible fee increase.

4.2 Transcript Reimbursement Fund

Ms. Bruning reported statistics for the 2023/24 Fiscal Year. She stated that the TRF paid out more than \$70,000 for pro bono cases. She added that over \$56,000 was paid for pro per applicants with an additional \$46,500 provisionally approved applications awaiting final invoices.

4.3 Enforcement Activities

Ms. Fenner referred to the enforcement statistics starting on page 24 of the Board agenda packet. She indicated that there had been a slight uptick in the number of complaints dealing with untimely delivery of transcripts. There was also a small increase in the number of complaints elevated to the Attorney General's Office.

4.4 License Exam

Ms. Fenner indicated that the overall exam statistics began on page 28 of the Board agenda packet. The first-time pass rate on the skills exam continues to improve as more voice writers take the exam.

The current testing cycle opened on July 5 and remains open until July 26. She stated that 149 applications for the exam were received of which 78 are first-timers. There are 62 voice writing candidates, 53 who are taking the test for the first time.

Ms. Fenner referred to the Exam Statistics by Reporting Method report on page 34 of the Board agenda packet, which is specific to the dictation exam. The report

compares the pass rate for steno writers to voice writers. At the time of the meeting, 71 voice writers had been licensed.

Mr. Dodge-Nam inquired if the apparent growth in applicants over the last year was slowing. Ms. Fenner responded that the court reporting schools continue to have waiting lists for students; therefore, it appears the increase will continue.

Ms. Fenner referred to the statistics for the two written portions of the license exam, English and Professional Practice, which appeared on pages 30 through 33.

4.5 Technology Modernization

Ms Fenner shared comments from Jason Piccione, Deputy Director, DCA Office of Information Services, related to the transition from the two 30-year-old legacy systems to a fully digitized system. The new system allows individuals to pay for initial applications, re-examination, and renewals, as well as make change of name and address requests. Mr. Piccione credited Board staff for their contributions to the development, testing, and launch of the new system. Developer staff continue to work on issues common with the launch of a new system.

Ms. Tugade called for public comment on this agenda item. No comments were offered.

5. LEGISLATION

Ms. Fenner provided a report regarding the bills the Board is tracking. Information pertaining to the bills could be found beginning on page 35 of the Board agenda packet.

5.1 AB 2269 (Flora) – This bill would change board member qualifications for public members who have or have had a relationship with a licensee of the board. This bill does not affect the current makeup of the Board.

5.2 AB 2862 (Gipson) – This bill would require all board to give priority to African American applicants seeking a license. Staff has a concern regarding the definition of “priority,” however, the Board already processes all applications within two days of receipt as a matter of course. Ms. Tugade commented that the bill was pulled.

5.3 AB 3013 (Maienschein) – This bill would establish a remote court reporting pilot project with specific technology requirements in 11 counties at the Superior Court level. The project may lead to a pathway to increasing the number of court reporters available to cover court proceedings.

Ms. Brewer offered comments in support of the bill. She stated that meeting the technical requirements would be key to a good experience for the reporters. Mr. Dodge-Nam and Ms. Sunkees agreed.

Ms. Brewer moved to take a position of support on the bill. Mr. Dodge-Nam seconded the motion. Ms. Tugade called for public comment.

Michelle Caldwell, California Court Reporters Association (CCRA), spoke in support of the bill.

A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade
Opposed: None
Absent: None
Abstain: None
Recusal: None

MOTION CARRIED

5.4 AB 3252 (Berman) – This is the Board's sunset bill and will be discussed during Agenda Item 9.

Ms. Tugade called for public comment on this agenda item. No comments were offered.

6. REGULATIONS

Title 16, Section 2420, 2422, and 2473 – Examination Results & Transcript Format

Mr. Vong summarized the regulatory proposal timeline and actions that relate to Title 16, California Code of Regulations (CCR) sections 2420, 2422, and 2473 for examination results, inspection of exams, and minimum transcript format standards. The Board originally approved the regulation text in January 2022 and approved revised text in September 2023, which repealed the exam reconsideration process in order to uphold exam security. In December 2023, the Board noticed the text for public comment, which ended in February 2024.

Mr. Vong said that the public comments received in that time period and the proposed responses to the public comments pursuant to Government Code section 11346.9(a)(3) are included for the Board's consideration. The comments start at page 37 of the Board meeting materials. Comment numbers are indicated on the first page of the comment in the upper right-hand corner. He said that the comments are presented as they were received, so any redactions were done by the commenters and Board staff did not edit any of the comments themselves. Comment summaries and responses begin at page 155 of the Board meeting materials.

Mr. Vong said that a sample motion is on page 36 of the Board meeting materials, and he asked Board members to let him or Executive Officer Yvonne Fenner know if they have any questions about the comments or the regulation process. He also provided directions for public comment regarding this agenda item.

Ms. Brewer said that this item received a lot of feedback, and she wanted to assure the commenters that all of their concerns were heard because she spent a lot of time reading all of the comments and responses. She said that she did some of her own research on the appeal outcomes of other exams, and the applicants have gained an enormous benefit from the transition to the remote administration of the examination, which happened before she was on the Board. Ms. Brewer said that remote tests have protocols and testing laws, and she has done much work over the last 20-plus years relating to testing; so she has a lot of experience. She said that there are staff at CRB who have been dealing with testing for many years, and they are very experienced and dedicated. She said that the executive

officer is a court reporter and had been a Board member, so there is a lot of experience at CRB, and they know what they are doing.

Ms. Brewer said that she takes offense to the comments that the Board is deliberately trying to keep applicants from passing the exam. She said that the Board has dedicated many hours and actions to make sure that it can get more licensees and qualified people into the profession. Ms. Brewer said that the Board does want those individuals to know applicants are being treated fairly, whether or not the applicants know it. She said that the test is not a teaching or learning opportunity; it is a licensing exam, and the Board's duty is to the public and the consumers of California. She reiterated that Board staff are incredible and have been bending over backwards to provide feedback to applicants when it goes above and beyond what is required, but some applicants do not appreciate the effort.

Ms. Brewer said that applicants have been getting the benefit from multiple gradings under the current administration process, more than might be allowed under other testing, which is comparable to an automatic appeal process because there is an additional round or two of regrading of failed exams by people who are knowledgeable. She said that the Registered Professional Reporter (RPR) examination only has one person grading, and only one additional person will grade the exam if appealed. Ms. Brewer thanked Board staff and said that she is sorry for staff having to go above and beyond while some applicants may not have appreciated it and sometimes have even been accusatory.

Ms. Sunkees said that the same Board staff have been grading the exams for 20-25 years. She said that she agrees that licensing exams are not teaching tools, and she supports the enactment of the regulation packet in its current form. Ms. Sunkees also acknowledged that all of the comments have been taken into consideration. She reiterated that she agrees with the position to approve the regulations package that has already been reviewed and approved previously twice.

Mr. Dodge-Nam thanked the 58 individuals who took the time and effort to make and submit their clearly passionate comments. He said that he thinks the commenters and the Board share the goal of bringing in as many qualified court reporters to help the consumers of California as possible – it is a shared goal. He assured the commenters that he read every one of the 58 comments and the responses that CRB's staff took great lengths and time to prepare, and he encouraged the commenters to carefully read the responses.

Mr. Dodge-Nam agreed with Ms. Brewer and Ms. Sunkees in that new applicants are so much better off now with the remote test administration, saying that it is easier and better, including having a three-week window in which to test versus just one day for the prior in-person exam administration process. He said that it does come with changes, but those benefits far outweigh any detractors. Mr. Dodge-Nam said that there is an automatic appeal process because anyone who comes within 20 points of passing gets automatically reviewed by other staff members. He encouraged applicants to use their schools and trade associations to prepare for the test and discouraged them from using the test as a practice exam. Mr. Dodge-Nam summarized his comments by saying that applicants are far better off with the remote testing, and he thanked staff for their efforts in responding to the comments and for putting together one of the best testing procedures for licensure within the state.

Ms. Brewer agreed with Mr. Dodge-Nam and said that the Board appreciates the time and effort that people took to communicate with the Board, and the Board listened to what they had to say. She also thanked CRB Regulations Manager Betsy Figueira, DCA Regulations Counsel Steven Vong, and DCA Staff Counsel Helen Geoffroy for preparing an incredible summary of the documents for the Board, saying that it was quite an impressive job and very useful.

Mr. Mnayan agreed with the other Board members and added that CRB really emphasizes and focuses on trying to help applicants, including test taking, saying that it has always been an emphasis of the Board. He said that a lot of other licensing boards do not have the automatic appeal process that CRB has, and the Board is ahead in relation to its licensing processes and is pretty progressive when it comes to licensing.

Ms. Tugade also agreed with the other Board members and thanked Ms. Figueira and Mr. Vong and all of the people who took the time to engage with the Board and weigh in on the process because it is important. She said that the Board has taken the time to read through all 58 comments and dig into how CRB can get more court reporters into the field.

Ms. Brewer moved to direct staff to decline the requests in the adverse comments, approve the proposed responses to the comments (as indicated in the meeting materials), direct staff to use proposed responses for completing the regulatory process, direct staff to take all steps necessary to complete the rulemaking process, authorize the Executive Officer to make any technical or non-substantive changes to the proposed regulations, and adopt the proposed regulations either as described in the proposed text or with any potential amendments if no relevant, adverse comments are received within a modified text comment period, if necessary. Mr. Mnayan seconded the motion. Ms. Tugade called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

7. INFORMAL REVIEW OF SKILLS EXAM BY CRB STAFF

Ms. Fenner indicated that when the skills exam moved to an online platform, candidates no longer had access to their exams. Board staff began providing an informal review upon request and giving unsuccessful candidates general feedback on where mistakes were made. In light of the Board's position that the license exam is not a practice test, it seems like this practice should be discontinued or, alternatively, codified in regulation.

Ms. Sunkees supported discontinuance of the practice as licensing exams are not teaching tools. It is not the Board's role to provide education or exam preparation. Mr. Mnayan agreed, adding that the practice just causes confusion without a formal process.

Mr. Mnayan moved to instruct staff to stop providing informal feedback to unsuccessful candidates on the skills exam. Ms. Sunkees seconded the motion. Ms. Tugade called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade
Opposed: None
Absent: None
Abstain: None
Recusal: None

MOTION CARRIED

8. UNPROCTORED SKILLS EXAM

Ms. Fenner reported that the National Court Reporters Association (NCRA) began to administer its skills exam without the presence of a live proctor at the beginning of 2024. The Board then received a request to consider moving to unproctored skills exam testing. Unproctored exams are recorded and reviewed by a live proctor after the test instead of during the test. The proctor flags any issues for further review by the exam organization.

The benefit to the student is increased scheduling flexibility as they no longer need the 72 hours' advance notice for the live proctor. It also removes any additional stress that might be caused by a proctor logging in late and eliminates some technical difficulties that sometimes arise with the addition of the live proctor and their software.

It is hoped that it would benefit the exam organization, in this case the CRB, by resulting in fewer incident reports. If the Board can be assured of test security and wishes to move in this direction, regulations would have to be developed to specify what would constitute an automatic fail condition.

Mr. Dodge-Nam expressed that although promising, he would like to learn more from NCRA's experience in testing of the new process before putting it into effect.

Ms. Sunkees asked if any feedback from NCRA had been received. Ms. Fenner responded that she received encouraging comments from NCRA and Realtime Coach, that alleviating stress for the candidates has been the largest benefit. Although there has only been a limited number of testing cycles, thus far they have not experienced any problems.

Ms. Brewer inquired if staff had spoken with any other licensing or testing authorities that had experience with unproctored skills testing. Ms. Fenner responded that she had not.

Ms. Tugade agreed that more time to watch the results of NCRA's experience would be beneficial. She asked if the delayed review of the exam videos would cause delays in sending out test results. Ms. Fenner did not believe it would since staff would still be grading exams and sending results to all candidates at the same time.

Mr. Mnayan inquired if the request for the change was from the test candidates or the proctors. Ms. Fenner stated that the initiative for change was submitted by candidates as a result of incidents and issues they had experienced with live proctors. Mr. Mnayan requested feedback from the proctors and any stakeholders. Ms. Brewer agreed.

Ms. Sunkees suggested the Board consider this item at its next meeting.

Ms. Tugade called for public comment.

Stacy Gaskill provided information about her experiences taking an NCRA exam and CRB exam with ProctorU. She stated that the proctors try to be helpful but do not understand what court reporters or their machines do. She waited an hour for a proctor each time she had to retake the test as a result of technical difficulties.

Trina Cox commented that the proctors tend to be a bit disruptive, causing the candidates to be more nervous. In addition, the proctors do not know what items are allowed. She agreed with the comments made by Ms. Gaskill.

Ms. Fenner indicated that the proctors are provided a “flight path” that details what is and is not allowed. She added that the proctors are not specific to this Board’s exam and may proctor exams for a number of different disciplines each week.

The Board looked forward to receiving further information about NCRA’s progress in their new process.

The Board took a break at 10:18 a.m. and returned to open session at 10:36 a.m. Board staff established the presence of a quorum.

9. SUNSET REVIEW

Ms. Tugade reported that the amendments to the Board’s sunset bill (AB 3252 – Berman/Ashby) came out in late June. There were two amendments which the Board requested in its response to the sunset questions. The first requires a CSR to state their license number at the beginning of a proceeding. The second allows a CSR to provide an email address for the public in order to facilitate transcript orders.

Ms. Fenner added that a third amendment adds a type of provisional license category called the Associate Court Reporter Trainee. Anyone holding an RPR or CVR would be eligible to work in court as an official reporter. They would have one year to pass all three portions of the California license exam.

Ms. Brewer expressed pleasure with the prospect of provisional licensing to address shortages in court but suggested refinement of the details. Ms. Tugade joined in her enthusiasm.

Mr. Dodge-Nam moved to request an amendment to the proposed language in Business and Professions Code (BPC) 8024.9(b) to state, “An applicant or renewing certificate holder shall provide the Board a valid email address at the time of application or renewal.” Ms. Brewer seconded. Ms. Tugade called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

Ms. Brewer suggested that the provisional license holders should be able to work as freelance reporters and not just as court employees. Ms. Tugade countered that restricting it to court may be a good pilot program to test the training certificate. Ms. Sunkees agreed, adding that working in court makes it possible for the trainees to work side-by-side with mentors versus alone in the freelance arena.

Ms. Tugade called for public comment.

Ms. Gaskill inquired if BPC 8016(b) applies to official reporters and how the practice of stating the license number on the record would work in court. Ms. Fenner responded that the key point is to ensure the consumer has access to the court reporter. For officials in their regularly assigned courtrooms, the clerk should be able to help litigants determine who the court reporter was and how to contact them. However, there may be multiple pro tem reporters throughout the day in some courts, and it is hoped that having the reporter identify themselves will assist consumers in contacting the reporters.

Ms. Gaskill spoke in support of provisional licensing and looked forward to mentoring the licensees.

Shanna Gray commented that it is important for licensees to identify themselves as described in BPC 8016(b) so that consumers know they have a licensed reporter. She stated that interpreters have a similar requirement where they have to state their name and license information every day on the record. She spoke in support of provisional licensing. She shared concern that the provisional license was only valid for one year.

Ms. Caldwell agreed with the statement made by Ms. Gray pertaining to BPC 8016(b), emphasizing the need to have clarity on how the law affects officials who are court employees versus pro tem reporters.

Mary Pierce, on behalf of California Deposition Reporters Association (DRA) President Stephanie Gaskill, spoke in support of reciprocity and provisional licensing.

Ms. Brewer expressed appreciation to the Sunset Review Committee and authors Assemblymember Berman and Senator Ashby. Ms. Tugade added thanks to the staff of the business and professions committees for both the Senate and Assembly.

Ms. Tugade moved to add standardized language to the bill to enable the Board to collect demographic information from its licensees. Seconded by Ms. Brewer. Ms. Tugade called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

Mr. Dodge requested clarification due to the concerns shared about BPC 8016(b) as well as the provisional license only being valid one year.

Ms. Geoffroy commented that the language can be read that the license information should be verbally stated on the record. However, there may be local concepts as to how to get that information such as reporting it to the clerk. As long as courts and public know who court reporter is, the reporter would be in compliance with this statute. The Board could additionally flesh out the details through the regulatory process.

Ms. Brewer was not concerned for the provisional license period limitation of one year. Not only would those individuals have three times in that year to take the exam, but she asserted that once working full-time, they would have the skills to pass the exam. The Board members agreed.

Ms. Tugade called for public comment.

Ms. Gray commented that those working in court may have trouble scheduling exams due to the hours required and workload.

The Board moved to Agenda Item 11 – Best Practice Pointers Task Force, which is reflected on page 14.

10. LICENSE/CERTIFICATE RECIPROCITY

Amy Welch-Gandy and Heidi Lincer of the DCA Office of Professional Examination Service (OPES) provided a presentation highlighting the material in the Board agenda packet.

OPES conducted a review of the Certified Verbatim Reporter (CVR) test offered by the National Verbatim Reporters Association (NVRA). The review resulted in a recommendation to support the Board's use of the skills portion of the CVR for licensing purpose but to continue to require and administer the written portions of the license exam (English and Professional Practice).

Ms. Sunkees inquired if both the CVR and CVR-S (Steno) would be supported by the recommendations of OPES. Ms. Welch-Gandy confirmed that both would be supported.

Ms. Sunkees suggested that the Board should only require the Professional Practice exam since the linkage study indicated that the English exam was fully assessed by the CVR Written Knowledge Test. Mr. Dodge-Nam pointed to the recommendation of OPES that the English exam be administered by the Board since the CVR test is not comparable in terms of weight. Ms. Sunkees responded that the Board is testing for entry-level skill.

Ms. Tugade called for public comment.

Jeanenne Morphis indicated that she had recently taken both the CVR and Board exams. She did not recall there being much substance to the CVR English test and requested the Board look into it further before considering using it in place of its own English exam.

Patrick Stephens, NVRA President, indicated that the CVR written knowledge test is a general test whereas the skills exam is more robust. He stated that NVRA has reciprocity with a lot of states where they accept the CVR skills exam but not the written knowledge test. He supported the Board continuing to use its own written exams.

Ms. Gaskill expressed concern that the CVR test does not require use of CAT software, which is required to be used when practicing court reporting in California.

Ms. Gray spoke in support of the Board using the skills portion of the CVR while continuing to offer the written portions of the exam.

Veronica Gerstner stated that the CVR has three five-minute tests. She spoke in support of using the CVR skills and English exams.

Heather Williams, voice writing candidate, agreed that CAT software training and usage are important considerations for the skills exam.

Elizabeth Fernandez commented that the California English exam is more difficult than the NCRA RPR English exam.

Priscilla Gwaltney spoke in agreement with the comments made by Ms. Gray.

Claudia spoke in agreement with the comments made by Ms. Gray.

Ms. Fenner remarked that lower-level schools are not teaching English to the degree that they used to. Since punctuation, grammar, and vocabulary are essential pieces to putting out a verbatim transcript, she believed the Board should continue administering its own English exam to keep the standards high. Ms. Brewer agreed and supported keeping the two California written knowledge tests.

Ms. Sunkees indicated that California is the only state administering two written knowledge tests. She reiterated her recommendation that the Board offer only the Professional Practice exam and use the CVR skills and English exams. She inquired if the CAT software requirement could be addressed in regulations. Ms. Fenner responded that she did not know how the Board could accept the CVR skills exam but then restrict what equipment they use for testing.

Mr. Dodge-Nam questioned the balance of the California English standard as a protection for consumers versus a potential barrier that hinders the greater need for more available reporters in the state.

Ms. Gandy-Welch shared that the CVR has an English component versus a full exam specific to English. The subject matter experts determined during the linkage study that the content being measured on the Board's English exam was being covered by the CVR English portion but not as extensively. Ms. Lincer added that it is typical when a state board moves to a national exam, the national exam is not going to cover the material at the same depth as the state exam.

The Board took a break at 12:30 p.m. and returned to open session at 12:45 p.m. Board staff established the presence of a quorum by roll call.

Mr. Dodge-Nam moved to direct staff to develop regulatory language to implement license reciprocity with the skills portion of the CVR, requiring CVR holders to only take the California written tests, specifically Professional Practice and English tests, to qualify for licensure. Seconded by Mr. Mnayan. Ms. Tugade called for public comment.

Mr. Stephens clarified that the English portion of the CVR is more of a national design that focuses on a variety of elements including medical and legal terms, grammar, punctuation, transcript production, and ethics. He reported that NVRA members are required to take 20 hours of continuing education biannually including grammar and punctuation. He supported a structure of reciprocity with the skills exam only.

Ms. Morphis requested clarification on how the CAT software requirement would be handled since it not required for the CVR skills portion.

Ms. Gaskill joined in the concern regarding CAT software not being used during the CVR skills portion.

Ms. Gwaltney stated that all applicants should be familiar with California practices if they want to be a successful CSR. She deferred to Board staff who review skills exam transcripts to know whether English language knowledge requirements are being met. She reported that some newly licensed CSRs express that they do not feel ready. She expressed that the advanced speed of course completion by voice writing students means that they are not producing as many transcripts in school and, therefore, receiving less feedback from instructors.

Ms. Gerstner stated that many students take the CVR without software because their school did not require it, but they obtain it after certification to work.

Ms. Fenner stated that using software is the only way to efficiently create transcripts; so she does not have concern that candidates won't obtain it as soon as they reach licensure.

Ms. Sunkees reported that when she co-chaired the License Reciprocity Task Force in 2020, the subject matter experts did not want to form reciprocity with the RPR exam because the format was so different from the CSR exam. Now the Board is in the process of changing its exam to match the RPR format. She questioned what would be gained by having a separate written knowledge test for entry level skills if there is already one that covers it.

Ms. Brewer requested the Board consider additional information before waiving the current English exam.

Ms. Tugade called for public comment.

Linda Lawson stated that California is already diluting the qualifications by reducing the format and pass rate for the test and now not requiring demonstration of the skill to use CAT software.

Mr. Stephens indicated that CAT software companies are always present at NVRA conventions, and he does not believe there is a deficiency in software skills of its members. Many NVRA members offer realtime services.

Ms. Morphis shared in concern regarding CAT software and the possible inability of the reporter to provide readback.

Sheena Silvera recognized the concern regarding CAT software, but she expressed confidence that the successful candidates would learn the software as she did.

Ms. Lawson shared concern that once licensed, the CVR holders would go to work right away instead of waiting until they have the software skills.

Jean Kim stated that an individual who does not know how to manipulate CAT software is not an applicant with entry-level skills.

A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

11. BEST PRACTICE POINTERS TASK FORCE

Ms. Brewer reported that the task force met on May 30, 2024, and June 11, 2024, with great participation from the members and public. She presented Best Practice Pointers 1, 2, and 3 for review and approval.

The Board discussed amendments to the documents.

Ms. Pierce thanked the task force chairs for their exceptional leadership. She also expressed appreciation to the other members for their cooperative efforts.

Ana Costa echoed the comments made by Ms. Pierce, adding that she considered the Best Practice Pointers a valuable reference.

Ms. Sunkees also thanked all the members of the task force and Board staff for their team effort. Ms. Tugade and Mr. Dodge-Nam joined in the expression of appreciation.

Mr. Dodge-Nam moved to approve as amended Best Practice Pointers 1, 2, and 3. Seconded by Ms. Tugade. Ms. Tugade called for public comment. No comments were offered. A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

12. 2024-2028 STRATEGIC PLAN

Ms. Fenner indicated that the Board approved its strategic plan for 2024-2028 at its December 2023 meeting. Staff worked with SOLID to prepare the Action Plan beginning on page 260 of the Board meeting materials as well as the Action Plan Timeline beginning on page 277. The timeline helps the Board track and prioritize the steps necessary to accomplish the goals in the strategic plan.

Ms. Sunkees requested the Board move the voice writer information awareness outreach (Objective 4.3) up from July 2026 to January 2025. The Board agreed.

Ms. Brewer moved to approve the Action Plan for the 2024-2028 Strategic Plan. Seconded by Mr. Dodge-Nam. Ms. Tugade called for public comment.

Ms. Pierce spoke in opposition of Objective 2.2, pursuit of legislation to oversee digital recording. She stated that there could not be any meaningful test that could justify license to anyone using the digital recording process. She also asserted that it would confuse consumers by implying a false equivalency to a court reporter. Concerns regarding the reliability, accuracy, and protection of privacy due to chain-of-custody issues, certifications, and use of artificial intelligence. She suggested the oversight and regulation of digital recorders be held through their notary license.

Ms. Tugade and Ms. Fenner clarified that the Strategic Plan, including the objectives, was already approved by the Board in December 2023.

A vote was conducted by roll call.

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

Mr. Dodge-Nam requested the Action Plan Timeline be sorted in chronological order by target date. He also pointed out that the target date for oversight of digital recorders is appropriately three years away. Since technology is ever-changing, he believed it is important to keep a watch on how it develops and affects the Board's services to California consumers.

The Action Plan Timeline is a living document that will be brought to each meeting with progress updates. Board members will be encouraged to rearrange the priority of the action items as needs change.

Ms. Tugade called for public comment.

Ms. Gray spoke in support of the prioritization of the voice writer awareness outreach. She agreed with the comments made by Ms. Pierce.

13. ELECTION OF OFFICERS

Ms. Tugade called for election of officers.

Ms. Brewer nominated Ms. Tugade as chair. Mr. Mnayan seconded the motion.

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

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

Mr. Dodge-Nam nominated Ms. Sunkees as vice-chair. Ms. Tugade seconded the motion.

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

For: Ms. Brewer, Mr. Dodge-Nam, Mr. Mnayan, Ms. Sunkees, and Ms. Tugade

Opposed: None

Absent: None

Abstain: None

Recusal: None

MOTION CARRIED

14. FUTURE MEETING DATES

Ms. Tugade stated that staff would poll the Board members offline for calendar availability for the next meeting.

Ms. Tugade called for public comment. No comments were offered.

ADJOURNMENT

Ms. Tugade adjourned the meeting at 1:36 p.m.

DENISE TUGADE, Board Chair

DATE

YVONNE K. FENNER, Executive Officer

DATE

COURT REPORTERS BOARD MEETING – NOVEMBER 15, 2024

AGENDA ITEM 3 – Department of Consumer Affairs Update

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Agenda Description: Report from the DCA Executive Office
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Support Documents: None
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Fiscal Impact: None
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Recommended Board Action: Informational.
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AGENDA ITEM 4 – Report of the Executive Officer

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Agenda Description: Report on:

- 4.1 CRB Budget Report
- 4.2 Transcript Reimbursement Fund
- 4.3 Enforcement Activities
- 4.4 License Exam
- 4.5 Technology Modernization

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Support Documents:

- Attachment 1, Item 4.1 – FM 3 Expenditure Projections FY 2024-25
- Attachment 2, Item 4.1 – CRB Fund Condition
- Attachment 3, Item 4.2 – TRF Fund Condition
- Attachment 4, Item 4.3 – Enforcement Statistics
- Attachment 5, Item 4.4 – Dictation Exam Statistics by Reporting Method
- Attachment 6, Item 4.4 – Historical Exam Statistics

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Fiscal Impact: None

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Recommended Board Action: None

Department of Consumer Affairs
 Expenditure Projection Report
 Court Reporters Board of California
 Reporting Structure(s): 11113110 Support
 Fiscal Month: 3
 Fiscal Year: 2024 - 2025
 Run Date: 10/21/2024

PERSONAL SERVICES

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$408,000	\$414,074	\$409,000	\$36,249	\$108,288	\$0	\$108,288	\$430,390	-\$21,390
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$14,000	\$14,322	\$14,000	\$200	\$4,679	\$0	\$4,679	\$8,179	\$5,821
5150	STAFF BENEFITS	\$246,000	\$285,444	\$252,000	\$24,366	\$69,873	\$0	\$69,873	\$283,809	-\$31,809
	PERSONAL SERVICES	\$679,000	\$742,189	\$686,000	\$63,684	\$188,130	\$0	\$188,130	\$753,310	-\$67,310

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$9,000	\$5,488	\$9,000	\$49	\$754	\$1,100	\$1,854	\$5,396	\$3,604
5302	PRINTING	\$1,000	\$17,929	\$1,000	\$0	\$0	\$0	\$0	\$16,668	-\$15,668
5304	COMMUNICATIONS	\$2,000	\$2,478	\$2,000	\$138	\$169	\$0	\$169	\$2,465	-\$465
5306	POSTAGE	\$0	\$2,163	\$0	\$0	\$0	\$0	\$0	\$2,200	-\$2,200
5308	INSURANCE	\$0	\$8	\$0	\$0	\$0	\$0	\$0	\$10	-\$10
53202-204	IN STATE TRAVEL	\$18,000	\$3,561	\$18,000	\$0	\$3,339	\$0	\$3,339	\$4,089	\$13,911
5322	TRAINING	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
5324	FACILITIES	\$49,000	\$57,800	\$49,000	\$4,609	\$13,826	\$41,477	\$55,303	\$58,521	-\$9,521
53402-53403	C/P SERVICES (INTERNAL)	\$278,000	\$39,794	\$278,000	\$4,185	\$4,185	\$2,797	\$6,982	\$40,398	\$237,602
53404-53405	C/P SERVICES (EXTERNAL)	\$89,000	\$75,918	\$89,000	\$1,225	\$12,978	\$73,735	\$86,713	\$111,863	-\$22,863
5342	DEPARTMENT PRORATA	\$168,000	\$145,519	\$172,000	\$43,000	\$86,000	\$0	\$86,000	\$172,000	\$0
5342	DEPARTMENTAL SERVICES	\$0	\$88,319	\$0	\$1	\$3	\$0	\$3	\$58,317	-\$58,317
5344	CONSOLIDATED DATA CENTERS	\$3,000	\$3,041	\$3,000	\$0	\$0	\$0	\$0	\$3,000	\$0
5346	INFORMATION TECHNOLOGY	\$2,000	\$1,117	\$2,000	\$0	\$1	\$0	\$1	\$701	\$1,299
5362-5368	EQUIPMENT	\$3,000	\$13,010	\$9,000	\$0	\$0	\$0	\$0	\$8,000	\$1,000
54	SPECIAL ITEMS OF EXPENSE	\$0	\$232	\$0	\$0	\$0	\$0	\$0	\$250	-\$250
	OPERATING EXPENSES & EQUIPMENT	\$622,000	\$456,378	\$632,000	\$53,207	\$121,255	\$119,110	\$240,364	\$483,879	\$148,121
	OVERALL TOTALS	\$1,301,000	\$1,198,567	\$1,318,000	\$116,891	\$309,384	\$119,110	\$428,494	\$1,237,189	\$80,811

	REIMBURSMENTS	-\$18,000	-\$2,904	-\$18,000					-\$2,881	
	OVERALL NET TOTALS	\$1,283,000	\$1,195,663	\$1,300,000	\$116,891	\$309,384	\$119,110	\$428,494	\$1,234,308	\$65,692
										5.05%

0771 - Court Reporter's Board Fund Analysis of Fund Condition
(Dollars in Thousands)
2024 Budget Act With FM 3 Projections

Prepared 10.23.2024

	Actual 2023-24	CY 2024-25	BY 2025-26	BY +1 2026-27	BY +2 2027-28
BEGINNING BALANCE	\$ 1,291	\$ 1,433	\$ 1,474	\$ 1,225	\$ 934
Prior Year Adjustment	\$ 7	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,298	\$ 1,433	\$ 1,474	\$ 1,225	\$ 934
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 18	\$ 19	\$ 23	\$ 23	\$ 23
4127400 - Renewal fees	\$ 1,271	\$ 1,251	\$ 1,283	\$ 1,283	\$ 1,283
4129200 - Other regulatory fees	\$ 12	\$ 17	\$ -	\$ -	\$ -
4129400 - Other regulatory licenses and permits	\$ 61	\$ 58	\$ 39	\$ 39	\$ 39
4163000 - Income from surplus money investments	\$ 64	\$ 19	\$ 19	\$ 17	\$ 12
Totals, Revenues	\$ 1,426	\$ 1,364	\$ 1,364	\$ 1,362	\$ 1,357
Revenue Transfer to Transcript Reimbursement Fund per B&P Code Section 8030.2C	\$ -	\$ -	\$ -200	\$ -200	\$ -
Totals, Transfers and Other Adjustments	\$ -	\$ -	\$ -200	\$ -200	\$ -
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 1,426	\$ 1,364	\$ 1,164	\$ 1,162	\$ 1,357
TOTAL RESOURCES	\$ 2,724	\$ 2,797	\$ 2,638	\$ 2,387	\$ 2,291
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 1,196	\$ 1,234	\$ 1,340	\$ 1,380	\$ 1,422
9892 Supplemental Pension Payments (State Operations)	\$ 25	\$ 16	\$ -	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 70	\$ 73	\$ 73	\$ 73	\$ 73
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 1,291	\$ 1,323	\$ 1,413	\$ 1,453	\$ 1,495
FUND BALANCE					
Reserve for economic uncertainties	\$ 1,433	\$ 1,474	\$ 1,225	\$ 934	\$ 796
Months in Reserve	13.0	12.5	10.1	7.5	6.4

NOTES:

1. Assumes workload and revenue projections are realized in BY +1 and ongoing.
2. Expenditure growth projected at 3% beginning BY +1.

Attachment 3 Agenda Item 4.2

0410 - Transcript Reimbursement Fund Analysis of Fund Condition
(Dollars in Thousands)

Prepared 10.28.2024

2024 Budget Act With FM 3

	Actual 2023-24	CY 2024-25	BY 2025-26	BY +1 2026-27	BY +2 2027-28
BEGINNING BALANCE	\$ 408	\$ 304	\$ 158	\$ 208	\$ 259
Prior Year Adjustment	\$ -1	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 407	\$ 304	\$ 158	\$ 208	\$ 259
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4163000 - Income from surplus money investments	\$ 14	\$ 4	\$ 0	\$ 1	\$ 2
Totals, Revenues	\$ 14	\$ 4	\$ 0	\$ 1	\$ 2
Revenue Transfer from Court Reporters Fund per B&P Code Section 8030.2(d)	\$ -	\$ -	\$ 200	\$ 200	\$ -
Totals, Transfers and Other Adjustments	\$ -	\$ -	\$ 200	\$ 200	\$ 0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 14	\$ 4	\$ 200	\$ 201	\$ 2
TOTAL RESOURCES	\$ 421	\$ 308	\$ 358	\$ 409	\$ 261
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 117	\$ 150	\$ 150	\$ 150	\$ 150
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 117	\$ 150	\$ 150	\$ 150	\$ 150
FUND BALANCE					
Reserve for economic uncertainties	\$ 304	\$ 158	\$ 208	\$ 259	\$ 111
Months in Reserve	24.3	12.6	16.6	20.7	8.9

NOTES:

1. Assumes workload and revenue projections are realized in BY +1 and ongoing.
2. Expenditure projected static in BY and ongoing.

Consumer Protection Enforcement Initiative
Fiscal Year 2023-2024 Enforcement Report -- CSR only
July 1, 2023 - June 30, 2024

Consumer Complaints - Intake

Complaints (Intake)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	7	18	6	10	9	3	10	10	10	11	2	14	110
Closed without Referral for Investigation	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Investigation	7	18	6	10	9	3	10	10	10	11	2	14	110
Average Days to Close (from receipt of complaint to closure or referral for investigation)	1	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	0

Convictions/Arrests Reports (Intake)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	0	0	0	0	0	0	0	0	0	0	0	0	0
Closed without Referral for Investigation	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Investigation	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Days to Close (from receipt of conviction to closure or referral for investigation)	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending	0	0	0	0	0	0	0	0	0	0	0	0	0

Consumer Protection Enforcement Initiative

Fiscal Year 2023-2024 Enforcement Report -- CSR only

July 1, 2023 - June 30, 2024

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened *	7	18	6	10	9	3	10	10	10	11	2	14	110
Closed *	14	9	12	12	5	6	8	12	7	8	12	6	111
Average Days to Close (from start of investigation to investigation closure or referral to AG) [Straightline] *	127	40	31	43	84	36	78	44	37	57	46	41	57
Pending *	10	19	13	11	15	12	14	12	15	18	8	16	14 ^

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	0	0	0	0	0	0	0
Closed *	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Days to Close (from start of investigation to investigation closure or referral to AG) *	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending *	0	0	0	0	0	0	0	0	0	0	0	0	0

All Investigations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened **	7	18	6	10	9	3	10	10	10	11	2	14	110
Closed **	14	9	12	12	5	6	8	12	7	8	12	6	111
Average Days to Close (from receipt of complaint to investigation closure or referral to AG) [Straightline] **	127	40	31	43	84	36	78	44	37	57	46	41	57
Pending **	10	19	13	11	15	12	14	12	15	18	8	16	14 ^

* Complaints assigned from intake.

** Complaints from desk and sworn.

^ Average number of cases pending.

Consumer Protection Enforcement Initiative

Fiscal Year 2023-2024 Enforcement Report -- CSR only

July 1, 2023 - June 30, 2024

Enforcement Actions

AG Cases	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
AG Cases Opened/Initiated	0	0	2	0	0	0	3	0	0	0	0	0	5
AG Cases Pending	2	2	3	3	3	3	6	6	5	5	5	4	4
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	0	0	0	0	0	0	0	0	0	0	0	0	0
SOIs Withdrawn	0	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	0
SOIs Declined	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Days to Complete SOIs (from AG referral to SOI filed)	0	0	0	0	0	0	0	0	0	0	0	0	0
Accusations Filed	0	0	0	0	1	0	0	1	1	0	1	1	5
Accusations Withdrawn	0	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	0
Accusations Declined	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Days to Complete Accusations (from AG referral to accusation filed)	0	0	0	0	62	0	0	132	41	0	132	146	103
Petition to Revoke Probation (PRP)	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Days to Complete PRP	0	0	0	0	0	0	0	0	0	0	0	0	0
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	0	1
Stipulations	0	0	0	0	0	0	0	1	0	0	1	1	3
Disciplinary Orders	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	0	0	1	0	0	0	0	0	1	0	0	1	3
Average Days to Complete (from complaint receipt to imposing formal discipline) [Straightline]	0	0	236	0	0	0	0	0	640	0	0	258	378
Interim Suspension Orders	0	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	2	2	1	1	1	1	1	3	0	1	2	1	16
Average Days to Complete (from complaint receipt to citation issued) [Straightline]	34	39	24	119	49	22	60	45	0	64	68	46	50 [^]

Consumer Protection Enforcement Initiative

Fiscal Year 2023-2024 Enforcement Report -- CRF only

July 1, 2023 - June 30, 2024

Consumer Complaints - Intake

Complaints (Intake)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	2	1	5	4	7	2	2	2	4	4	2	1	36
Closed without Referral for Investigation	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred for Investigation	2	1	5	4	7	2	2	2	4	4	2	1	36
Average Days to Close (from receipt of complaint to closure or referral for investigation)	1	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	0

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened *	2	1	5	4	7	2	2	2	4	4	2	1	36
Closed *	2	1	2	5	5	3	3	1	5	1	4	0	32
Average Days to Close (from start of investigation to investigation closure or referral to AG) [Straightline] *	14	37	50	38	20	62	67	56	34	41	36	0	39
Pending *	3	3	6	5	7	5	4	5	4	7	5	6	5 ^

Field Investigation (Sworn)

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	1	0	0	0	0	0	0	1
Closed*	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Days to Close (from start of investigation to investigation closure or referral to AG)*	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending*	0	0	0	0	0	1	1	1	1	1	1	1	1

All Investigations

All Investigations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened **	2	1	5	4	7	2	2	2	4	4	2	1	36
Closed **	2	1	2	5	5	3	3	1	5	1	4	0	32
Average Days to Close (from receipt of complaint to investigation closure or referral to AG) [Straightline] **	14	37	50	38	20	62	67	56	34	41	36	0	39
Pending **	3	3	6	5	7	6	5	6	5	8	6	7	6 ^

* Complaints assigned from intake.

** Complaints from desk and sworn.

^ Average number of cases pending.

Consumer Protection Enforcement Initiative
Fiscal Year 2024-2025 Enforcement Report -- CSR only
July 1, 2024 - September 30, 2024

Consumer Complaints - Intake

Complaints (Intake)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	6	7	13										26
Closed without Referral for Investigation	0	0	1										1
Referred for Investigation	6	7	12										25
Average Days to Close (from receipt of complaint to closure or referral for investigation)	1	1	1										1
Pending	0	0	0										0

Convictions/Arrests Reports (Intake)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	0	0	0										0
Closed without Referral for Investigation	0	0	0										0
Referred for Investigation	0	0	0										0
Average Days to Close (from receipt of conviction to closure or referral for investigation)	0	0	0										0
Pending	0	0	0										0

Consumer Protection Enforcement Initiative

Fiscal Year 2024-2025 Enforcement Report -- CSR only

July 1, 2024 - September 30, 2024

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened *	6	7	12										25
Closed *	3	5	11										19
Average Days to Close (from start of investigation to investigation closure or referral to AG) [Straightline] *	71	55	34										45
Pending *	19	21	22										21 ^
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
Closed *	0	0	0										0
Average Days to Close (from start of investigation to investigation closure or referral to AG) *	0	0	0										0
Pending *	0	0	0										0
All Investigations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened **	6	7	12										25
Closed **	3	5	11										19
Average Days to Close (from receipt of complaint to investigation closure or referral to AG) [Straightline] **	71	55	34										45
Pending **	19	21	22										21 ^

* Complaints assigned from intake.

** Complaints from desk and sworn.

^ Average number of cases pending.

Consumer Protection Enforcement Initiative

Fiscal Year 2024-2025 Enforcement Report -- CSR only

July 1, 2024 - September 30, 2024

Enforcement Actions

AG Cases	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
AG Cases Opened/Initiated	0	0	0										0
AG Cases Pending	3	3	3										3
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	0	0	0										0
SOIs Withdrawn	0	0	0										0
SOIs Dismissed	0	0	0										0
SOIs Declined	0	0	0										0
Average Days to Complete SOIs (from AG referral to SOI filed)	0	0	0										0
Accusations Filed	0	0	0										0
Accusations Withdrawn	0	0	0										0
Accusations Dismissed	0	0	0										0
Accusations Declined	0	0	0										0
Average Days to Complete Accusations (from AG referral to accusation filed)	0	0	0										0
Petition to Revoke Probation (PRP)	0	0	0										0
Average Days to Complete PRP	0	0	0										0
Decisions/Stipulations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Proposed/Default Decisions	0	0	0										0
Stipulations	0	0	1										1
Disciplinary Orders	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	1	0	0										1
Average Days to Complete (from complaint receipt to imposing formal discipline) [Straightline]	235	0	0										235
Interim Suspension Orders	0	0	0										0
Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	2	2	1										5
Average Days to Complete (from complaint receipt to citation issued) [Straightline]	109	72	50										82 ^

Consumer Protection Enforcement Initiative
Fiscal Year 2024-2025 Enforcement Report -- CRF only
July 1, 2024 - September 30, 2024

Consumer Complaints - Intake

Complaints (Intake)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	1	1	3										5
Closed without Referral for Investigation	0	0	0										0
Referred for Investigation	1	1	3										5
Average Days to Close (from receipt of complaint to closure or referral for investigation)	1	1	1										1
Pending	0	0	0										0

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened *	1	1	3										5
Closed *	3	1	2										6
Average Days to Close (from start of investigation to investigation closure or referral to AG) [Straightline] *	58	222	14										70
Pending *	4	4	5										4 ^

Field Investigation (Sworn)

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
Closed*	0	0	0										0
Average Days to Close (from start of investigation to investigation closure or referral to AG)*	0	0	0										0
Pending*	1	1	1										1

All Investigations

All Investigations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Opened **	1	1	3										5
Closed **	3	1	2										6
Average Days to Close (from receipt of complaint to investigation closure or referral to AG) [Straightline] **	58	222	14										70
Pending **	5	5	6										5 ^

* Complaints assigned from intake.
 ** Complaints from desk and sworn.
 ^ Average number of cases pending.

Citations

Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	1	1	0										2
Average Days to Complete (from complaint receipt to citation issued) [Straightline]	109	222	0										166 ^

Dictation Exam Statistics by Reporting Method

Steno Writers

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Nov 2022	75	17	22.7%	24	13	54.2%
Mar 2023	83	23	27.7%	21	13	61.9%
Jul 2023	87	29	33.3%	32	19	59.4%
Nov 2023	78	25	32.1%	23	15	65.2%
Mar 2024	63	13	20.6%	17	10	58.8%
Jul 2024	69	21	30.4%	21	8	38.1%

Voice Writers

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Nov 2022	6	4	66.7%	6	4	66.7%
Mar 2023	4	2	50.0%	3	2	66.7%
Jul 2023	16	11	68.8%	15	11	73.3%
Nov 2023	41	28	68.3%	36	24	66.7%
Mar 2024	41	33	80.5%	29	25	86.2%
Jul 2024	52	37	71.2%	46	35	76.1%

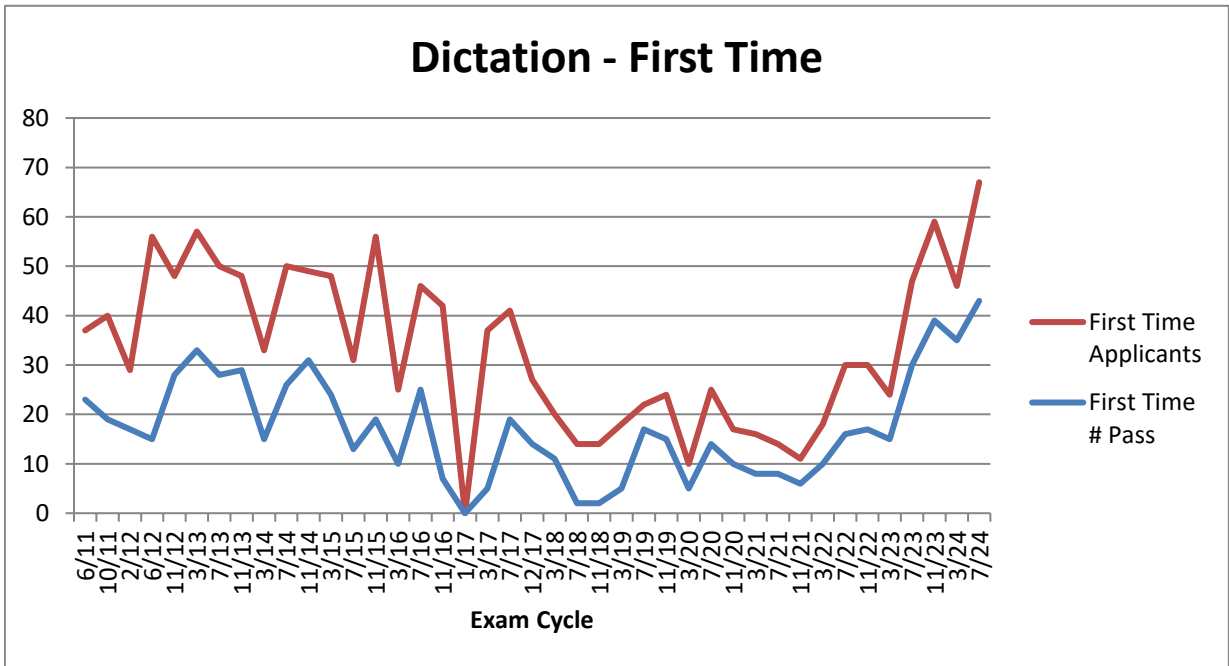
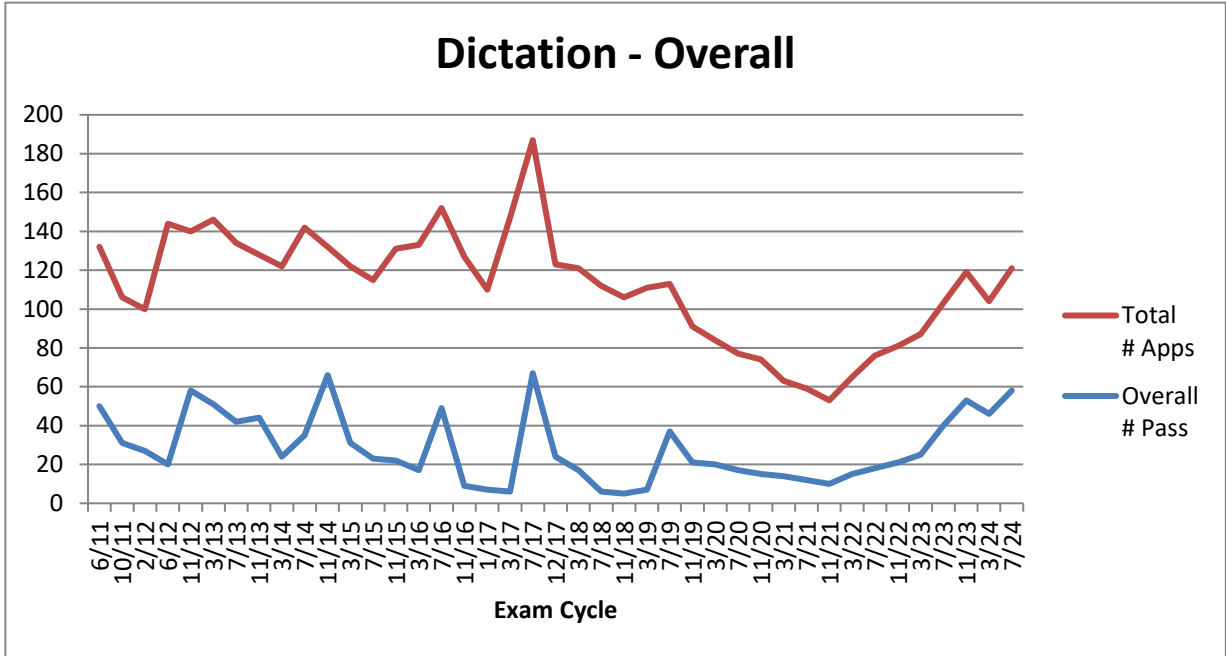
Overall

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Nov 2022	81	21	25.9%	30	17	56.7%
Mar 2023	87	25	28.7%	24	15	62.5%
Jul 2023	103	40	38.8%	47	30	63.8%
Nov 2023	119	53	44.5%	59	39	66.1%
Mar 2024	104	46	44.2%	46	35	76.1%
Jul 2024	121	58	47.9%	67	43	64.2%

Dictation Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jun 2011	132	50	37.9%	37	23	62.2%
Oct 2011	106	31	29.2%	40	19	47.5%
Feb 2012	100	27	27.0%	29	17	58.6%
Jun 2012	144	20	13.9%	56	15	26.8%
Nov 2012	140	58	41.4%	48	28	58.3%
Mar 2013	146	51	34.9%	57	33	57.9%
Jul 2013	134	42	31.3%	50	28	56.0%
Nov 2013	128	44	34.4%	48	29	60.4%
Mar 2014	122	24	19.7%	33	15	45.5%
Jul 2014	142	35	24.6%	50	26	52.0%
Nov 2014	132	66	50.0%	49	31	63.3%
Mar 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%
Jul 2017	187	67	35.8%	41	19	46.3%
Dec 2017	123	24	19.5%	27	14	51.9%
Mar 2018	121	17	14.0%	20	11	55.0%
Jul 2018	112	6	5.4%	14	2	14.3%
Nov 2018	106	5	4.7%	14	2	14.3%
Mar 2019	111	7	6.3%	18	5	27.8%
Jul 2019	113	37	32.7%	22	17	77.3%
Nov 2019	91	21	23.1%	24	15	62.5%
Mar 2020	84	20	23.8%	10	5	50.0%
Jul 2020	77	17	22.1%	25	14	56.0%
Nov 2020	74	15	20.3%	17	10	58.8%
Mar 2021	63	14	22.2%	16	8	50.0%
Jul 2021	59	12	20.3%	14	8	57.1%
Nov 2021	53	10	18.9%	11	6	54.5%
Mar 2022	65	15	23.1%	18	10	55.6%
Jul 2022	76	18	23.7%	30	16	53.3%
Nov 2022	81	21	25.9%	30	17	56.7%
Mar 2023	87	25	28.7%	24	15	62.5%
Jul 2023	103	40	38.8%	47	30	63.8%
Nov 2023	119	53	44.5%	59	39	66.1%
Mar 2024	104	46	44.2%	46	35	76.1%
Jul 2024	121	58	47.9%	67	43	64.2%

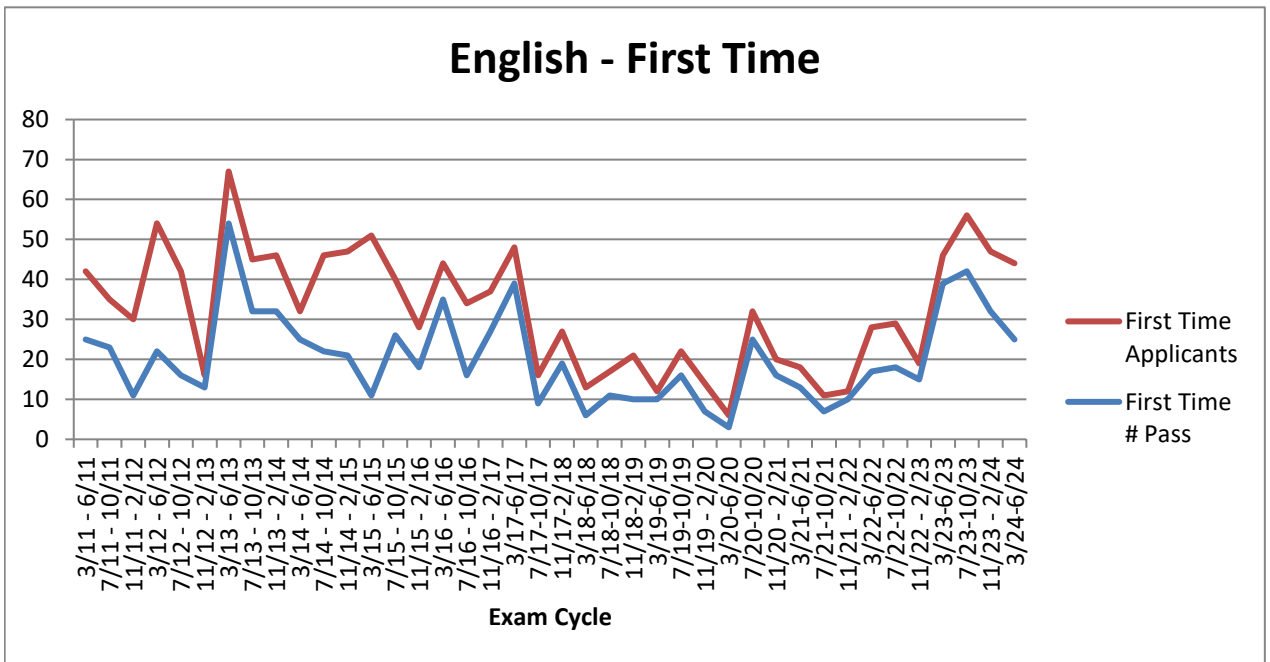
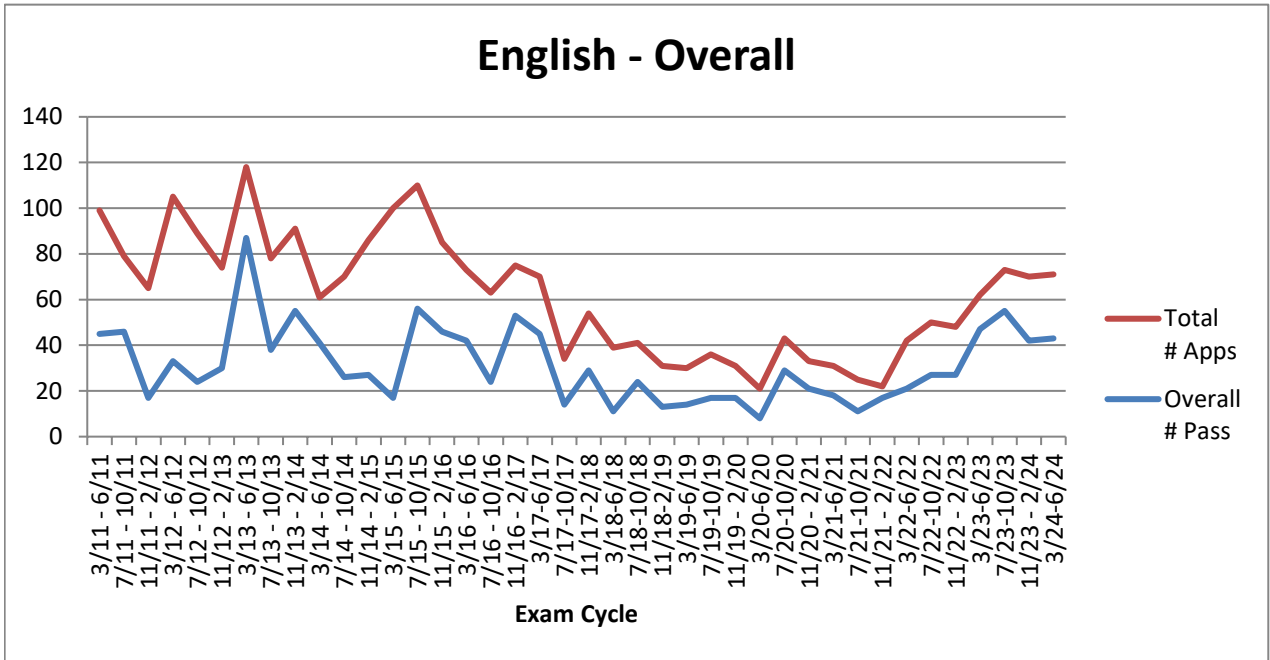
Dictation Exam



English Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
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 - Jun 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%
Mar 2017 - Jun 2017	70	45	64.3%	48	39	81.3%
Jul 2017 - Oct 2017	34	14	41.2%	16	9	56.3%
Nov 2017 - Feb 2018	54	29	53.7%	27	19	70.4%
Mar 2018 - Jun 2018	39	11	28.2%	13	6	46.2%
Jul 2018 - Oct 2018	41	24	58.5%	17	11	64.7%
Nov 2018 - Feb 2019	31	13	41.9%	21	10	47.6%
Mar 2019 - Jun 2019	30	14	46.7%	12	10	83.3%
Jul 2019 - Oct 2019	36	17	47.2%	22	16	72.7%
Nov 2019 - Feb 2020	31	17	54.8%	14	7	50.0%
Mar 2020 - Jun 2020	21	8	38.1%	6	3	50.0%
Jul 2020 - Oct 2020	43	29	67.4%	32	25	78.1%
Nov 2020 - Feb 2021	33	21	63.6%	20	16	80.0%
Mar 2021 - Jun 2021	31	18	58.1%	18	13	72.2%
Jul 2021 - Oct 2021	25	11	44.0%	11	7	63.6%
Nov 2021 - Feb 2022	22	17	77.3%	12	10	83.3%
Mar 2022 - Jun 2022	42	21	50.0%	28	17	60.7%
Jul 2022 - Oct 2022	50	27	54.0%	29	18	62.1%
Nov 2022 - Feb 2023	48	27	56.3%	19	15	78.9%
Mar 2023 - Jun 2023	62	47	75.8%	46	39	84.8%
Jul 2023 - Oct 2023	73	55	75.3%	56	42	75.0%
Nov 2023 - Feb 2024	70	42	60.0%	47	32	68.1%
Mar 2024 - Jun 2024	71	43	60.6%	44	25	56.8%

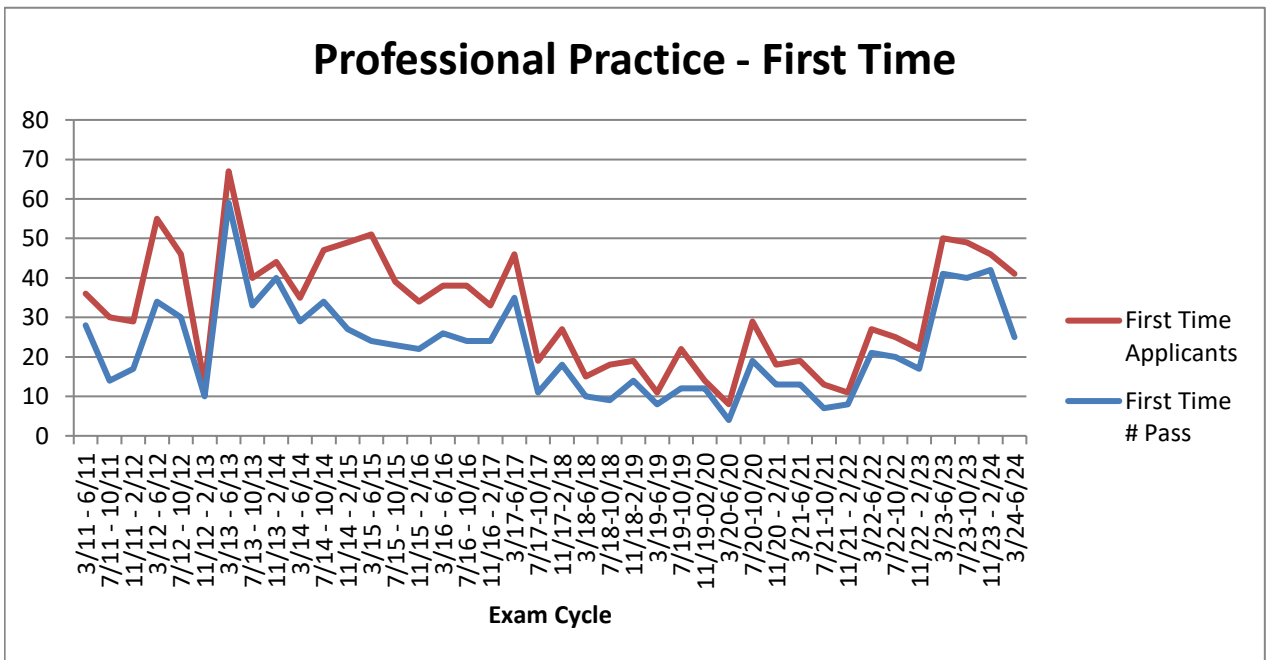
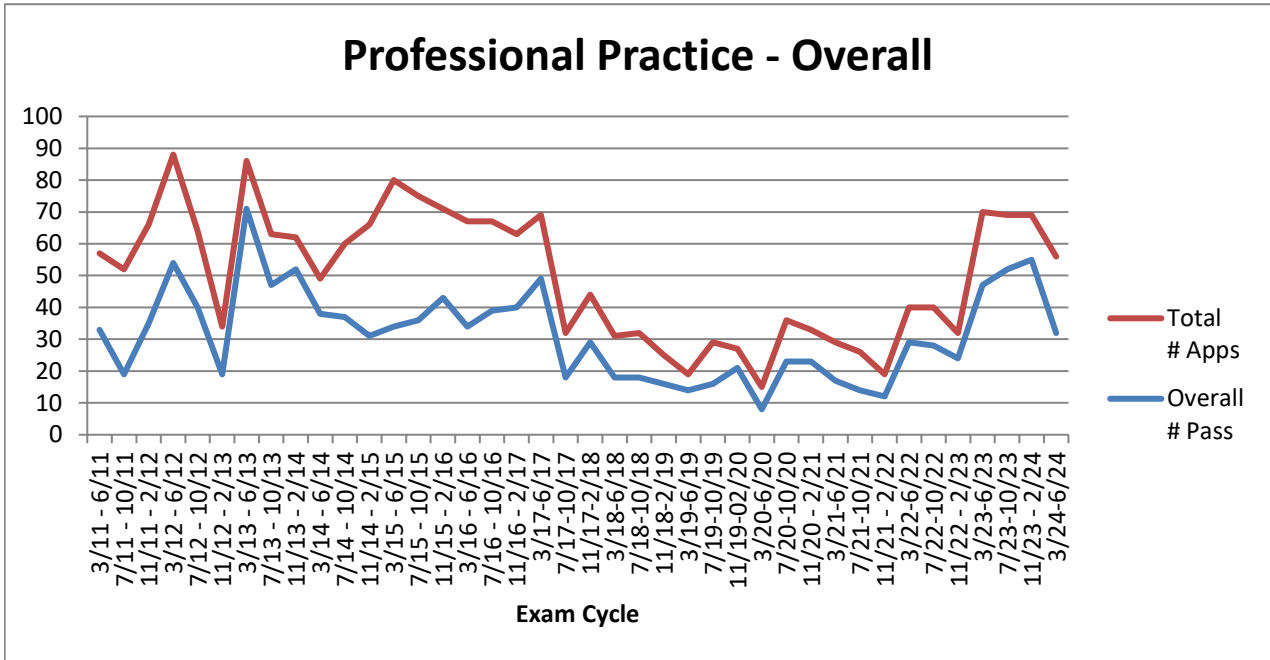
English Exam



Professional Practice Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
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 - Jun 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%
Mar 2017 - Jun 2017	69	49	71.0%	46	35	76.1%
Jul 2017 - Oct 2017	32	18	56.3%	19	11	57.9%
Nov 2017 - Feb 2018	44	29	65.9%	27	18	66.7%
Mar 2018 - Jun 2018	31	18	58.1%	15	10	66.7%
Jul 2018 - Oct 2018	32	18	56.3%	18	9	50.0%
Nov 2018 - Feb 2019	25	16	64.0%	19	14	73.7%
Mar 2019 - Jun 2019	19	14	73.7%	11	8	72.7%
Jul 2019 - Oct 2019	29	16	55.2%	22	12	54.5%
Nov 2019 - Feb 2020	27	21	77.8%	14	12	85.7%
Mar 2020 - Jun 2020	15	8	53.3%	8	4	50.0%
Jul 2020 - Oct 2020	36	23	63.9%	29	19	65.5%
Nov 2020 - Feb 2021	33	23	69.7%	18	13	72.2%
Mar 2021 - Jun 2021	29	17	58.6%	19	13	68.4%
Jul 2021 - Oct 2021	26	14	53.8%	13	7	53.8%
Nov 2021 - Feb 2022	19	12	63.2%	11	8	72.7%
Mar 2022 - Jun 2022	40	29	72.5%	27	21	77.8%
Jul 2022 - Oct 2022	40	28	70.0%	25	20	80.0%
Nov 2022 - Feb 2023	32	24	75.0%	22	17	77.3%
Mar 2023 - Jun 2023	70	47	67.1%	50	41	82.0%
Jul 2023 - Oct 2023	69	52	75.4%	49	40	81.6%
Nov 2023 - Feb 2024	69	55	79.7%	46	42	91.3%
Mar 2024 - Jun 2024	56	32	57.1%	41	25	61.0%

Professional Practice Exam



AGENDA ITEM 5 – Legislation

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

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

5.1 [AB 2269](#) (Flora) – Board membership qualifications: public members. (Senate Business, Professions & Economic Development Committee) This bill would revise requirements for public members of any board within DCA related to business relationships with a licensee of that board, revising the current requirements from five years to three years preceding that individual’s appointment. This bill also removes current exemptions for individuals who are exempt from this requirement if the relationship with a licensee constituted no more than two percent of the practice or business of the licensee.

5.2 ***[AB 2862](#) (Gipson) – Department of Consumer Affairs: African American applicants. (Senate Business, Professions & Economic Development Committee) This bill would require, notwithstanding any other law, that a board within DCA prioritize African American applicants seeking licenses, especially applicants who are descended from a person enslaved in the United States. This bill would remain in effect until January 1, 2029.

5.3 ***[AB 3013](#) (Maienschein) – Courts: remote court reporting. (Chaptered 9/14/2024) This bill would establish a remote court reporting pilot program in the superior courts of 11 counties.

5.4 ***[AB 3252](#) (Berman. Principal coauthor: Ashby) – Shorthand court reporters: sunset: certification. (Chaptered 9/25/2024) This bill would extend the sunset date of the Court Reporters Board to January 1, 2029.

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Support Documents: None

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Recommended Board Action: Informational only.

AGENDA ITEM 6 – Sunset Review

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Agenda Description:

Report on status of [AB 3252](#) (Berman/Ashby)

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Brief Summary:

AB 3252 (Berman/Ashby) was signed by the Governor and chaptered on September 25, 2025. The board is now extended until January 1, 2029.

On January 1, 2025, CSRs will be required to state their full name and license number at the beginning of any proceeding. If a CSR will be reporting multiple proceedings, they are required to provide their name and license number to the clerk before the first one.

The term “voice writer” was added to the list of terms to be used by CSRs only.

Holders of the CVR and/or CVR-S certificates will not need to take the CA skills exam. They will have three years to pass the two written tests – English and Professional Practice – to obtain their CSR.

The Board will have authority on January 1, 2025, to request a CSR to provide a public email, one that Board staff may direct consumers to use.

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Fiscal Impact: None

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Recommended Board Action: Informational only.

COURT REPORTERS BOARD MEETING – NOVEMBER 15, 2024

AGENDA ITEM 7 – Regulations

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Agenda Description: Update on California Code of Regulations, Title 16:

7.1 Sections 2420, 2422, and 2473 – Examination Results & Transcript Format

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Brief Summary:

This regulations package was approved by OAL on September 11, 2024, and will go into effect January 1, 2025.

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Recommended Board Action: Item is informational only.
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Agenda Description: Discussion and possible action on California Code of Regulations, Title 16:

7.2 Sections 2401-2481 – Various Section 100 Proposed Language

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Brief Summary:

This regulations package is for technical clean-up to our regulations.

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Recommended Board Action: Item is informational only.
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Agenda Description: Discussion and possible action on California Code of Regulations, Title 16:

7.3 Section 2472 – Disciplinary Guidelines Publication Text

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Brief Summary:

At its May 21, 2020, meeting, the Board reviewed, amended, and approved revisions to the Disciplinary Guidelines and approved a motion to direct Board staff to proceed with the rulemaking process. However, the Board did not pursue the rulemaking process at that time.

The Disciplinary Guidelines have been updated and are now before the Board for consideration.

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Support Documents:

Attachment – CCR 2472 Disciplinary Guidelines
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Recommended Board Action: Staff recommends the Board review and approve the draft regulatory language and instruct staff to proceed with the rulemaking process.

Sample Motion: I move that the Board rescind its previous May 21, 2020, motion and approve the newly proposed regulatory text and changes to CCR section 2472 as provided in the materials and direct staff to submit all approved text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations for section 2472 as noticed.



State of California Court Reporters Board of California



Disciplinary and Denial Guidelines

New [OAL insert effective date]

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I. Introduction

The Court Reporters Board (Board) is responsible for the enforcement of statutes and regulations related to the practice of shorthand reporting, more commonly known as court reporting. The Board serves the consumers of California by:

- Developing and administering the license exam, ensuring that newly licensed court reporters possess the basic skills needed and meet the minimum requirements for the profession;
- Overseeing the curriculum of court reporting schools;
- Disciplining licensees in the event of a violation of law or regulation; and
- Administering the Transcript Reimbursement Fund, which provides reimbursement for transcripts to qualified indigent litigants.

Business and Professions Code (BPC) sections 8005.1 and 8015 mandate that protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

To foster uniformity of penalties and to ensure applicants and licensees understand the consequences of violating laws or regulations governing court reporting, the Board has established these Disciplinary and Denial Guidelines (Guidelines). These Guidelines are intended to guide everyone involved in and affected by the disciplinary and denial processes, including applicants, licensees, the public, attorneys, courts, administrative law judges, Board staff, Board members who review and vote on proposed decisions and stipulations, and other interested parties.

The violations for which the Board may take disciplinary action are specified within the Board's laws and regulations, as well as general provisions of the BPC. These Guidelines provide a range of penalties for each violation of law or regulation and recommend appropriate conditions of probation for these violations. The terms "license" and "certificate" are used interchangeably herein to refer to a court reporter's license.

The Board recognizes there are often aggravating or mitigating factors that may necessitate deviation from the Guidelines. The Board respectfully requests that the administrative law judge consider, apply, and analyze these factors in proposed decisions when deciding upon the severity of the penalty within the suggested range. Of utmost importance is the effect the applicant's or licensee's conduct had or can have on the consumer.

In all disciplinary cases, the Board shall seek recovery of the reasonable costs of the investigation and enforcement of the case in accordance with BPC section 125.3. This includes all fees and costs incurred by the Board from the Office of the Attorney General, the Division of Investigation, and Board services, including fees charged by expert consultants before and through the conclusion of the administrative hearing. The Board seeks reimbursement of these costs because the burden for payment of the

costs of investigation and prosecution of disciplinary cases should fall upon those whose proven conduct required investigation and prosecution, not upon the profession as a whole. Cost recovery payment serves an important rehabilitative function by making licensees who have been disciplined confront the impacts of their actions and deterring future misconduct thereby further promoting public protection. However, cost recovery cannot be ordered for an applicant who is denied a license because it is not authorized per BPC section 125.3.

If a proposed decision orders a probationary period, the Board requests the imposition of the appropriate conditions of probation as outlined in these Guidelines. These conditions are intended to protect the public from the probationer without being unduly burdensome or anti-competitive.

II. Substantially Related Criteria and Factors to be Considered in Determining Penalties

The Board may deny, suspend, or revoke a license if the applicant or licensee has been convicted of a crime, professional misconduct, or act that is substantially related to the qualifications, functions, or duties of a shorthand reporter based on the criteria specified in California Code of Regulations, title 16 (CCR), section 2470, as applicable.

Causes for discipline and the recommended penalty ranges are covered in Chapter IV – Penalty Guidelines for Violations. However, in addition to the causes for discipline and recommended penalty ranges listed in Chapter IV of these Guidelines, the following criteria and factors shall be considered in determining the penalty.

Denial of a License

When considering the denial of a court reporter's certificate under BPC sections 480, 8025, or 8025.1, the Board shall apply the rehabilitation criteria set forth in CCR section 2471(a).

Suspension or Revocation of a License

When considering the suspension or revocation of a court reporter's certificate under BPC sections 490, 141, 8025, or 8025.1, the Board shall apply the rehabilitation criteria set forth in CCR section 2471(b).

Additional Factors

The following factors are for determining whether the minimum or maximum penalty, or an intermediate penalty, should be imposed in a given case:

1. Actual or potential harm to the consumer.
2. Actual or potential harm to the public.
3. Prior disciplinary record, including level of compliance with disciplinary order(s).

4. Number or nature of current violations, or both.
5. Aggravating evidence.
6. Mitigating evidence, including whether the licensee has demonstrated an ongoing commitment to completing continuing education.
7. Whether the conduct was intentional or negligent or demonstrated incompetence, or both.
8. Acceptance of the Board's suggested resolution to the consumer complaint.
9. Any attempts to intimidate the consumer.
10. Evidence that the unlawful act was part of a pattern or practice.
11. Financial benefit to the Respondent from the misconduct.
12. If applicable, evidence of expungement proceedings pursuant to Penal Code section 1203.4.

The following are examples of types of evidence that the applicant or licensee (Respondent) may submit to the Board to demonstrate their rehabilitative efforts and competency, and the Board will review the evidence submitted:

- Recent, dated letters from persons in positions of authority who have on-the-job knowledge of Respondent's work as a shorthand reporter that include the period of time and capacity in which the person worked with Respondent. Such reports must be signed under penalty of perjury and will be subject to verification by Board staff.
- Recent, dated letters from counselors regarding Respondent's participation in a rehabilitation or recovery program that include at least a description and requirements of the program, a therapist or mental health professional's diagnosis of the condition and current state of recovery, and the therapist or mental health professional's basis for determining rehabilitation. Such letters and reports will be subject to verification by Board staff.
- Recent, dated letters describing Respondent's participation in support groups (e.g., Alcoholics Anonymous, Narcotics Anonymous, professional support groups, etc.). Such letters and reports will be subject to verification by Board staff.
- Recent, dated letters from probation or parole officers regarding Respondent's participation in or compliance with terms and conditions of probation or parole, or both, that include at least a description of the terms and conditions and the officer's basis for determining compliance. Such letters and reports will be subject to verification by Board staff.
- Recent, dated letters from persons familiar with Respondent in either a personal or professional capacity regarding their knowledge of: Respondent's rehabilitation, if any; the conduct of which Respondent is accused; or any other pertinent facts that would enable the Board to better decide the case. Such letters must be signed under penalty of perjury and will be subject to verification by Board staff.

III. Definition of Penalties

Denial of license: Denial of the issuance of a license as the result of any one or more violations of the Shorthand Reporters Practice Act and other relevant laws. Denial of a license is permanent unless Respondent subsequently reapplies for a license. For violations of BPC sections 480-489 and 496, Respondent may reapply for licensure after a minimum of one year from the effective date of the decision per BPC section 486 unless the Board prescribes a different date, and the applicant must demonstrate to the Board's satisfaction that they are rehabilitated.

Revocation: Loss of a license as the result of any one or more violations of the Shorthand Reporters Practice Act and other relevant laws. Revocation of a license is permanent, unless Respondent takes affirmative action to petition the Board for reinstatement of their license and demonstrates to the Board's satisfaction that they are rehabilitated (see Item B – Petition for Reinstatement under Chapter VI – Model Orders).

Suspension: Invalidation of a license for a fixed period of time, not to exceed a period of one year.

Stayed Revocation: Revocation of a license, held in abeyance pending Respondent's compliance with the terms of their probation.

Stayed Suspension: Suspension of a license, held in abeyance pending Respondent's compliance with the terms of their probation.

Probation: A period during which Respondent's sentence is suspended in return for Respondent's agreement to comply with specified conditions relating to improving their conduct or preventing the likelihood of a reoccurrence of the violation.

IV. Penalty Guidelines for Violations

The following minimum and maximum penalty recommendations shall be considered in determining the penalty for the corresponding violation of the BPC:

Penalty Guidelines for Violations Table

BPC SECTION(S)	VIOLATION DESCRIPTION	MINIMUM PENALTY	MAXIMUM PENALTY
APPLICANTS			
496	Examination Subversion	<p>Denial of License.</p> <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486. 	<p>Denial of License.</p> <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486.

8016	Certificate Required for Shorthand Reporting Practice	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision. 	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision.
8018	Title and Abbreviation	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision. 	Denial of License. <ul style="list-style-type: none"> The maximum penalty should be imposed in cases where the Board has previously educated the Respondent on the requirements of section 8018 in writing. Applicant cannot reapply for licensure for a minimum of one year from the date of the decision.
480(a) / 8025(a)	Substantially Related Criminal Conviction	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486. 	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486.
480(e) / 8025(c)	False Statement of Fact on Application	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486. 	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486.
480(a)(2) / 8025(i)	Formal Discipline by Another Licensing Board	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486. 	Denial of License. <ul style="list-style-type: none"> Applicant cannot reapply for licensure for a minimum of one year from the effective date of the decision per BPC section 486.
8025.1(a)(1)	Physical or Mental Infirmary or Incapacity.	Denial of License.	Denial of License.
8025.1(a)(2)	Abuse of Chemical Substances or Alcohol.	Denial of License.	Denial of License.

LICENSEES			
8016	Certificate Required for Shorthand Reporting Practice	Stayed Revocation. <ul style="list-style-type: none"> • Four (4) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • The maximum penalty should be imposed in cases where the Board notified the licensee in writing of an expired license, and the licensee failed to renew the license. • Cost Recovery.
8018	Title and Abbreviation	Stayed Suspension – 90 calendar days. <ul style="list-style-type: none"> • Four (4) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • The maximum penalty should be imposed in cases where the Board has previously educated Respondent on the requirements of section 8018 in writing. • Cost Recovery.
8019	Aiding and Abetting	Stayed Suspension. <ul style="list-style-type: none"> • Four (4) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
490 / 8025(a)	Conviction of a Substantially Related Crime	Stayed Suspension. <ul style="list-style-type: none"> • Three (3) years' probation. • Standard Conditions 1-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(b)	Failure to Notify Board of Conviction	Stayed Suspension. <ul style="list-style-type: none"> • Three (3) years' probation. • Standard Conditions 1-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery

498/ 499/ 8025(c)	Fraud, Deceit or Misrepresentation in Obtaining Certificate, or Securing Certificate by Knowingly Omitting to State a Material Fact	Revocation. <ul style="list-style-type: none"> • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(d)	Fraud, Dishonesty, Corruption, Willful Violation of Duty	Stayed Suspension. <ul style="list-style-type: none"> • Four (4) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(d)	Gross Negligence or Incompetence	Stayed Suspension. <ul style="list-style-type: none"> • Four (4) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(d)	Unprofessional Conduct	Stayed Suspension. <ul style="list-style-type: none"> • Four (4) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(e)	Repeated Unexcused Failure to Transcribe Notes of Cases Pending Appeal and to Timely File Transcripts of those Notes, or Transcribe or File Notes of Other Proceedings	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.

8025(f)	Negligent Loss or Destruction of Stenographic Notes Preventing Transcript Production	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(g)	Failure to Comply with or Pay Monetary Sanction by Court for Failure to Provide Timely Transcripts	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(h)	Failure to Pay Civil Penalty Relating to Provision of Court Reporting Services or Products	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
141 / 8025(i)	Revocation, Suspension, or Other Disciplinary Action by Another State, Agency of the Federal Government or Another Country	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025(j)	Violation of the Chapter or the Statutes, Rules, and Regulations Pertaining to Certified Shorthand Reporters.	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.

8025.1(a)(1)	Physical or Mental Infirmity or Incapacity.	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.
8025.1(a)(2)	Abuse of Chemical Substances or Alcohol.	Stayed Suspension. <ul style="list-style-type: none"> • Two (2) years' probation. • Standard Conditions 1-11 and 13-15 as applicable. • Optional Conditions – as applicable. • Cost Recovery. 	Revocation. <ul style="list-style-type: none"> • Cost Recovery.

V. Probation Conditions

Probation conditions, detailed on the following pages, are divided into two categories: **(A) STANDARD CONDITIONS**, which are those conditions of probation that shall appear in all cases involving probation as a standard term and condition, and **(B) OPTIONAL CONDITIONS**, which are those conditions to be imposed, if warranted, based upon the nature and circumstances of an individual case.

All cases that include probation as a penalty shall include the following conditions of probation:

1. Include Standard Conditions A1 through A11 in all cases.
 - If the Respondent is on criminal probation, add A12.
 - If the Respondent is a reporting corporation/firm, add A13 through A15.
2. Include Optional Conditions B1 through B14, as appropriate, based on the nature and circumstances of an individual case.

A. Standard Conditions of Probation

Terms to be included in all orders of probation.

During the period of probation:

1. **OBEY ALL LAWS** – Respondent shall obey all federal, state, and local laws and regulations governing shorthand reporters and remain in full compliance with any court-ordered criminal probation, criminal court-ordered payments (fines and fees), and other requirements. A full and detailed account of all misdemeanor and felony arrests and convictions occurring during the period of probation shall be reported by Respondent to the Board or its designee in writing by mail, email, or in person within seven (7) calendar days of occurrence. A “full and detailed account” shall include: charges, dates of

arrest and conviction(s), title and case number of the criminal case, name and location of the criminal court, and disposition of the case(s). To permit monitoring of compliance with this term and condition, Respondent shall submit a completed California Department of Justice state and federal Live Scan fingerprint form, unless previously submitted as part of the licensure application process. Fingerprints shall be submitted through Live Scan fingerprinting services within 15 calendar days of the effective date of this Decision and Order. Respondent shall pay the cost associated with the fingerprint process.

2. **COMPLY WITH THE BOARD'S PROBATION PROGRAM** – Respondent shall fully comply with the conditions of the probation program established by the Board and cooperate with the Board and its designee(s) in its monitoring and investigation of Respondent's compliance with the Board's probation program. Respondent shall provide the Board or its designee(s) with unrestricted access to inspect shorthand reporting records, transcriptions, and notes required to be maintained by the licensee pursuant to CCR section 2403(a)(8) and (b)(4), California Code of Civil Procedure section 2025.510(e), Government Code section 69955(e), and Local Rules of Court. Respondent shall inform the Board in writing by mail, email, or in person within 15 calendar days from the date of any address change and claim all certified mail issued by the Board or its designee(s). Respondent shall timely respond within 15 calendar days to all notices of requests for information and submit reports, remedial education documentation, verification of employment, or other similar reports by mail, email, or in person as requested and directed by the Board or its designee(s). Failure to appear for any scheduled meeting or cooperate with the requirements of the probation program or failure to timely submit requested information as specified herein or otherwise specified in this order within 15 calendar days shall constitute a violation of probation.

Unless specified otherwise in the Board's order or by written notice to the Respondent, all correspondence from the Respondent to the Board or its designee(s), or from an outside party regarding the Respondent, including notices, information, documents, reports, and other submissions, shall be made by mail or in person to the Board's headquarters address or by email to the Board's Enforcement or general email address, as listed under the "Contact Us" page on the Board's website.

3. **QUARTERLY REPORTS OF COMPLIANCE** – Respondent shall submit written quarterly reports of compliance with all probation conditions to the Board or its designee by mail, email, or in person in accordance with this section. Quarterly reports shall be completed and signed under penalty of perjury that Respondent is complying with all conditions of probation. These reports or declarations shall contain statements relative to Respondent's compliance with all the conditions of the Board's probation program, including: (A) written disclosures regarding whether Respondent has complied with each term and condition of probation contained in this Decision and, if applicable, (B) if Respondent discloses they are not in compliance with any term or condition, a written statement regarding why

Respondent is not in compliance with any term or condition of probation (“complete quarterly report”).

Complete quarterly reports are due for each year of probation and the entire length of probation as follows:

- For the period covering January 1 through March 31, reports shall be completed and submitted between April 1 and April 10.
- For the period covering April 1 through June 30, reports shall be completed and submitted between July 1 and July 10.
- For the period covering July 1 through September 30, reports shall be completed and submitted between October 1 and October 10.
- For the period covering October 1 through December 31, reports shall be completed and submitted between January 1 and January 10.

Incomplete written reports or reports submitted or postmarked after the reporting dates listed above shall be considered late and not in compliance with this condition. Omission or falsification of any information in any manner on these reports shall constitute a violation of probation.

4. **MAINTAIN CURRENT AND ACTIVE LICENSE** – Respondent shall maintain a current and active license for the length of the probation period, including any period of suspension. Failure to pay all fees prior to the license expiration date shall constitute a violation of probation.
5. **RESIDENCY OUTSIDE OF THE STATE (TOLLING)** – Respondent shall notify the Board or its designee within five (5) calendar days in writing by mail, email, or in person of any and all address changes as specified in this section. If Respondent travels outside of California for a contiguous period greater than 60 calendar days, Respondent shall notify the Board or its designee in writing by mail, email, or in person of the dates of departure and return within five (5) calendar days of the date of the departure or return. Respondent shall submit annually, within 30 calendar days of the date requested by the Board or its designee, a written document verifying Respondent’s out-of-state residency to the Board or its designee by mail, email, or in person that includes the following:
 - A. Respondent’s Full Legal Name,
 - B. Respondent’s Board License Number,
 - C. Physical Address,
 - D. Telephone Number,
 - E. Email Address,
 - F. Beginning Date of Residency Outside of California, and
 - G. Ending Date of Residency Outside of California (if applicable).

Periods of residence outside of California shall not reduce the probation time period (known as “tolling” of the probationary period). Respondent’s probation

is tolled if and when they reside, temporarily or permanently, outside of California for longer than 60 consecutive calendar days.

It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period of three (3) years (1,095 consecutive calendar days) or more. Respondent shall not be relieved of the obligation to maintain an active and current license with the Board. However, Respondent shall not be considered in violation of probation as long as Respondent is residing and practicing in another state of the United States and is on active probation with the licensing authority of that state; in which case, the three-year tolling limitation period for out-of-state residency or practice shall begin on the date probation is completed or terminated in that state.

Periods of non-residency do not relieve Respondent of the responsibility to comply with the terms and conditions of probation. At all times during the probationary period and during any period of non-residency, Respondent shall continue to comply with all of the terms and conditions of probation, including the obligation to maintain an active and current license with the Board and to comply with the Board's probation program, quarterly reports of compliance, and cost recovery.

- 6. FAILURE TO PRACTICE – CALIFORNIA RESIDENT (TOLLING)** – In the event Respondent resides in California and for any reason Respondent stops practicing in California, Respondent shall notify the Board or its designee in writing by mail, email, or in person within 30 calendar days prior to the dates of nonpractice and return to practice. Respondent shall submit annually, within 30 calendar days of the date requested by the Board or its designee, a written document verifying Respondent's California residency and nonpractice status to the Board or its designee by mail, email, or in person that includes the following:
- A. Respondent's Full Legal Name,
 - B. Respondent's Board License Number,
 - C. Physical Address,
 - D. Telephone Number,
 - E. Email Address,
 - F. Beginning Date of Nonpractice Status, and
 - G. Ending Date of Nonpractice Status (if applicable).

Periods of California residency and nonpractice status shall not reduce the probation time period. Respondent's probation is tolled if and when they reside in California and are, temporarily or permanently, not practicing court reporting for longer than 60 consecutive calendar days.

It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period of three (3) years (1,095 consecutive calendar days) or more. Respondent shall not be relieved of the obligation to maintain an active and current license with the Board.

Periods of California residency and nonpractice status do not relieve Respondent of the responsibility to comply with the terms and conditions of probation. At all times during the probationary period and during any period of nonpractice, Respondent shall continue to comply with all of the terms and conditions of probation, including the obligation to maintain an active and current license with the Board and to comply with the Board's probation program, quarterly reports of compliance, and cost recovery.

7. **RESTITUTION** – Within ____ calendar days after the effective date of this Decision, Respondent shall make restitution to _____ in the amount of \$ _____. Failure to make restitution by this deadline shall be considered a violation of probation. Respondent shall send proof of repayment, such as receipts or a copy of repayment, to the Board or its designee in writing by mail, email, or in person within 30 calendar days.

(**Note:** BPC section 143.5 prohibits the ordering of restitution in cases based on a complaint or report that has also been the subject of a civil action and that has been settled for monetary damages providing for full and final satisfaction of the parties.)

8. **COST RECOVERY** – Respondent shall pay the Board by mail or in person its costs and charges of investigating and enforcing this matter in the amount of \$ _____ in ____ (insert number of payments here) equal, consecutive quarterly payments of \$ _____ per payment, unless otherwise agreed by the Board or its designee. The first payment shall be due within 30 calendar days after the effective date of this Decision and Order. Each required quarterly payment shall be due within 90 calendar days after the prior quarterly payment. Any payment that is not received within those 90 calendar days shall be considered late. Any late payments shall be a violation of probation.

Failure to reimburse the Board's enforcement costs shall constitute a violation of probation unless the Board or its designee agrees in writing to payment by an installment plan because of Respondent's financial hardship. Any and all requests for a payment plan shall be submitted by Respondent in writing by mail, email, or in person to the Board or its designee. If approved by the Board or its designee, Respondent shall make payments pursuant to a payment plan specified by the Board or its designee taking into consideration all of the following: (1) Respondent's ability to pay, (2) the total amount of cost recovery owed, and (3) the length of the probationary period. Respondent shall make the check or money order payable to the Court Reporters Board of California and shall indicate on the check or money order the following: "Cost Recovery: Case No. _____."

9. **PROBATION VIOLATION** – If Respondent violates probation in any respect, after giving Respondent written notice by mail and an opportunity to be heard, the Board shall revoke probation and impose the disciplinary order that was stayed (suspension or revocation of Respondent's license). If an Accusation

or Petition to Revoke probation is filed against Respondent's license or the Attorney General's Office has been requested to prepare such Accusation or Petition during the period of probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be automatically extended and shall not expire until the Accusation or Petition has been acted on by the Board and the matter is final.

- 10. LICENSE SURRENDER WHILE ON PROBATION** – Following the effective date of this probation, if Respondent ceases practicing due to retirement, health reasons, or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request, in writing by mail, email, or in person, the voluntary surrender of Respondent's license to the Board. Respondent's written request to surrender their license shall include the following: their name, license number, case number, address of record, and an explanation of the reason(s) why Respondent seeks to surrender their license.

The Board reserves the right to evaluate the Respondent's request and to exercise its discretion whether to grant the request or to take any other action deemed appropriate and reasonable under the circumstances. The Board will consider whether the request would compromise public protection under the following circumstances: when Respondent has (1) an unsatisfied cost recovery, fine, or restitution order; (2) an Accusation or Petition to Revoke probation that has been served on Respondent alleging violations of this probation; or (3) an unresolved complaint or investigation pending with the Board. Respondent shall not be relieved of the requirements of their probation unless the Board or its designee notifies Respondent in writing that Respondent's request to surrender their license has been accepted. Upon formal acceptance of the surrender, Respondent shall, within 15 calendar days, deliver Respondent's certificate(s) to the Board or its designee by mail or in person and shall no longer practice. Respondent will no longer be subject to the terms and conditions of probation, and the surrender of Respondent's license shall be deemed disciplinary action.

If Respondent re-applies for a license with this Board, the application shall be treated as a petition for reinstatement of a revoked license.

- 11. PROBATION COMPLETION** – Upon successful completion of probation, any revocation or suspension order that was stayed shall be removed and Respondent's license shall be fully restored.
- 12. CRIMINAL PROBATION** – If Respondent is on criminal probation or parole for the acts upon which disciplinary action is based, Respondent shall submit written reports from the criminal court probation officer or other similar supervisory officer assigned to Respondent regarding Respondent's progress during criminal probation or parole to the Board or its designee by mail, email, or in person. Reports shall be filed quarterly and continue to be filed until Respondent is no longer on criminal probation or the Board's probation is terminated, whichever occurs first. Quarterly reporting shall be consistent with

the guidelines set forth in the Standard Conditions to comply with the conditions of the probation program.

Within ten (10) calendar days of the effective date of this Decision, Respondent shall provide the Board or its designee in writing by mail, email, or in person: a copy of the conditions of any criminal probation/parole applicable to Respondent and the name and contact information of any probation, parole, or similar supervisory officer assigned to Respondent. Respondent shall provide a copy of all criminal probation/parole reports to the Board by mail, email, or in person within ten (10) calendar days after such report is issued. Failure to timely make any of the submissions required hereby within ten (10) calendar days shall be considered a violation of probation.

If on criminal probation or parole, Respondent shall, within 15 calendar days of the effective date of this Decision, provide their probation or parole officer with written notice of the Board's decision in this case, which shall include a copy of the Board's Accusation or Statement of Issues, as applicable, and this Decision and Order. The notice to Respondent's parole or probation officer shall also provide the parole or probation officer with the name, title, telephone number, and email address for the Board's staff person who is Respondent's probation monitor. Failure to timely make any of the submissions required hereby within 15 calendar days shall be considered a violation of probation.

- 13. NOTIFY EMPLOYEES** – (This condition only applies to licensees who operate reporting firms.) Respondent shall circulate in writing by mail or email to all employees a copy of the Accusation or Statement of Issues, as applicable, and this Decision and Order. "Employees" as used in this provision includes all full-time, part-time, temporary, and relief employees and independent contractors that Respondent employs or hires at any time during probation. Respondent shall provide a copy of this mailed written notification or email to the Board or its designee within ten (10) calendar days after the mailed written notification or email is circulated.
- 14. NOTIFY OWNERS, OFFICERS** – (This condition only applies to licensees who operate reporting firms.) Respondent shall submit to the Board or its designee by mail, email, or in person within 30 calendar days after the effective date of this Decision proof of notification, such as a copy of the notification, of their probationary status to the owners, officers, or any owner or holder of 10% or more of the interest in Respondent or Respondent's stock. At a minimum, notification to the owners or officers shall be accomplished by providing each owner and officer with a copy of the Board's Decision and Order with the Accusation or Statement of Issues, as applicable. The notification to owner or officer shall also include the name, title, telephone number, and email address for the Board's staff person who is Respondent's probation monitor.

- 15. ADVERTISING APPROVAL** – (This condition only applies to licensees who operate reporting firms.) Respondent shall submit any proposed advertising copy, whether revised or new, and a written request for approval of such advertising to the Board or its designee by mail, email, or in person at least 30 calendar days prior to its intended use. Any such copy must comply with CCR section 2406 and contain Respondent’s license number to be approved by the Board or its designee prior to use. The Board shall advise Respondent in writing by mail or email within 30 calendar days of the date of Respondent’s request for approval whether or not the proposed advertising is approved.

B. Optional Conditions of Probation

Terms to be included in orders of probation based upon the violation, circumstances of the case, or the Respondent.

During the period of probation:

- 1. NOTIFY EMPLOYER/FIRM** – Within 30 calendar days after the effective date of this Decision, Respondent shall notify by mail, email, or in person the employer or owner of the court reporting firm with which Respondent is associated or subcontracted of the decision in Case Number _____ and the terms, conditions, and restrictions imposed on Respondent by this Decision. At a minimum, notification to the employer or firm shall be accomplished by providing each employer or firm with a copy of the Board’s Decision and Order with the Accusation or Statement of Issues, as applicable. The notification to employer or firm shall also include the name, title, telephone number, and email address for the Board’s staff person who is Respondent’s probation monitor.

Within 30 calendar days after the effective date of this Decision and within 15 calendar days after Respondent undertaking new employment or associating with a different court reporting agency during the term of probation, Respondent shall submit written proof, such as a copy of the written notice of their probationary status, to the Board or its designee by mail, email, or in person that they have provided written notice of their probationary status to their employer or court reporting agency with which they are associated or subcontracted. “Associated” shall mean employment of any kind, including any full-time, part-time, temporary, or relief employment or any position for which a court reporters license is a requirement or criterion for employment, whether the respondent is an employee, independent contractor, or volunteer.

- 2. REHABILITATION PROGRAM** – Respondent shall submit to the Board or its designee by mail, email, or in person for its prior approval (the Board will verify that the program is legitimate and, for example, licensed with the California Board of Behavioral Sciences if applicable), within 30 calendar days after the effective date of this Decision, the name, address, telephone number, and description of a rehabilitation program for the abuse of drugs or alcohol, or both, in which Respondent will participate. Respondent shall provide the Board or its designee by mail, email, or in person with a copy of

certification of successful completion of the rehabilitation program.
Respondent shall bear the costs for the rehabilitation program.

- 3. MEDICAL EVALUATION/TREATMENT** – After receiving a written notice containing a list of approved physicians from the Board, Respondent shall undergo a medical evaluation by a Board-approved physician who shall furnish a written medical report to the Board or its designee by mail, email, or in person within 30 calendar days after the effective date of this Decision and on a periodic basis thereafter, no less than quarterly, or as may be required by the Board or its designee. If Respondent is required by the Board to undergo physical or mental treatment, Respondent shall within 30 calendar days after written notice from the Board or its designee submit to the Board or its designee by mail, email, or in person for its prior approval the name and qualifications of a physician or psychotherapist of Respondent's choice. Upon the Board's approval of the treating physician or psychotherapist (the Board will verify that the treating physician or psychotherapist is actively licensed in good standing [i.e., no disciplinary action within the last five (5) years] with the applicable professional state licensing agency and does not have a current or prior personal relationship with Respondent), Respondent shall undergo and continue medical treatment until further written notice from the Board or its designee. Respondent shall have the treating physician submit written quarterly reports to the Board or its designee by mail, email, or in person regarding treatment progress. Failure to timely submit to or schedule physical or mental treatment within 30 calendar days shall result in violation of probation.

If Respondent is determined to be unable to practice safely, the licensed physician or psychotherapist making this determination shall notify the Board or its designee and Respondent by telephone within five (5) calendar days, and the Board shall request that the Attorney General's Office prepare an Accusation or Petition to Revoke probation. Respondent shall immediately cease practice upon written notice by the Board or its designee and shall not resume practice until notified in writing by the Board or its designee. During this period of nonpractice, Respondent shall not engage in any practice for which a license issued by the Board is required until the Board or its designee has notified Respondent in writing that a medical determination permits Respondent to resume practice. This period of nonpractice shall not apply to the reduction of this probationary time period.

- 4. PSYCHOLOGICAL EVALUATION** – (To be used in cases involving a crime for which sex offender registration is required pursuant to Penal Code section 290, a serious felony as defined in Penal Code section 1192.7, or a history of drug/alcohol abuse or violence. For the purposes of these Guidelines, a history of drug/alcohol abuse or violence shall be based on an evaluation of the Board of evidence indicating Respondent may have physical or mental ailment(s) or condition(s), including an addiction, that contributed to the violation(s) or when the same is alleged by Respondent to be a contributing factor to the violation(s).) Within 30 calendar days after the effective date of this Decision, and on a periodic basis thereafter or as required by the Board

or its designee, Respondent shall undergo psychological evaluation by a licensed psychologist or psychiatrist, or both, as approved by the Board. The Board shall determine if the psychologist or psychiatrist is actively licensed in good standing (i.e., no disciplinary action within the last five (5) years) with the applicable professional state licensing agency and does not have a current or prior personal relationship with Respondent. The evaluator shall furnish a written report to the Board or its designee by mail, email, or in person regarding Respondent's judgment and ability to function independently, safely, and whether they pose a threat to the public. Respondent shall bear the cost of the evaluation. Respondent shall execute a release authorizing the evaluator to furnish the Board or its designee by mail, email, or in person with a current diagnosis and a written report regarding the Respondent's ability to function independently with safety to the public. The Board and its designee shall treat the evaluation as confidential. Failure to timely submit to or schedule a mental examination within 30 calendar days after the effective date of this Decision shall result in violation of probation.

If the licensed mental health care practitioner determines the Respondent to be unable to practice safely, the licensed mental health care practitioner making this determination shall notify the Board or its designee and Respondent by telephone within five (5) calendar days, and the Board shall request that the Attorney General's Office prepare an Accusation or Petition to Revoke probation. Respondent shall immediately cease practice upon written notice by the Board or its designee and shall not resume practice until notified in writing by the Board or its designee. During this period of nonpractice, Respondent shall not engage in any practice for which a license issued by the Board is required until the Board or its designee has notified Respondent in writing that a mental health determination permits Respondent to resume practice. This period of nonpractice shall not apply to the reduction of this probationary time period.

5. **PSYCHOTHERAPY** – (To be used in cases involving a crime for which sex offender registration is required pursuant to Penal Code section 290, a serious felony as defined in Penal Code section 1192.7, or a history of drug/alcohol abuse or violence. For the purposes of these Guidelines, a history of drug/alcohol abuse or violence shall be based on an evaluation of the Board of evidence indicating Respondent may have physical or mental ailment(s) or condition(s), including an addiction, that contributed to the violation(s) or when the same is alleged by Respondent to be a contributing factor to the violation(s).) Within 30 calendar days after the effective date of this Decision, Respondent shall submit to the Board or its designee by mail, email, or in person for its prior approval, the name and qualifications of one or more therapists of Respondent's choice. The therapist shall possess a valid California license in good standing (i.e., no disciplinary action within the last five (5) years with the applicable professional state licensing agency and shall have had no prior business or professional or personal relationship with Respondent. Upon approval by the Board, Respondent shall undergo and continue treatment until the Board determines that no further psychotherapy is necessary. Respondent shall have the treating therapist submit quarterly

written reports to the Board or its designee by mail, email, or in person regarding Respondent's judgment and ability to function independently, safely, and whether they pose a threat to the public. Respondent shall bear all costs of therapy. Respondent shall execute a release authorizing the therapist to furnish the Board or its designee by mail, email, or in person with a current diagnosis and a written report regarding the Respondent's ability to function independently with safety to the public.

If the treating therapist determines the Respondent to be unable to practice safely, the licensed mental health care practitioner making this determination shall notify the Board or its designee and Respondent by telephone within five (5) calendar days, and the Board shall request that the Attorney General's Office prepare an Accusation or Petition to Revoke probation. Respondent shall immediately cease practice upon written notice by the Board or its designee and shall not resume practice until notified in writing by the Board or its designee. During this period of nonpractice, Respondent shall not engage in any practice for which a license issued by the Board is required until the Board or its designee has notified Respondent in writing that a mental health determination permits Respondent to resume practice. This period of nonpractice shall not apply to the reduction of this probationary time period.

6. **ATTEND COURSES** – Respondent shall attend a court reporting school recognized by the Board pursuant to CCR section 2411 and successfully complete a final examination in one or more specified courses as determined in this Decision, for example, deposition procedures or ethics, depending on the nature of the violation(s).
7. **RETAKE LICENSE EXAM** – Respondent shall pass the (name of examination portion(s) [English, Professional Practice, or Dictation/Transcription/Skills, or a combination thereof]) part(s) of the next regularly scheduled license examination administration after the effective date of this Decision. The Board shall order and notify Respondent in writing to cease practice upon any written notice of failure of the examination until Respondent takes and passes the same (name of examination portion(s)) part(s) at a subsequent examination administration.
8. **PROOF OF ADVERTISING CORRECTION** – Respondent shall correct any advertisement not compliant with CCR section 2406 within 30 calendar days after this Decision. Respondent shall not practice until proof of correction, for example, a screenshot of website or print copy, has been submitted to the Board or its designee by mail, email, or in person.
9. **REIMBURSEMENT OF PROBATION PROGRAM** – Respondent shall reimburse the Board by mail or in person for the hourly costs it incurs in monitoring the probation to ensure compliance for the duration of the probation period. Reimbursement costs shall be \$_____ per year/\$_____ per month. Respondent shall make the check or money order payable to the Court Reporters Board of California and shall indicate on

the check or money order the following: "Probation Program Reimbursement: Case No. _____."

- 10. ABSTAIN FROM DRUGS / SUBMIT TO BIOLOGICAL FLUID TESTING –** (To be used in cases involving a history of drug abuse, or based on an evaluation of the Board of evidence indicating Respondent may have physical or mental ailment(s) or condition(s), including an addiction, that contributed to the violation(s) or when the same is alleged by Respondent to be a contributing factor to the violation(s).) Respondent shall completely abstain from the use or possession of controlled substances as defined in the California Uniform Controlled Substances Act, and dangerous drugs as defined in Business and Professions Code sections 4021 and 4022, during the period of probation except when lawfully prescribed or ordered by a licensed practitioner for a bona fide illness or medical condition. Respondent shall submit to biological fluid testing or other required drug screening, or both, at Respondent's cost within five (5) calendar days of written request by the Board or its designee. The length of time and frequency of testing shall be determined by the Board. Respondent shall ensure that written reports are submitted directly by the testing agency to the Board or its designee by mail, email, or in person. There shall be no confidentiality in test results. Any confirmed positive finding shall constitute a violation of probation.

[Note: If this Optional Condition is included in the probationary order, then Optional Condition 11 "Abstain from Use of Alcohol/Submit to Biological Fluid Testing" should also be included to ensure abstention occurs from all addictive substances during the period of probation when a history of drug abuse is found.]

- 11. ABSTAIN FROM USE OF ALCOHOL / SUBMIT TO BIOLOGICAL FLUID TESTING –** (To be used in cases involving a history of alcohol abuse, or based on an evaluation by the Board of evidence indicating Respondent may have physical or mental ailment(s) or condition(s), including an addiction, that contributed to the violation(s) or when the same is alleged by Respondent to be a contributing factor to the violation(s).) Respondent shall completely abstain from the use of alcoholic beverages during the period of probation. Respondent shall submit to biological fluid testing at Respondent's cost within five (5) calendar days of written request by the Board or its designee. The length of time and frequency of testing shall be determined by the Board. Respondent shall ensure that written reports are submitted directly by the testing agency to the Board or its designee by mail, email, or in person. There shall be no confidentiality in test results. Any confirmed positive finding shall constitute a violation of probation.

[Note: If this Optional Condition is included in the probationary order, then Optional Condition 10 "Abstain from Drugs/Submit to Biological Fluid Testing" should also be included to ensure abstention occurs from all addictive substances during the period of probation when a history of alcohol abuse is found.]

12. **PROVISION OF RECORDS** – Respondent shall provide specific records by mail, email, or in person for inspection by the Board or its designee, as directed in writing by the Board or its designee.
13. **“Actual Suspension”** – To be included in “Suspension Stayed” cases as an Optional Condition in the event of probation violation.
14. **“Actual Revocation”** – To be included in “Revocation Stayed” cases as an Optional Condition in the event of probation violation.

VI. Model Orders

A. Licensee

Revocation of License

License No. _____, issued to Respondent _____, is revoked.

Respondent shall relinquish and forward or deliver their pocket license(s) to practice and wall certificate(s) to the Board by mail or in person within ten (10) calendar days of the effective date of this Decision. Respondent may not reapply or petition the Board for reinstatement of their revoked license for one year from the effective date of this Decision pursuant to Government Code section 11522. Respondent shall pay to the Board its costs of investigation and prosecution in the amount of \$_____ within 30 calendar days of the effective date of this Decision.

Option: As a condition precedent to reinstatement of their revoked license, Respondent shall reimburse the Board for its costs of investigation and prosecution in the amount of \$_____ and pay the reinstatement fee required by BPC section 8024.4. Said amount shall be paid in full prior to the reinstatement of their license unless otherwise ordered by the Board.

Revocation Stayed and Licensee Placed on Probation

License No. _____, issued to Respondent _____, is revoked; however, the revocation is stayed, and Respondent is placed on probation for _____ years on the following terms and conditions: (list Standard and applicable Optional Conditions of probation).

If a licensee violates the order of probation, the stay is lifted, and the revocation goes into effect immediately.

Public Reprimand

License No. _____, issued to Respondent _____, is publicly reprimanded. This reprimand constitutes disciplinary action by the Board and shall become a part of Respondent’s license history with the Board.

Surrender of License in Lieu of Revocation

Respondent _____ surrenders License No. _____ as of the effective date of this Decision. Respondent shall relinquish and forward or deliver their pocket license(s) to practice and wall certificate(s) to the Board by mail or in person within ten (10) calendar days of the effective date of this Decision. The surrender of Respondent's license and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This Decision constitutes disciplinary action by the Board and shall become a part of Respondent's license history with the Board.

B. Petition for Reinstatement

Grant Petition with No Restrictions on License

The Petition for Reinstatement filed by Petitioner _____ is hereby granted, and Petitioner's license shall be fully restored.

Grant Petition and Place Licensee on Probation

The Petition for Reinstatement filed by Petitioner _____ is hereby granted, and Petitioner's license shall be reinstated and immediately revoked; however, the revocation shall be stayed, and the Petitioner shall be placed on probation for a period of _____ years on the following terms and conditions: (list Standard and applicable Optional Conditions of probation).

Grant Petition and Place Licensee on Probation After Completion of Conditions Precedent

The Petition for Reinstatement filed by Petitioner _____ is hereby granted, and Petitioner's license shall be fully reinstated upon completion of the following conditions precedent: (examples would be paying restitution, cost reimbursement, completion of ethics course, physical examination, completion of rehabilitation program, take and pass licensure examination).

Upon completion of the conditions precedent above and satisfaction of all statutory and regulatory requirements for issuance of a license, Petitioner's license shall be reinstated and immediately revoked; however, the revocation shall be stayed, and Petitioner shall be placed on probation for a period of _____ years on the following terms and conditions: (list Standard and applicable Optional Conditions of probation).

Deny Petition

The Petition for Reinstatement filed by Petitioner _____ is hereby denied.

C. Petition to Revoke Probation Revocation of Probation

License No. _____, issued to Respondent _____, is revoked. Petitioner is not eligible to apply for reinstatement for one year from the effective date of this Decision pursuant to Government Code section 11522.

Extension of Probation

License No. _____, issued to Respondent _____, is revoked; however, the revocation is stayed, and Respondent is placed on probation for an additional _____ year(s) on the following terms and conditions: (list all Standard and applicable Optional Conditions of probation).

D. Applicant

(To be used in cases where a Statement of Issues has been filed.)

Grant Application with No Restrictions on License

The application filed by Respondent _____ for initial licensure is hereby granted, and a court reporter's license shall be issued to Respondent upon successful completion of all licensing requirements including payment of all fees.

Grant Application and Place Licensee on Probation

The application filed by Respondent _____ for initial licensure is hereby granted, and a court reporter's license shall be issued to Respondent upon successful completion of all licensing requirements, including payment of all fees. However, the license shall be immediately revoked, the revocation shall be stayed, and Respondent shall be placed on probation for _____ years on the following terms and conditions: (insert Standard and applicable Optional Conditions of probation).

Grant Application and Place Licensee on Probation After Completion of Conditions Precedent

The application filed by Respondent _____ for initial licensure is hereby granted, and a court reporter's license shall be issued to Respondent upon the following conditions precedent: (examples would be paying restitution, cost recovery, completion of continuing education, completion of rehabilitation program, take and pass licensure examination).

Upon completion of the conditions precedent above and successful completion of all licensing requirements, including payment of all fees, Respondent shall be issued a court reporter's license. However, the license shall be immediately revoked, the revocation shall be stayed, and Respondent shall be placed on probation for _____ years on the following terms and conditions: (list Standard and applicable Optional Conditions of probation).

Deny Application

The application filed by Respondent _____ for initial licensure is hereby denied.

AGENDA ITEM 8 – Skills Exam Format change

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Agenda Description: Discussion and possible action, including possible action on grading policies.
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Brief Summary: At its April 4, 2024, meeting, the Board voted to change the format of the skills exam from four-voice for 15 minutes at 200 words per minute to the universal format of three five-minutes tests, one at 180 words per minute for literary, 200 words per minute for jury charge, and 225 words per minute for testimony.

The Legislature has set the percentage pass point for the skills test at 95%; so no action is needed there. However, the Board must decide whether to require all three legs be passed in one sitting or if candidates may pass the three portions singly over time.

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Recommended Board Action: Staff recommends the Board allow candidates to pass the three portions of the skills test over the same three years they must pass the entire exam.
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AGENDA ITEM 9 – Skills Exam Reciprocity with RPR

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Agenda Description:

Update on allowing reciprocity with the Registered Professional Reporter (RPR) certification from the National Court Reporters Association.

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Brief Summary:

At its August 20, 2021, meeting, the board reviewed the report from DCA’s Office of Professional Examination Services (OPES) of their evaluation of the RPR exam. At the conclusion of the discussion, the Board voted not to allow reciprocity until a sufficient occupational analysis could be developed for the RPR.

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Support Documents: None

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Fiscal Impact: None

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Recommended Board Action: Informational only.

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AGENDA ITEM 10 – Expanding Court Reporter Training Programs and Recruitment

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Agenda Description:

Discussion and possible action on expanding court reporter training programs and recruitment

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Brief Summary:

In June of 2024 the Board received a letter from the chair of Assembly Committee on Judiciary offering help in working with California’s community colleges to study how best to increase the availability of court reporter training programs.

Attracting people to the profession is also part of the Board’s current strategic plan.

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Support Documents: None

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board designate one of its members to meet with staff of Assembly Judiciary to develop a plan for increasing the availability of court reporting training programs.
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AGENDA ITEM 11 – Best Practice Pointers Task Force

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Agenda Description:

Update on task force to update the current Best Practice Pointers

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Brief Summary:

The Best Practice Pointers Task Force met on August 27, 2024, to continue review of the currently created Best Practice Pointers (BPP). The Task Force finished review of BPP 4, 5, 6, 7, 8, 10, 11, 12, 13, and 14. The updated drafts are attached for the Board’s review and approval.

After the BPPs are finalized by the Board, staff will work with the Department of Consumer Affairs’ Publication Design and Editing unit to format them for publication to the website and social media.

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Support Documents:

- Attachment 1 – Best Practice Pointer 4
 - Attachment 2 – Best Practice Pointer 5
 - Attachment 3 – Best Practice Pointer 6
 - Attachment 4 – Best Practice Pointer 7
 - Attachment 5 – Best Practice Pointer 8
 - Attachment 6 – Best Practice Pointer 10
 - Attachment 7 – Best Practice Pointer 11
 - Attachment 8 – Best Practice Pointer 12
 - Attachment 9 – Best Practice Pointer 13
 - Attachment 10 – Best Practice Pointer 14
- =====

Recommended Board Action: Staff recommends that the Board approve the Best Practice Pointers.

Sample Motion: I move approval (as amended) of Best Practice Pointers 4, 5, 6, 7, 8, 10, 11, 12, 13, and 14.

Best Practice Pointer No. 4 - DRAFT

Rough Draft Transcripts

Why:

Rough drafts are provided as a litigation support tool to litigants, their counsel, and the court to aid in the administration of justice.

The Law (Emphasis added):

- [California Code of Civil Procedure section 273\(b\)](#) states: The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. **A rough draft transcript shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore. The production of a rough draft transcript shall not be required.**
- [California Code of Civil Procedure section 2025.540\(b\)](#) states: When prepared as a rough draft transcript, the transcript of the deposition may not be certified and may not be used, cited, or transcribed as the certified transcript of the deposition proceedings. **The rough draft transcript may not be cited or used in any way or at any time to rebut or contradict the certified transcript of deposition proceedings as provided by the deposition officer.**
- [California Code of Civil Procedure section 2025.320\(b\)](#) states: Services and products offered or provided by the deposition officer or the entity providing the services of the deposition officer to any party or to any party's attorney or third party who is financing all or part of the action shall be offered to all parties or their attorneys attending the deposition. No service or product may be offered or provided by the deposition officer or by the entity providing the services of the deposition officer to any party or any party's attorney or third party who is financing all or part of the action unless the service or product is offered or provided to all parties or their attorneys attending the deposition. **All services and products offered or provided shall be made available at the same time to all parties or their attorneys.**

Differentiation Techniques:

When a rough draft is provided, two versions of a transcript will result from one proceeding – the unofficial, uncertified rough draft and the official, certified transcript. As the rough draft may not be used in lieu of the certified transcript, it is important that every effort is made to eliminate any confusion as to whether the reader has the rough draft or the certified transcript. Following are several ways to prevent any confusion on the part of the reader:

1. Include a cover page or introductory paragraph to the effect:

"UNCERTIFIED ROUGH DRAFT TRANSCRIPT"

REPORTER'S STATEMENT

The following transcript represents a real-time version of the [deposition of *deponent name* taken on *date*] or [proceedings taken in *court name* on *date*].

The realtime/rough draft text is unedited and uncertified and may contain untranslated stenographic symbols, an occasional reporter's note, a misspelled proper name, and/or nonsensical word combinations. All such entries will be corrected on the final certified transcript, which we will deliver to you in accordance with our standard delivery or on an expedited basis, should you desire faster delivery. This will serve as notification that the final certified transcript will have differences from the realtime/rough draft version, including differing page and line number references.

Therefore, pursuant to [CCP 2025.540\(b\)](#), you agree to use this realtime/rough draft text only for the purpose of augmenting counsel's notes and not to use or cite it in any court proceeding or to distribute it to any other parties.

2. Include a header or footer on each page stating "uncertified rough draft transcript only." The header and/or footer may be placed inside the page box.
3. Change the number of lines per page. Line numbers are optional.
4. A rough draft should never include a completed title page, appearance, index, or certification page, any mention of swearing in of a witness by name, a footer with the firm name, reporter's name or license number.
5. Include a "Draft" watermark.
6. Insert randomly throughout the transcript a paragraph to the effect: "This is an uncertified rough draft transcript and may not be used, cited, or distributed as the certified transcript of the proceedings."
7. If the rough draft is provided via electronic media, the media and/or file name and transmittal email should be clearly labeled as a rough draft.
8. All untranslated steno strokes/undefined voice commands should be resolved before delivery of a rough draft.

Best Practice Pointer No. 5

Confidential Depositions

If an attorney at a deposition asks for the deposition (or any portion of it) to be marked confidential, ask for a copy of the protective order because it often contains specific directions, such as, each page of the confidential transcript shall contain a header “Attorneys’ Eyes Only.” If there is no protective order, ask for a stipulation on the record identifying exactly how the confidential transcript is to be marked.

The attorneys may designate the entire transcript as confidential, or specific portions.

If a portion or multiple portions of the transcript are designated as confidential, two transcripts are created, one containing the confidential testimony and one containing the nonconfidential testimony.

Scenarios:

1. The attorney clearly states when they are about to begin a confidential portion and clearly states when they are finished with the confidential portion, or opposing counsel clearly states that an answer just given should be designated confidential.

In this case, the reporter excerpts the confidential portion out into a separate transcript.

2. The attorney clearly states when they are about to begin a confidential portion but forgets to note when they are finished and starts a new topic.

In this case, the reporter may interrupt to clarify the record by asking, “Excuse me, Counsel. Is this still part of the confidential portion?”

3. Nobody mentions anything about confidentiality until the deposition is finished.

It’s very important for the reporter to clarify specifically what is required. The reporter may use the realtime screen to find the exact questions and answers that are to be designated confidential. Alternatively, a rough draft may be provided for the attorneys to review in order to designate portions confidential, but the reporter should be very clear on who has the authority to designate, when the reporter needs it back for transcript production, and informing all parties that if designations are not received by the agreed-upon date, that the transcript will be delivered as a non-confidential transcript.

4. An attorney objects to another attorney’s designation as confidential.

The reporter has no authority to mark a transcript as confidential absent a protective order or a stipulation.

Best Practice Pointer No. 6 - DRAFT

Court Transcripts Designated Confidential or Under Seal

If you are reporting in court, be aware that some proceedings are confidential proceedings and, therefore, are not available to anyone, including the attorneys who were present and/or the defendant, without a court order unsealing the proceedings. This includes proceedings that are automatically sealed, such as Marsden and Pitchess motions or any proceeding that is ordered sealed by the judge. In addition, any request for a transcript of a juvenile proceeding made by an individual who is not the minor, the minor's parent or guardian, or the minor's counsel must be made to the court.

Please refer to the most current Rules of Court regarding Confidential Records or Records Under Seal. In addition, please refer to your court's protocol or procedure for handling the preparation of proceedings deemed confidential by law or by order of the court.

Best Practice Pointer No. 7 - DRAFT

Independent Contractor/Employee Agreements

Just as a good contract can facilitate business by clearly articulating expectations for payment and performance, a good agreement is key to a successful relationship between court reporters and court reporting agencies.

While an agreement cannot cover every eventuality, certain elements clearly stated can prevent misunderstandings down the road. The list of critical elements may include:

- ❖ Valid license – Require that the court reporter be licensed in California and maintain that license in good standing. The court reporting agency must be a registered firm with the CRB unless wholly owned by a licensed CSR.
- ❖ Transcript due date – What is considered regular turnaround versus an expedited order.
- ❖ Work product – What is expected to be delivered to the agency in addition to the transcript, i.e., realtime, rough draft, electronic file, exhibits, condensed transcript, word index.
- ❖ Payment – What will the court reporter be paid for, including future copy orders and appearance fees, and when the payment will be made.
- ❖ Client contact – What direct contact with the client is acceptable regarding transcript orders, including rough drafts.
- ❖ Arrival time – What is the expectation for how long before the start time that the court reporter is to arrive.
- ❖ Expenses – Who is responsible for miscellaneous expenses such as parking, tolls, shipping expenses, etc.
- ❖ Insurance – Whether the court reporter is required to carry liability and/or errors and omissions insurance.
- ❖ Exhibit handling – Include how exhibits are to be handled. Define responsibilities related to exhibits.
- ❖ Formatting and Signature – The agency will not alter or reformat the transcript nor execute the CSR's signature without express permission.

Agencies and/or independent contractors need to make sure that anything that is important to their function is laid out in the agreement. To help with audits from the Internal Revenue Service, the agreement might contain the following elements:

- ❖ Purpose – A statement that the agency is organized for the purpose of coordination of the provision of court reporting services between clients (courts, litigants, attorneys) and CSRs, who may be independent contractors.

- ❖ Performance – Make it clear that the court reporter has sole control over the manner and means of performing the reporting and transcription and that the court reporter recognizes that they are working without supervision.

Likewise, court reporters need to ensure that everything is clearly specified per their expectations. Court reporters frequently receive last-minute calls or messages from agency representatives listing additional terms after the reporter has already agreed to cover a job. Be careful and be clear. The court reporter may be happy to be informed they will be paid for an original plus two copies for a job, only to arrive and find eight attorneys ordering copies.

An extra ten minutes executing an independent contractor/employee agreement or outlining key terms in an email for which there is acknowledgment by both parties may save hours and hours of dispute resolution.

Best Practice Pointer No. 8

Swearing in a Witness Mid-Proceeding

Occasionally, a reporter inadvertently does not place the witness under oath prior to the beginning of testimony.

As soon as the reporter realizes the omission, the best practice is to stop the proceeding and place the witness under oath using an amended oath such as: Do you solemnly state the statements you have given and the testimony you are about to give are the truth, the whole truth and nothing but the truth?

Best Practice Pointer No. 10 - DRAFT

Readback in the Jury Room

- ✓ The reporter must check in with the clerk before beginning readback and again when finished.
- ✓ The reporter is encouraged to check with the clerk as to whether any testimony was stricken in the portion to be read back.
- ✓ The reporter may not speak with the jury. **However, if the judge has not admonished the jurors in advance of the reporter reading back to the jury, prior to the start of reading back to the jury, the reporter may instruct the jury that as the reporter is reading the testimony, if any of the jurors would like the reporter to repeat what was just read (i.e., an answer), the jurors may stop the reporter and make that request. In addition, the reporter may remind the jurors that they are not to discuss the case while the reporter is in the room, and if the jurors do wish to engage in a discussion about the case, they are to ask the reporter to please leave the deliberation room and wait outside until the jurors call the reporter back in to continue with the readback of testimony.**
- ✓ If the jury requests additional readback from a reporter, the correct response is, "You need to send a note to the judge."
- ✓ If the jury begins to deliberate during readback, the reporter needs to state, "If you're going to deliberate, I need to step out."

Best Practice Pointer No. 11 - DRAFT

Videoconference/Remote Reporting Best Practices

Pursuant to [California Code of Civil Procedure \(CCP\) 2025.310](#), a California CSR does not need to be collocated with the deponent.

Pursuant to [CCP 2093\(b\)](#), California CSRs are authorized to administer oaths remotely.

Licensees are advised to ascertain where the deponent is located because the laws of that jurisdiction take precedence.

With the increase in remote reporting, the Board would like to make licensees aware of the following best practices:

A. Logistical issues:

- Request that the witness/deponent and counsel be on camera.
- Reporter should be on camera, if possible. Request that counsel add you to their gallery/grid view to aid in communicating to counsel when there are issues.
- Gallery/Grid view is preferred over speaker view.
- Turn off multiple microphones to avoid feedback issues.
- Request participants use no virtual background.
- Use of the term “virtual” is discouraged as it may imply “simulated.” Preferred practice is the use of “videoconference” or “remote”.
- Reporters should include their California CSR No. (XXXX) in display/participant name.
- Reporters are encouraged to display a graphic saying “off the record” when in recess and their camera is off.

B. Reporting Proceedings: Reporters are reminded they are the guardian of the record and their responsibilities regarding the record do not change while reporting a remote proceeding.

- Ask for identification of everyone for the appearance page. What is obvious when participants are all in the same room can be misleading via a remote platform. The reporter needs to take the roll of those present and include them on the appearance page. This does not need to be on the record.
For example, "Please identify yourself. Is anyone else in the room with you?" "I see Mr./Ms XXX, representing XYZ, is present. Is there anyone else in the room with you?"

Interrupt as needed to protect the record (see Best Practice Pointer Number 1).

- The use of “inaudible” is for transcripts derived from electronic recordings, pursuant to [Government Code Section 69957](#).
- Create a one-stroke brief for inclusion of a parenthetical such as “(Reporter interrupted for clarification of the record.),” and interrupt as often as needed to create an accurate record.

C. Transcript Production:

- The transcript should clearly indicate that the proceeding was held on a remote platform (i.e., via videoconference). The appearance page should indicate whether each attendee was remote or in person.
- It is appropriate to include a “technical difficulty” or “failure of transmission” parenthetical when either of those issues interrupts the proceedings.

D. Recording Considerations:

- Depositions –
Reporters should be aware of increased ability for surreptitious recording of the deposition. Before going on the record, reporters may want to remind participants that, unless included in the notice of deposition or with the consent of all parties, audio or video technology is not permissible, pursuant to [CCP 2025.330\(c\)](#).
- Court –
Courtroom proceedings may not be recorded without the express permission of the Court, pursuant to [California Rules of Court 1.150](#).

Best Practice Pointer No. 12 – DRAFT

Best Practices for the Use of Backup Audio Media

Backup Audio Media (BAM) is the generic term for any auxiliary audio recording, including the audio synchronization tool built into computer-aided translation (CAT) software.

For the purposes of these guidelines, “party” is defined as a named person or entity in a case and/or their attorney.

The duties and responsibilities of the certified shorthand reporter (CSR) regarding preservation of the official record are not changed by the use of BAM.

Stenographic/Voice notes are the official record.

- ❖ It is the obligation of the CSR to interrupt the proceedings when the record is in jeopardy for any reason, per [Code of Regulations \(CCR\) 2475\(b\)\(3\)](#).
- ❖ It is the duty of the CSR to read back from the stenographic/voice notes, which are the official record, and playback of the backup audio media in lieu of readback is not allowed.
- ❖ CSRs must comply with all applicable local, state, and federal rules and/or laws to ensure the integrity of the record, including [California Penal Code 632](#).
- ❖ When a backup recording is made by a CSR at his or her own discretion and not otherwise ordered for preservation by any federal, state, or local law and/or rule, it is the personal property of the CSR and there is no public entitlement to these recordings.
- ❖ The BAM file may be provided at the request of an attorney and/or a party to a proceeding at the discretion of the CSR.
- ❖ If the BAM is going to be released, the following best practices should be followed:

Providing BAM at the request of an attorney or party to a proceeding:

1. If the BAM is made available to any court reporting firm or party in a case, it is the responsibility of the CSR to ensure that no confidential or off-the-record discussions are contained in the released recording.
2. If the CSR decides to release the BAM, the CSR and/or reporting firm should release a copy and not the original (unless ordered otherwise by a court.) The original should be maintained for no less than one year.
3. If the CSR and/or reporting firm makes available a copy of the BAM to one party, the same offer must be made at the same time to the other party(ies) to the proceeding, in accordance with [Code of Civil Procedure \(CCP\) 2025.320\(b\)](#).
4. CSRs and/or reporting firms should check all applicable local, state, and federal laws, rules, and regulations to ensure that creating backup audio media is in compliance with those laws, rules, and regulations, including but not limited to [California Penal Code 632](#), which prohibits eavesdropping on or recording confidential communications.
5. If the CSR and/or reporting firm offers BAM as a value-added service, all parties should be advised prior to the start of the proceeding.
6. If the transcript or any portion thereof is designated confidential or sealed, the BAM file shall be clearly labeled as such and the reporter must comply with all applicable local, state, and federal laws, rules, and regulations.

Best Practice Pointer No. 13 - DRAFT

Best Practices for Exhibit Handling for Depositions

Physically Marking the Exhibit

The object is to make it easy for someone later on looking through the exhibits to find the identifying label.

Procedure – Confirm the use of this procedure with counsel before proceeding begins.

- The exhibit is provided to the court reporter.
- It is the responsibility of the reporter to ensure that exhibits are marked accurately.
- The court reporter announces the number of the exhibit (“Exhibit 1 is marked for identification” or “This is being marked as Exhibit 1”)

Labels

- Information on the exhibit label should include:
 - Ø Exhibit number/letter
 - Ø Witness last name
 - Ø Court reporter’s license number and/or name
 - Ø Date of proceeding
- Label placement:
 - Ø Labels should be placed on the right side of the exhibit, when possible, taking care that nothing on the page is obstructed. Keep consistency in mind when choosing the location for the label.
 - Ø If there is no blank space available on an exhibit for placement of a label, place the label on the back of the exhibit in the center.
 - Ø For objects other than paper, offer to place the label where it can be easily seen, but confirm with counsel before affixing the label. For objects where affixing a label is impossible, affix the label to a string tag and tie it on the object. Small items may be placed in an envelope and affix the exhibit label to the envelope.
 - Ø A photograph may be marked on the back.

Tracking

It is the responsibility of the court reporter to keep track of exhibits and exhibit numbers.

Custody

Original exhibits are to remain in the custody and control of the court reporter unless there is a stipulation otherwise by counsel because the original exhibits (or what was marked at the deposition) must be attached to the original transcript.

If an exhibit is to be retained by counsel or the witness providing it, a stipulation should be placed on the record and reflected in the Index of Exhibits.

If counsel requests the court reporter retain custody of an unusual or bulky item, the court reporter should ask for a stipulation from all parties that there must be notification to all parties if any party is requesting to view the exhibit in the reporter's presence, who to return the item to once the case has concluded, and how to return the item.

Use of Previously Marked Exhibits

If counsel shows the witness an exhibit that was previously marked at another deposition, the court reporter should clarify if the exhibit is being offered for the physical record of the present deposition or simply used for reference by the witness.

Objection to Exhibit

The court reporter is not the finder of fact and may not make a determination as to admissibility of an exhibit. If there is an objection to an exhibit being offered, the court reporter takes the exhibit and labels it. If the reporter does not receive within ten days from the date of the deposition a protective order issued by the Court regarding the disposition of the exhibit, include the exhibit with the transcript as usual.

Confidential Exhibits

Parties need to stipulate at each deposition whether an exhibit is confidential and/or provide to the reporter a copy of any confidentiality agreement between parties with explicit instructions on how to handle a confidential exhibit.

Parentheticals

Per [California Code of Regulations Title 16, Division 24, Article 8, section 2473](#), parentheticals and exhibit markings of two lines or more shall contain no less than 35 characters per line.

The language of the parenthetical should be kept as simple as possible.

Example: (Exhibit 1 was marked for identification.)

Substitution of Documents

If counsel wishes to substitute or replace a previously marked exhibit, the substitution should be clearly stated on the record.

Index

The exhibit index should simply be entitled Exhibit Index or Deposition Exhibit Index unless other exhibits were specifically marked, i.e., plaintiff's or defendant's exhibits. The index should identify each exhibit number with a brief description of the exhibit, i.e., the type of document, date, Bates range, and the page at which it was marked. If the exhibit is retained by counsel or the witness, that information should be noted on the index.

A separate index should be created for previously marked exhibits, including the exhibit number. No description is required. The page number at which it was first referenced may be included. Note whether an exhibit is confidential but only describe confidential exhibits in the confidential transcript.

In the case of confidential exhibits or any type of sealed exhibits, the full description of the document should be omitted from the open portion of the transcript. The full description should be included only in the confidential portion of the transcript.

Confidential exhibits are included only with the confidential portion of the transcript. A secure server or FTP repository should be set up to electronically transmit exhibits containing confidential information.

Scenarios

If an attorney leaves the deposition while the remaining attorney continues with a record, exhibits offered to the court reporter after another attorney leaves the room are to be accepted and attached to the deposition transcript.

If the attorneys stipulate to no transcription of the stenographic/voice notes of a deposition, any exhibits marked must be retained by the court reporter along with the stenographic/voice notes so that in the event of a future order, the transcript will be complete with exhibits. Such exhibits may be scanned for storage if the attorneys so stipulate.

If a case settles before the transcript is produced, the exhibits may be scanned and retained by the court reporter and the original(s) returned to the noticing party.

If a court reporting firm is utilized, the court reporter should send the original exhibits to the firm as quickly as possible via a reliable source which offers a tracing or tracking service. Delivery confirmation is recommended. Scanned exhibits are acceptable in cases of expedited orders, but original transcripts should contain original exhibits (or what was marked at the deposition).

If a request is received to add an exhibit subsequent to the conclusion of the deposition, the court reporter may do so only with written stipulation of all parties.

If a witness refuses to release a document which has been marked as an exhibit, it should be noted in the record and reflected in the exhibit index that the exhibit provided to the court reporter will be a copy of that document.

If an exhibit which was to be provided to the court reporter after the conclusion of the deposition but was never provided, the court reporter should email the parties letting them know that the exhibit has not been received and that the transcript will be held until a date certain, after which time the transcript will be delivered. If the transcript goes out without such an exhibit, the reporter should indicate in the index that the document was never released.

Best Practice Pointer No. 14 – DRAFT

Best Practices for Interpreted Depositions

The court reporter begins by swearing in the interpreter.

Suggested language: Do you solemnly state or affirm that the interpretation you are about to provide from English to (insert foreign language) and from (insert foreign language) to English shall be true and correct to the best of your ability?

Suggested parenthetical: (The interpreter was sworn to interpret from English to (insert foreign language) and from (insert foreign language) to English to the best of his/her ability.)

The court reporter then swears in the witness as usual.

Suggested parenthetical: (The witness was sworn in through the interpreter and testified as follows:)

Appearance Page – the following information regarding the interpreter should be included:

Name

Agency (if applicable)

Phone number

Certification number – Note: [Government Code section 68561](#) requires that an interpreter present at a court proceeding be court certified. Depositions are court proceedings. The interpreter is required under their statutes to state their certification number.

Courtesy Provision of Realtime – it is often very helpful to the interpreter to have access to a realtime screen during the deposition.

Scenarios

When an interpreter or questioning attorney begins to use the third person (i.e., “Ask him how old he is” or “He says he is 54”), this is transcribed as colloquy in the transcript. The court reporter may ask to go off the record in order to explain to counsel or the interpreter that for a clearer record, everyone must speak in the first person.

Example:

Q. And what is your address?

A. 1234 West Main Street.

MR. SMITH: Ask him how old he is.

THE WITNESS: I'm 54.

Q. BY MR. SMITH: How old did you say you are?

THE INTERPRETER: He says he's 54.

Q. BY MR. SMITH: Do you have any children?

THE INTERPRETER: He said he has three.

When an interpreter asks for clarification or additional information such as a spelling, it is transcribed as colloquy in the transcript.

Example:

Q. What is your current address?

THE INTERPRETER: Excuse me, Counsel. What was the question?

MR. SMITH: I asked him for his current address.

THE WITNESS: 1234 West Main Street.

or

Q. What is your current address?

THE INTERPRETER: Excuse me, Counsel. What was the question?

Q. BY MR. SMITH: What is your current address?

A. 1234 West Main Street.

When a witness uses both English and the foreign language, the court reporter must make the record clear as to which language is used. A parenthetical may be placed at the beginning of testimony, such as (All answers through interpreter unless otherwise noted.), followed by a parenthetical noting when the witness answers in English.

Example:

Q. How many children do you have?

A. (In English) Three.

When the court reporter knows the foreign language being spoken and knows that the interpretation is incorrect, the court reporter is not to interrupt to correct the interpretation. It is the onus of the parties present to provide a check interpreter. The court reporter's function is to capture the record, not create it.

When there is clearly an issue with the interpretation, i.e., after a lengthy exchange between the interpreter and the witness after which the interpreter simply answers, "yes," or the interpreter and witness are speaking without interpretation, the court reporter is to report what is said in English. It is the responsibility of the attorney to clarify the record. No parenthetical is needed unless the record is confusing without it. If the questioning attorney understands the foreign language and asks the next question before the answer is interpreted, the court reporter should interrupt to ask for an interpreted answer.

When there is no interpreter

When there is no interpreter but one is needed or the interpreter is unintelligible, the court reporter must interrupt and advise the parties that there is no record being created. The court reporter can offer to call for another reporter, citing [California Code of Regulations \(CCR\) Title 16, Division 24, Article 8, section 2475](#). The court reporter may also place a realtime screen in front of the interpreter or the attorney so everyone can see what the court reporter is hearing.

If a foreign word or short phrase is used, it is appropriate for the court reporter to ask for spellings through the interpreter on a break or at the end of the deposition. If a lengthy phrase is used, the court reporter should insert a parenthetical: (Witness speaks in foreign language).

AGENDA ITEM 12 – Strategic Plan

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Agenda Description: Update to the Board on action plan

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Brief Summary:

At the December 13, 2023, Board meeting, the Board adopted the 2024-2028 Strategic Plan. The Action Plan Timeline is used as a tool to update the Board on the progress of achieving the strategic plan goals.

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Support Documents:

Attachment – Action Plan Timeline

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board review the Action Plan Timeline and provide feedback as needed.

**Court Reporters Board of California
2024 – 2028 Action Plan Timeline**

Action Items		Target Date	Status
2.1	Pursue legislation that will require Certified Shorthand Reporter (CSRs) to state their license number at the beginning of proceedings.	Oct 2024	September 2024 (eff. January 2025)
4.6	Pursue legislation that will require licensees to provide an email address to the Board for the delivery of electronic communication and updates.	Oct 2024	September 2024 (eff. January 2025)
1.1	Pursue reciprocity with other state and national exams to reduce barriers to licensure.	Dec 2024	September 2024 (eff. January 2025)
1.3	Assess the feasibility of adding one in-person test annually to improve accessibility and inclusivity.	Dec 2024	
4.1	Increase the Board’s visibility to promote consumer awareness about the Board’s role and efforts.	Dec 2024	
4.3	Inform the public about voice writers to create awareness about the new technology, prevent confusion, and better inform consumers.	Jan 2025	Plan development mtg November 2024.
1.7	Review demographic data provided through the strategic planning process to identify any workforce issues.	March 2025	
4.5	Attract people to the profession to address the shortage of licensees.	June 2025	
4.7	Update the Board’s logo and incorporate voice writing for a more universal and inclusive logo.	June 2025	
4.8	Explore the need to increase TRF funding to support program needs and the Board’s DEI initiative.	June 2025	
1.4	Research the reinstatement of lapsed licenses and determine if statutory changes are necessary.	July 2025	
1.2	Change the testing format to conform to universal formats to increase pass rates and the licensee pool.	Dec 2025	Board approved April 2024. Ongoing.
1.5	Explore the possibility of provisional licensing to promote fully licensed reporters and address the shortage of licensees.	Dec 2025	
4.2	Address digital recording to educate consumers on the distinction between digital recorders and Certified Shorthand Reporters (CSRs).	Dec 2025	

Court Reporters Board of California
2024 – 2028 Action Plan Timeline

Action Items		Target Date	Status
4.9	Review and update the “Best Practice Pointers” on the Board’s website.	Dec 2025	Ongoing.
3.2	Obtain data on schools and students to assist the Board with daily operations and to identify any diversity, equity, and inclusion (DEI) and workforce supply issues.	June 2026	
5.1	Streamline the Transcript Reimbursement Fund (TRF) process.	June 2026	
5.3	Collect data on website traffic to assist the Board in improving website functionality and accessibility for all stakeholders.	June 2026	
3.1	Explore methods to improve the capturing and communication of statistics on the effectiveness and quality of educational programs.	Dec 2026	
4.4	Increase awareness and inclusivity of the Transcript Reimbursement Fund (TRF).	April 2027	
5.2	Create a succession plan for the executive officer position.	June 2027	
1.6	Pursue legislation that will require Certified Shorthand Reporters (CSRs) to complete continuing education.	Dec 2028	
2.2	Pursue legislation that will grant the Board authority to set standards, license, and oversee digital recording to ensure accurate and timely transcripts for the protection of consumers.	Dec 2028	

AGENDA ITEM 13 – Expedited Fees for Deposition Transcripts

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Agenda Description: Staff update; no author for legislation

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Brief Summary:

At its September 1, 2023, meeting, the Board instructed staff to locate an author to change necessary laws to allow court reporters to charge all sides ordering a transcript expedite fees. Staff has been unable to secure an author. In discussions regarding a bill to clarify or expand what a court reporter may charge the public, staff discovered such a change in statute would be better served coming from one or more of the trade associations. As a consumer protection agency, the Legislature tasks the Board to put forth legislation that benefits the public, even if it is contrary to the interests of licensees.

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Recommended Board Action: Informational only.

AGENDA ITEM 14 – AI Generated Deposition Summaries

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Agenda Description:

Discussion and possible action on evolving Artificial Intelligence (AI) generated service offered.

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Brief Summary:

Some court reporting firms are offering deposition summaries that are created using AI. Board staff has gotten questions on the applicability of California Code of Regulations (CCR), Title 16, Division 24, Article 8, section 2474 which reads as follows:

16 CCR § 2474

§ 2474. Prohibition on Preparation of Deposition Summaries.

Currentness

(a) As used in this section, the term “deposition summary” means information dictated by an attorney and reported and/or transcribed by the court reporter after the conclusion of a deposition that includes one or more of the following:

- (1) A summary of the information, facts, or testimony produced at the deposition;
- (2) The attorney's analysis or evaluation of the witness or witnesses;
- (3) The attorney's evaluation of the impact of the deposition on the merits of the case; or
- (4) The attorney's recommendation for further action or strategies to be employed in the case.

(b) It shall be considered unprofessional conduct, as that term is used in Section 8025, subdivision (d), of the Business and Professions Code, for any certified shorthand court reporter licensed by the Board to transcribe or assist in the preparation of a deposition summary after the conclusion of a deposition conducted by that reporter pursuant to Section 2025(k) of the Code of Civil Procedure.

Because of the definition of “deposition summary” as information dictated by an attorney, Board staff does not see a prohibition from the reporter who reported the proceeding being able to run the transcript through an AI deposition summary program.

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Recommended Board Action: Staff recommends that the Board discuss the practice. if no clarification is needed, the Board does not need to take further action. If the Board decides that the regulation needs to be clarified, a sample motions follows.

Possible Sample Motion: I move that Board staff develop regulatory language to clarify 16 CCR, Division 24, Article 8, section 2474.

COURT REPORTERS BOARD MEETING – NOVEMBER 15, 2024

AGENDA ITEM 15 – Future Meeting Dates

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Agenda Description: Proposed Meeting Dates

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Support Documents:

Attachment – 2024 Board Calendar

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Current scheduled activities:

CSR Dictation Exam:

November 1 – 22, 2024 – Realtime Coach (Online Vendor)

Exam Workshop:

December 13-14, 2024 – Sacramento

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Recommended Board Action: Informational only. Staff will poll Board member availability for next meeting.

A YEAR-AT-A-GLANCE CALENDAR 2024
COURT REPORTERS BOARD OF CALIFORNIA

JANUARY 2024

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28	29	30	31	Workshop		

FEBRUARY 2024

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31	Dictation Exam Starts					

APRIL 2024

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JULY 2024

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AUGUST 2024

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					Workshop	

SEPTEMBER 2024

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OCTOBER 2024

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NOVEMBER 2024

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DECEMBER 2024

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ACTIVITY

BD	BD - Board Meeting or Activity
Exam	Exam - Dictation Exam
Workshop	Workshop - Exam Workshop
TF	TF - Task Force Meeting
TH	TH - Town Hall Meeting
OA	OA - Occupational Analysis
RH	RH - Regulatory Hearing
Shaded Dates	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
Tele	TELECONFERENCE/VIDEOCONFERENCE

COURT REPORTERS BOARD MEETING – NOVEMBER 15, 2024

AGENDA ITEM 16 – Closed Session

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Agenda Description:

Pursuant to Government Code Section 11126(a)(1), the Board will meet in closed session to conduct the annual evaluation of its executive officer.

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Fiscal Impact: None