

# CRB \* TODAY

COURT REPORTERS  
BOARD NEWSLETTER

GUARDING THE RECORD  
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## Message from the Chair

*Davina Hurt*

### *CART & Captioning – the other face of court reporting*

The other night I watched a Spanish foreign language film. The accuracy and quality of the translation was superb. They captured the context, emotion and the cultural nuances well. There was definitely a human touch to the translation, which began my thinking about new technologies and the standards of practice surrounding the growing field of CART and captioning.

Communication Access Realtime Translation, CART, is a type of captioning service offered by court reporters to the hard of hearing community. Writing realtime, a court reporter will take down the spoken word and have it translate immediately into English. The English translation may be viewed on anything from a phone or tablet to a Jumbotron screen, depending upon the audience.

In the educational setting, CART providers are paired with hearing-impaired students in order to provide immediate access to classroom lectures. The student can type in a question that the CART provider can then ask the instructor, providing better access to the educational system.

CART providers are not limited to the educational setting by any means. Wherever there is a hearing-impaired person, CART services help that person participate. This may mean in the courtroom as a juror or as a witness or party in a lawsuit. It may be at a conference or sporting event, church service or even theater event. Imagine how enriching it would be to be able to more fully experience life as it happens, rather than reading about it afterwards.

*Message continued on page 2*

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## *Inside this issue ...*

License Fee Increase Update.....	2
Legislative Update .....	3
TRF Update .....	3
CSRs Needed for Exam Workshops ....	4
Examination Statistics .....	4
November Retest.....	5
Court Reporting & Captioning Week ....	6
School Update .....	6
Frequently Asked Questions .....	7
Newly Licensed CSRs .....	8
CSR Spotlight.....	9
Student Spotlight .....	10
Online Testing Policy and Procedures Task Force .....	10
Occupational Analysis Version 2017...	11
Dictation Test Writing Committee .....	12
Citations and Fines Issued .....	13
Disciplinary Actions.....	14
Disciplinary Actions Pending .....	15

### *Board Members*

DAVINA HURT, *Chair*  
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CARRIE NOCELLA  
TONI O'NEILL, CSR

YVONNE K. FENNER, *Executive Officer*  
PAULA BRUNING, *Layout Designer*

*Message continued from cover*

The translation of a CART provider differs significantly from that of a traditional court reporter. While both services strive for a verbatim transcript, CART providers add in parentheticals capturing extraneous noises, such as when people are laughing or applauding. Because they are reporting more than the spoken words, CART providers may occasionally paraphrase a speaker's words in order to keep the reader as current as possible.

Those who provide CART services do not have to be licensed in California. The CSR certificate is for judicial proceedings only: court, depositions, and court-ordered arbitrations. The Board's interest in CART arises from consumer harm that is alleged to take place. Consumers who receive inferior translation really have nowhere to go. They may request or hire a different provider in the future, but at the time of the poor service, they are being denied full access to the events around them.

As a part of the Board's current strategic plan, we will be looking at the consumer harm aspect to determine if it rises to the level of requiring licensure. Before action can be taken, however, a clear picture of the problem is necessary. Stay tuned for updates as the Board works on this portion of its strategic plan.



### License Fee Increase Update

At its January 27<sup>th</sup>, 2017, Board meeting, the Board adopted a resolution to increase the license fee to \$175 beginning January 1, 2018. However, the financial reports the Board used to make its decision did not include funding for the Transcript Reimbursement Fund (TRF). Therefore, the Board reconsidered the license fee increase at its July 6, 2017 meeting. After carefully considering its options, the Board voted to increase the license fee to \$225 annually to allow the Board to continue operating.

The Board's fund condition has been coming under pressure from very slowly decreasing revenue as the number of court reporters retiring is slightly more than the number becoming licensed. Additionally, expenses have sharply increased, specifically such things as exam site rental, what has almost doubled in recent years. While the Board continually strives to work more efficiently, a license fee increase is necessary to allow the Board to continue its mandate of consumer protection.

Staff has begun its work with legal counsel to prepare the regulatory package necessary to implement this change and will report back on when the change can be expected to take place.

## Legislative Update

### *One big win and one big loss*

Court reporters got a big win and a big loss this first year of the current legislative session. The big win is Governor Brown signing AB 1460 (Obernolte) into law. This new law allows an official reporter or official reporter pro tempore to deliver a transcript in electronic form, in compliance with the California Rules of Court, to any court, party, or person entitled to the transcript, as specified, unless, among other things, the party or person requests the transcript in paper form. This is a huge step forward for everyone involved in the judicial system. Litigants and their attorneys will have instant access to uploaded transcripts. Court reporters will save on paper, toner, and all other costs associated with binding and printing as well as saving the time associated with printing and binding.

The big loss for court reporters was Governor Brown's veto of AB 1660 (Kalra), the Board-sponsored firm registration bill. This bill would have required court reporting firms to register with the Board and agree to follow all statutes and regulations applicable to court reporting. The bill made it to the Governor's desk with approval by the Senate and Assembly, however was not signed due in part to pending litigation that was brought to the attention of the Governor, presuming the outcome of the case would make the legislation unnecessary.

The Board is very appreciative of all the efforts by Assemblyman Kalra and his staff on our behalf. The Board also recognizes the work of our co-sponsors, the California Court Reporters Association and the Deposition Reporters Association.

## Transcript Reimbursement Fund Update

With the new year came a refreshed allotment of money for the Pro Per Program of the Transcript Reimbursement Fund (TRF). As indicated in the Fall 2016 CRB Today, the program allowance was increased from \$30,000 to \$75,000 per calendar year during the Board's sunset review process. Also, the Board was able to once again hire a part-time analyst to administer the program. The additional position allowed staff to reduce the backlog for both the Pro Per Program and the Pro Bono Program.

In July 2017 the Department of Consumer Affairs (DCA) transitioned from CALSTARS to the new statewide accounting and budgeting system known as FI\$Cal. DCA went "live" officially on July 10<sup>th</sup> and since then has made great strides in understanding and transacting within the system. As with any type of significant change or transition to a system such as FI\$Cal, there are inherent challenges and hurdles to overcome. TRF claims fall into this category as auditors for the State Controller's Office have found deficiencies with the TRF application and/or processes, resulting in more than 70 TRF claims submitted after mid-June being delayed or returned to the Board. The challenges associated with the transition have, unfortunately, created another backlog as Board staff works to resolve the issues. The Board is working with DCA's Budget and Legal Affairs Offices, and the State Controller's office to resolve the issues so that processing may resume.

## CSRs Needed for Exam Workshops

If you currently work as a CSR and your license is in good standing, ***we need you.*** The CSR exam development process involves a series of workshops that requires active CSR participation. Without valuable subject matter expert input, the workshops cannot take place, and without a good supply of test questions in the test bank, the Board will not be able to continue to offer the written exam three times per year.

For the health and growth of the industry, please consider accessing the Board's calendar at [www.courtreportersboard.ca.gov](http://www.courtreportersboard.ca.gov) to see if any of the upcoming exam workshop dates might work for you. Each two-day workshop is held from Friday to Saturday in Sacramento. All travel accommodations are arranged by Board staff. All workshop participants will be provided with a per diem rate of \$150 per day. Those living farther than 50 miles will be reimbursed for hotel accommodations at the State approved rate.

Please pass this important message on to reporters you know. The future success of the CSR industry lies with you. For more information on participating in an exam workshop, contact Kim Kale at [Kim.Kale@dca.ca.gov](mailto:Kim.Kale@dca.ca.gov).

## Examination Statistics

### Written Exams

March 1, 2017 - June 30, 2017		Total	Pass	Overall %
English	Overall	70	45	64.3%
	First Timers	48	39	81.3%
Professional Practice	Overall	69	49	71.0%
	First Timers	46	35	76.1%
November 1, 2016 - February 28, 2017		Total	Pass	Overall %
English	Overall	75	53	70.7%
	First Timers	37	27	73.0%
Professional Practice	Overall	63	40	63.5%
	First Timers	33	24	72.7%
July 1, 2016 - October 31, 2016		Total	Pass	Overall %
English	Overall	63	24	38.1%
	First Timers	34	16	47.1%
Professional Practice	Overall	67	39	58.2%
	First Timers	38	24	63.2%

### Dictation Exam

July 2017	Total	Pass	Overall %
Overall	187	67	35.8%
First Timers	41	19	46.3%
March 2017	Total	Pass	Overall %
Overall	147	6	4.1%
First Timers	37	5	13.5%
January 2017*	Total	Pass	Overall %
Overall	110	7	6.4%
*November 2016 Retest			
November 2016	Total	Pass	Overall %
Overall	127	9	7.1%
First Timers	42	7	16.7%

## November Retest

### *Painful lessons learned*

During set-up of the November 18, 2016, skills portion of the CSR license exam, a decision was made to change the seating order of the readers of the exam. Included in the manual of Board policies, including policies regarding exam administration, is this statement from June 1999:

(5) Arrangement of the speakers from left to right:

Court Transcripts:

Plaintiff attorney, witness, Court, and defense attorney

Deposition:

Plaintiff, witness, defense attorney #1, defense attorney #2

*Adopted: June 1999*

While the change of speaker line-up was intended to facilitate the reporting of the proceeding, it appeared to create consternation among many exam candidates, resulting in a higher rate of incompletes, tests that were not transcribed for grading.

On November 23, 2016, a request was received by a number of court reporting program instructors for an “immediate emergency retest.” A special meeting of the Board was held on December 7, 2016, to discuss the request. The Board met via videoconference in Sacramento, San Diego, and Irvine. As a result of the discussion and information received, the Board voted to grant the request for a retest, which was held on January 31, 2016, the first date available for any facility.

“Putting another test together so quickly with the small staffing resources available to the Board was quite a challenge,” noted Yvonne Fenner, the Board’s executive officer. “It was important to the Board, however, to do what it could to offer a test that was fully compliant with all Board policies.”

When the decision was made to change the speaker lineup, it was not known that apparently the schools had been teaching only the policy setup with no variation. While the decision to change the lineup was devastating to many candidates, it illuminated a deficiency in the preparation of the candidates. “The ability to accurately identify speakers in a deposition or a court proceeding is an entry-level skill that the new licensee must be able to perform the very first day on the job,” noted licensee member Toni O’Neill.

At its July 6, 2017, meeting, the Board voted to change the seating policy from what was set in 1999 to a random seating. The policy change won’t go into effect, however, for at least two years so that schools will have ample time to prepare their students for this change.

## Court Reporting & Captioning Week

### *Save the Date!*

The National Court Reporters Association (NCRA) announced that their public relations campaign, Court Reporting and Captioning Week, will be held February 10 – 17, 2018.

Involvement for 2017 included participation by state entities, local associations, and court reporting schools. In years past, the California Legislature has issued proclamations honoring the week.

NCRA is promoting a friendly competition among states to help promote awareness of the profession. For more information on how you can get involved and help your state not only succeed in the competition, but also help others discover this amazing profession, please visit [www.NCRA.org/awareness](http://www.NCRA.org/awareness).

## School Update

Effective December 12, 2016, the U.S. Department of Education (DOE) ceased recognition of the Accrediting Council for Independent Colleges and Schools (ACICS) as an agency that can provide schools with a seal of approval for educational quality. Without this “seal of approval” by the DOE, schools accredited by ACICS will no longer be eligible to participate in federal student aid programs. Although ACICS appealed the verdict, the DOE Secretary upheld the decision of the Senior Department Official, which was based on recommendations of both the DOE’s accreditation staff and the independent, bipartisan advisory body appointed by Congress known as the National Advisory Committee on Institutional Quality and Improvement. The Secretary’s decision begins an 18-month period for institutions accredited by ACICS to find another accreditor to make them eligible to participate in federal student aid programs. ACICS chose to challenge the Secretary’s decision in federal district court; however, they were denied their motion for a preliminary injunction to halt implementation of the December 12<sup>th</sup> decision.

The Court Reporters Board (Board) recognized the impact such a universal repeal of accreditation would have to both students and the industry. Between 2013 and 2015, the number of private schools recognized by the Board decreased from nine to six. In consideration of the private court reporting schools in California, throughout the review process the Board sent letters to the DOE urging retention of ACICS recognition.

Unfortunately, Sage College made the decision to cease operation effective December 30, 2016, as they were unable to acquire another accreditor that met their needs. “It was a sad day to lose a school, and it is difficult for everyone concerned,” stated Yvonne Fenner, executive officer for the Board. Ms. Fenner participated in a meeting on January 9, 2017, held by the Bureau for Private Postsecondary Education for students of Sage College to provide assistance and additional information regarding loan forgiveness, tuition recovery, and transfers.

Effective March 24, 2017, Sierra Valley College of Court Reporting also announced their closure. While attempting reaccreditation, they realized they would be unable to meet the benchmarks set by another accreditor.

On October 4, 2017, ACICS announced that they submitted a formal petition to DOE for recognition as a national accreditor, citing reform and progress since June 2016. Although they are not currently accepting new applications for initial accreditation, the organization seeks to focus its resources on strengthening its standards and practices for the 239 institutions they currently accredit.

To satisfy the DOE and enable students to continue receiving federal student aid, the remaining three ACICS-accredited court reporting schools in California have applied to federally-recognized accreditors.

## Frequently Asked Questions

**Q** May a reporter use an alternative identifier or name for a person whom will be discussed during a deposition or hearing when all parties have stipulated to identify the person in the alternative manner? For example, when a minor is being discussed and the parties use the minor's name during the deposition or hearing, for example, "Mary" or "Mary Minor," and the parties stipulate to have the transcript refer to her as "M" or "M.M.," may the reporter produce the transcript with this change from what was said verbatim during the deposition or hearing?

**A** Yes, but only because all of the parties stipulated to the transcript reflecting the alternative identifier. It's best practice to get such stipulations on the record.

**Q** Are timestamps required for videotaped depositions, or does subdivision (c) of the California Code of Regulations, Title 16, section 2473 allow them to be omitted?

**A** No. While video-recorded depositions are typically time-stamped, there is no mandatory requirement for time-stamping.

**Q** What provision of law allows a reporter to go off the record when the testimony or colloquy between attorneys is so out of control that the reporter cannot get the record accurately?

**A** California Code of Civil Procedure section 2025.470 requires all parties agree to going off the record; however, if the record is in danger (due to speed or accents, etc.) the reporter must go off the record and inform the parties. The reporter is obligated to do this per the Professional Standards of Practice, California Code of Regulations, Title 16, Division 24, Article 8, section 2475.



**Q** May a court reporting agency refuse to disclose which party has requested a copy of a transcript for a deposition noticed by a different party?

**A** Yes. There is no rule or statute that requires the court reporter or agency to disclose which party is requesting a copy of the transcript. However, if a non-party is attempting to obtain the deposition transcript, the reporter or agency must comply with Code of Civil Procedure section 2025.570, which states:

(a) Notwithstanding subdivision (b) of Section 2025.320, unless the court issues an order to the contrary, a copy of the transcript of the deposition testimony made by, or at the direction of, any party, or an audio or video recording of the deposition testimony, if still in the possession of the deposition officer, shall be made available by the deposition officer to any person requesting a copy, on payment of a reasonable charge set by the deposition officer.

(b) If a copy is requested from the deposition officer, the deposition officer shall mail a notice to all parties attending the deposition and to the deponent at the deponent's last known address advising them of all of the following:

- (1) The copy is being sought.
- (2) The name of the person requesting the copy.
- (3) The right to seek a protective order under Section 2025.420.

(c) If a protective order is not served on the deposition officer within 30 days of the mailing of the notice, the deposition officer shall make the copy available to the person requesting the copy.

(d) This section shall apply only to recorded testimony taken at depositions occurring on or after January 1, 1998.

**Newly Licensed Certified Shorthand Reporters***October 11, 2016 – October 18, 2017*

The Court Reporters Board of California is pleased to welcome the following people to the rolls of licensed California court reporters:

Kathleen Alona, Santa Ana, CSR 14219  
Stacey Ampudia, South Gate, CSR 14189  
Sonseraye Anderson Bell, Los Angeles, CSR 14187  
Jessica Ayres, Alameda, CSR 14180  
Andrea Baffert, Long Beach, CSR 14227  
Kathryn Baldwin, Diamond Bar, CSR 14242  
Kristina Bauer, Riverside, CSR 14207  
Latoya Beckford, Chino, CSR 14216  
Lauren Biggins, Riverside, CSR 14185  
Misty Bohack, Yorba Linda, CSR 14218  
Anaise Breshears, Hanford, CSR 14162  
Rita Bronson, Sunland, CSR 14237  
Chelsea Butler, Irvine, CSR 14231  
Annette Caldera, Ontario, CSR 14169  
Monice Campbell, Park City, UT, CSR 14171  
Christina Carriaga, Walnut, CSR 14223  
Nancy Castrejon, El Cajon, CSR 14186  
Ashley Chorley, Tulare, CSR 14243  
Jennifer Dacus, Downey, CSR 14188  
Daniel Daspit, Riverside, CSR 14182  
Jamie Davis, Sacramento, CSR 14209  
Kristie Dickinson, Lansing, MI, CSR 14166  
Mitchell Faccinto, Hanford, CSR 14157  
Victoria French, Newport Beach, CSR 14193  
Airiana Garcia, Anaheim, CSR 14152  
Nicola Gengler, Oswego, IL, CSR 14164  
Miranda Gentry, Rancho Santa Margarita, CSR 14165  
Benjamin Gerald, San Francisco, CSR 14203  
Raymond Gifford, Anderson, CSR 14215  
Leanna Gomez, Riverside, CSR 14204  
Michelle Gomez, Huntington Beach, CSR 14221  
Melanie Hampel, Sacramento, CSR 14232  
Renee Harris, Los Angeles, CSR 14168  
Dawn Hickman, Los Angeles, CSR 14154  
Samantha Hise, Folsom, CSR 14238  
Kaitlin Holland, Kernville, CSR 14198  
Kaitlyn Houston, Yuba City, CSR 14170  
Elsa Hurtado, Fontana, CSR 14206  
Veronica Jernigan, Stockton, CSR 14236  
David Johnson, Pasadena, CSR 14160

Judith Johnson, Scottsdale, AZ, CSR 14174  
Sara Kamberian, Glendale, CSR 14228  
Lauren Kelly, Santa Clarita, CSR 14194  
Jinna Kim, Encino, CSR 14151  
Rebekah Kinser, Rio Vista, CSR 14205  
Izumi Kono, Chatsworth, CSR 14156  
Kathleen Kopta, Colorado Springs, CO, CSR 14239  
Nancy Kottenstette, Seattle, WA, CSR 14197  
Charlotte Lacey, Sunnyvale, CSR 14224  
Shabnam Lavian, Encino, CSR 14191  
Amanda Lentine, Apple Valley, CSR 14233  
Alexa Mahl, Sacramento, CSR 14159  
Stephani Mayr, Sacramento, CSR 14240  
Anuar Meza, Fort Pierre, SD, CSR 14208  
Leanne Nakanishi, San Clemente, CSR 14155  
Heather Nakasone, Fremont, CSR 14153  
Linda O'Lear, Simi Valley, CSR 14211  
Tiffany O'Neal, Orange, CSR 14235  
Monica Orosz, Sacramento, CSR 14181  
Brianna O'Sullivan, Hanford, CSR 14225  
Danielle Pace, San Diego, CSR 14167  
Diana Paquette, Benicia, CSR 14192  
Jessica Pena, San Diego, CSR 14213  
Calipy Perez, Sylmar, CSR 14161  
John Pham, El Monte, CSR 14150  
Celeste Poppe, Torrance, CSR 14183  
Barbara Prokop, San Clemente, CSR 14190  
Martha Raygoza, Los Angeles, CSR 14173  
Rebecca Reutenuer, Stockton, CSR 14220  
Jasmine Richau, Fresno, CSR 14217  
Maria Rivera, Fontana, CSR 14229  
Keisha Robinson, Corona, CSR 14214  
Adriana Robles, Oakland, CSR 14212  
Andres Rodriguez, Downey, CSR 14226  
Samantha Ruiz, Canyon Country, CSR 14241  
Brittany Rumsey, Perris, CSR 14158  
Miranda Rumsey, Shingle Springs, CSR 14199  
Katherine Schilling, Richmond, VA, CSR 14163  
Erica Schmidt, Sacramento, CSR 14177  
Matthew Schuerger, Lincoln, CSR 14210

## CSR Spotlight

*"Complete tasks using your skills to the fullest!"*

That's the philosophy behind Elizabeth Lee's nearly 35-year career in court reporting. She knew she would have to work hard to achieve her goals to become a licensed court reporter, which she did in 1982.

Liz attended City College of San Francisco and then transferred to Bay Area Institute of Reporting when she attained a speed of 200 words per minute. While still in school, she worked part-time at a deposition firm where she learned new legal terms and the ins and outs of how a deposition office is run, including how to calendar depositions and hearings.



She remembers her first deposition, where the attorneys questioned if she was old enough to be a licensed reporter. She not only confirmed that she was indeed licensed, but went on to prove her abilities by providing a number of flawless readbacks from her paper notes. She earned the trust of those attorneys and began building her clientele.

Her entire career has been as a freelance reporter. She owns a small firm in the San Francisco Bay Area where she finds the most rewarding work in reporting depositions for the Justice and Diversity Center of the Bar Association of San Francisco. These cases involve low-income litigants represented by pro bono attorneys. Funding for the transcripts of these pro bono matters is often provided by the Transcript Reimbursement Fund. *Liz recently received an outstanding volunteer award from the Justice and Diversity Center.*

Liz admits to being slow to keep up with technology, referring to herself as "old school." She remembers the days of dictating her paper notes with a dictation machine and having a typist prepare the transcript – a process that could take a month. But she bravely bought a paperless machine about a year ago and loves it! She has seen technology

benefit court reporting in so many ways over the years and believes the software has given reporters the opportunity to more easily produce transcripts.

Looking to the future, she sees a need for more captioners and CART reporters. And although there is no shortage of work, there is a shortage of reporters. *She urges current students to be ready to work hard and to be dedicated and self-motivated.* Additionally, students should take advantage of classes, seminars, and activities offered by the industry. "There is a wealth of information to be learned by staying updated and networking," she added. Mentoring programs are another way to learn on the job, working side-by-side with a working reporter.

Although Liz enjoys activities outside of work, such as knitting and travelling, she looks forward to the challenges each new job brings. Meeting new people, hearing new cases, and learning new subject matter are among the rewards of such a rich career. Looking back at her career, Liz shared that she has learned so much from the various cases she has reported. "I've met experts in the field of science, business, medicine, and even sports," she shared. "Court reporters are very lucky to be able to hear and report the various cases before them and absorb all this knowledge."

New CSRs continued from page 8

Julia Schwarback, Ottawa, IL, CSR 14178  
 Sarah Seitz, Walnut Creek, CSR 14175  
 Gina Shrader, Las Vegas, NV, CSR 14176  
 Sara Simoni, Apple Valley, CSR 14195  
 Michael Solorzano, Brea, CSR 14230  
 Tara Tegeler, Huntington Beach, CSR 14184  
 Sophia Tomassian, Riverside, CSR 14172  
 Bianca Torres, Irvine, CSR 14179

Rebecca Tovar, South San Francisco, CSR 14200  
 Vivian Tristan, Murrieta, CSR 14244  
 Amanda Valenzuela, Chula Vista, CSR 14196  
 Lynn Van Den Hende, Sunnyside, NY, CSR 14202  
 Marcie Walsh, San Jose, CSR 14201  
 Brywn Whatford, San Diego, CSR 14234  
 Tawana Williams, Anaheim, CSR 14222

## Student Spotlight



For Justin Benson, court reporting is in his genes. “My father motivated me to become a court reporter,” he said. “He is currently a freelance reporter, and we have plans of opening our own court reporting firm one day.”

Justin, along with his twin brother Jamel, enrolled at South Coast College. He said, “South Coast has great structure and consistency.” For those considering a career in court reporting, he advises them to ensure they ***have a daily plan of attack and devote one hundred percent focus.*** He finds that just one day of inconsistency can cause a major setback, although he considers mistakes to be life’s greatest teacher.

Justin is motivated to put forth his best effort so he can be fully independent and not rely on others. He finds satisfaction in helping others, especially his family that has helped him over the years. He believes ***hard work paves the way to success*** – something he learned from his uncles who worked their way to the top from meager beginnings.

Before entering court reporting school, Justin attended film school and worked on a movie set, which also runs in the family. “If I weren’t in court reporting school, I would be a struggling actor,” he shared. He still has goals of completing film projects, and he writes in his spare time. He also enjoys traveling to New York, playing sports, and working out.

## Online Testing Policy and Procedures Task Force

As reported in the Fall 2016 CRB Today, the Board appointed a task force to consider policy and procedures for potentially moving the skills portion of the CSR exam to an online platform. The task force, co-chaired by Board Members Toni O’Neill and Elizabeth Lasensky and made up of court reporting program educators and court reporters, initially met in Sacramento on September 9, 2016. The task force then met on January 20, 2017, at Bryan University in Los Angles, and again on February 7, 2017, in Sacramento.

“We really put a lot of work into reviewing all aspects of the issues,” stated Task Force Co-Chair Toni O’Neill. “This was not a rubber-stamp process.”

A proposed set of policies and procedures was drafted and then presented to the Board at its July 6, 2017, meeting. After a thorough review of the policy and procedures, the Board made a few amendments and voted to move forward with online skills testing. Furthermore, they directed staff to begin the necessary regulatory process.

“Online testing offers many benefits to candidates, including the elimination of travel costs,” said Co-Chair Elizabeth Lasensky. “There will also be cost-saving and time-saving factors for the Board.”

## Occupational Analysis Version 2017

Every five to seven years the CRB undertakes an occupational analysis to ensure that it is testing candidates on the skills and knowledge that are currently needed to enter the court reporting profession. The CRB partnered with the Department of Consumer Affairs' Office of Professional Examination Services (OPES) to conduct an occupational analysis of the certified shorthand reporter (CSR) profession in California. The purpose of the occupational analysis is to define the profession for CSRs in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure and in terms of the knowledge necessary to perform those tasks. The results of this occupational analysis provide a description of practice for the CSR profession that can be used as the basis for the CSR licensing examinations in California.

Initially, OPES conducted a literature review of the profession, followed by telephone interviews with licensed CSRs who work in locations throughout California. The purpose of these interviews was to identify the tasks performed in the CSR profession and to specify the knowledge required to perform those tasks in a competent manner. Using the information gathered from the literature review and the interviews, OPES developed a preliminary list of tasks performed in the CSR profession along with a list of statements representing the knowledge needed to perform those tasks.

The next step was to convene workshops with a group of court reporters, with the objective of developing a questionnaire to be completed by CSRs statewide. In the first part of the questionnaire, the licensees were asked to

provide demographic information related to their work and work settings. In the second part of the questionnaire, the licensees were asked to rate specific job tasks in terms of frequency (i.e., how often they perform the task in their current job) and in terms of importance (i.e., how important the task is to performance of their current job). In the third part of the questionnaire, the licensees were asked to rate specific knowledge statements in terms of how important that knowledge is to performance of their current job.

The questionnaire was sent to a random sample of 2,017, stratified by years licensed and county of practice. The final response rate was 16.2% of the population that was invited to complete the questionnaire. The demographic composition of the respondent sample was representative of the California CSR population, and there were no exclusions made for demographic data.

OPES then performed data analyses of the task and knowledge ratings obtained from the questionnaire respondents to develop examination content outlines for each of the three portions of the CSR exam. Workshops were held with licensees to look at each item in the existing test bank to evaluate its validity. Items that were still deemed relevant were reclassified to the new examination content outlines.

OPES will issue a validation report, which along with the new examination content outlines will be posted on the Board's website when available. The March 2018 English and Professional Practice exams will be the first exams based on the results of the 2017 occupational analysis.

## Dictation Test Writing Committee

At its January 27<sup>th</sup>, 2017, Board meeting, Board Chair Davina Hurt appointed Licensee Board Member Toni O'Neill as the chair of a committee designed to create dictation tests for licensing. Due to the obvious necessity for keeping the test content secure, the concept of a committee transformed into a series of training workshops held under the guidance of the Office of Professional Examination Services (OPES). Since the January meeting, three training workshops have been held, two in Northern California and one in Southern California.

The workshops are staffed by Subject Matter Experts, who are working court reporters. The one-day workshop teaches them how to select test material from their transcript archives, mark the word count so it can be dictated at 200 words per minute, and how to ensure the syllabic density is between 1.3 and 1.5 syllables. The attendees work as a group to transform a transcript into a test as a final exercise. After the workshop, attendees are asked to submit two tests.

While dictation test development doesn't turn out to be everyone's cup of tea, many of the workshop attendees find the task challenging and rewarding. Harry Palter, a reporter in San Diego, shared that he found attendance at the workshop and subsequent production of the dictation tests very rewarding. "As a very busy working reporter, I find it a nice diversion taking time out to help welcome additional – yet competent – new reporters into our profession," he noted. "It's certainly not the easiest task to turn difficult material into entry-level material that new students can listen to, produce, and pass the state exam. But by the same token, if the material is too easy, then these young candidates will not last very long once they get out into the field." He added, "I encourage any of the 7,000 or so licensed reporters to donate one day out of their schedule to attend the workshop and then submit a couple tests. We need to keep the 'live reporter' need alive!!!"

Workshop attendees sign security agreements that they will not share specific test content, but the full test-development process really makes it extremely difficult for final tests to become public. After a test is submitted, it goes to another Subject Matter Expert for review and recounting. After those changes are incorporated, it is dictated to a group of newly licensed reporters who give frank feedback on places where the test could be improved.

"By the time we incorporate all the changes throughout the process, the original test submitted bears very little resemblance to what was initially submitted," noted Executive Officer Yvonne Fenner.

If any licensee is interested in attending the training workshop and writing dictation tests, please provide your contact information to Kim Kale, licensing analyst for the Board, at [Kim.Kale@dca.ca.gov](mailto:Kim.Kale@dca.ca.gov). When enough people are interested, a workshop will be scheduled.

**Court Reporters Board of California - Citations and Fines Issued November 2016 - October 2017**

The Citations and Fines remain posted for one year from the date initially issued. To find out whether a specific licensee has ever been issued a Citation and Fine prior to the date shown, or to obtain further information on a specific Citation and Fine, please contact the Board office toll-free at 1-877-3-ASK-CRB (1-877-327-5272).

The following respondents' Citation and Fines that reflect "Satisfied" have been satisfactorily resolved. Payment of a fine is not an admission to the violation.

RESPONDENT NAME - COUNTY	LICENSE NO.	DATE ISSUED	VIOLATION	SATIS-FIED
Timberlake, Dawn - Sacramento County	11629	10/05/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcripts)	No
Sandoval-Robles, Marylynne - Los Angeles County	12498	08/08/2017	Business & Professions Code Section 8025 (d) and (e): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to produce transcript)	No
Smith, Sonia - San Bernardino County	11512	06/30/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcripts)	Yes
Hall, Skylar - Sacramento County	13615	06/29/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct... (failed to appear and report scheduled deposition)	No
Hall, Skylar - Sacramento County	13615	06/27/2017	Business & Professions Code Section 8025 (d) and (e): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to produce transcript)	No
Kamara, Billie Jo - Los Angeles County	3535	05/15/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (f): Loss or destruction of stenographic notes; Government Code Section 69955 (e): Time requirements for retention of stenographic notes. (failed to retain stenographic notes as required by Code and unable to produce transcript)	No
Griffith, Joyce - Orange County	11010	05/12/2017	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	No
Hall, Gloria - Los Angeles County	4165	05/12/2017	Business & Professions Code Section 8025 (d) and (e): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to produce transcript)	Yes
Vaughn, LaCreisha - Sacramento County	13945	05/12/2017	Business & Professions Code Section 8025 (d) and (e): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to produce transcript)	Yes

*Citations continued from page 13*

Straub, Susan - Solano County	7608	04/19/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	No
Espinoza, Veronica - Fresno County	8456	02/23/2017	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes
Lyons, Kathy - Alameda County	7230	02/23/2017	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes
Lehman, Audrey - Los Angeles County	12738	01/27/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct. (submitted multiple versions of final transcript)	Yes
Timberlake, Dawn - Sacramento County	11629	01/19/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct... availability, delivery, execution and certification of transcripts... (failed to timely produce transcript)	No
Alarcon-Viscio, Maria - San Mateo County	12353	01/11/2017	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes
Doran, Debera - San Diego County	7821	12/16/2016	Business & Professions Code Section 8016: Engaging in the practice of shorthand reporting without a certificate of licensure in full force and effect. (late renewal)	Yes

#### Court Reporters Board of California - Disciplinary Actions Current as of October 31, 2017

To find out whether a licensee has had disciplinary action, or to obtain further information on specific disciplinary action for a licensee listed below, please contact the Board office toll-free at 1-877-3-ASK-CRB (1-877-327-5272).

A disciplinary action is a formal proceeding that includes the basis for the action sought against the licensee. These disciplinary actions are held in front of an Administrative Law Judge and allow for attorney, testimony, and challenges as provided in the legal system. The Administrative Law Judge then issues a decision that the Board can accept, reject, or send back for additional information. Disciplinary cases can result in license suspension or revocation and/or a probationary status with conditions.

RESPONDENT NAME - COUNTY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Magana, Elizabeth - Kern County	13533	Stipulated Settlement and Disciplinary Order; 3 years probation; \$2,000 cost recovery.	05/24/2017	Business and Professions Code Section 8025 (d): Incompetence in the practice of shorthand reporting.

*Disciplinary Actions continued on page 15*

*Disciplinary Actions continued from page 14*

Seitz, Sarah - Contra Costa County	14175	Stipulated Settlement and Disciplinary Order; 3 years probation.	02/27/2017	Business & Professions Code Section 8025 (a) and (j): Conviction of a crime.
Shrader, Gina - Las Vegas, NV	14176	Stipulated Settlement and Disciplinary Order; 4 years probation.	02/27/2017	Business & Professions Code Sections 480 (a), and (3)(A) and (B); 8025 (i) and (j): Disciplined by another state licensing board.
Epstein, Janet - Los Angeles County	5115	Stipulated Surrender of License	02/09/2017	Business & Professions Code Section 8025 (d), 8042 and 8046: Fraud and/or unprofessional conduct, dishonesty.
Litz, Corinne - San Joaquin County	12185	Stipulated Settlement and Disciplinary Order; 2 years probation; \$547.50 cost recovery.	01/26/2017	"Business & Professions Code Section 8025 (a) and 490: Conviction of a crime; Section 8024 (c) and 8025 (b): Failure to notify Board of conviction. "
Gomez (Lombard), Olivia - San Bernardino County	11995	Stipulated Settlement and Disciplinary Order; 3 years probation; \$2,172.50 cost recovery.	01/06/2017	Business & Professions Code Section 8025 (d): Unprofessional conduct; Section 8025 (j) in conjunction with CA Code of Regulations, Title 16, Section 2475 (a) and (b)(6): Violation of professional standards of practice.
Martin, Karla - Contra Costa County	12025	Stipulated Settlement and Disciplinary Order; 4 years probation; \$600 cost recovery.	01/06/2017	Business & Professions Code Section 8025 (a) and 490: Conviction of a crime; Section 8024 (c) and 8025 (b): Failure to notify Board of conviction.

#### Court Reporters Board Of California - Disciplinary Actions Pending Current as of October 31, 2017

RESPONDENT NAME - COUNTY	LICENSE NO.	ACTION	EFFECTIVE DATE	CHARGES
Moen, Darla	N/A	Statement of Issues	06/14/2017	Business & Professions Code Section 8025 (a) and 480 (a)(1), and (a)(2): Conviction of a crime.
Barnes, Robert - San Francisco County	2952	Accusation	09/28/2016	Business & Professions Code Sections 8025 (d): Fraud, dishonesty, and/or unprofessional conduct related to the practice of shorthand reporting.



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OF CALIFORNIA**