

IN THESE TROUBLED TIMES, SOMETHING TO CELEBRATE – YOUR CalDRA AND THE MATCHLESS RECORD OF ONE OF ITS CO-FOUNDERS, LONGTIME LEGISLATIVE ADVOCATE, AND DEPO DIPLOMAT, TONI PULONE

There is simply no court reporting trade association in the nation that has such a record of success advancing and protecting the aims of freelance court reporters like you. That was the whole point of CalDRA after all – to have *a trade association devoted solely and passionately to your needs as a freelancer.*

The wisdom of CalDRA's founders is proven by CalDRA's matchless record of success fighting for freelancers *everywhere* there is a fight: before the California Court Reporters Board (CRB), in court, in the court of public opinion, in other states when they ask for our aid, before the California Franchise Tax Board, before the State Bar of California, the National Court Reporters Association (NCRA) ... *you name it, we are there.*

And during the whole time that your CalDRA every year achieved another success – successes that meant money in your pocket, dignity in your profession -- *its advocacy was led by the legendary Toni Pulone.*

In celebration of her life of service to you and CalDRA, take a look at what we freelancers, through our own trade association, have accomplished ... together.

And be proud.

CalDRA's RECORD OF CALIFORNIA ADVOCACY AND CAMPAIGNS FOR FREELANCERS LIKE YOU

CalDRA's record of achieving results for freelancers like you is simply unparalleled, measured against any state association anywhere. Almost every year, CalDRA secures legislation in Sacramento that directly benefits freelancers like you. Here are some examples:

- 2020: Launched a massive national petition drive securing 17,880 signatures and secured amendments to **AB 2257**, which amended **AB 5**; amendments that secured independent contracting as a way of life for freelancers.
- 2020: Diverted an effort to codify the SoCal Stip and spearheaded substitute landmark legislation to protect reporters from COVID, thereby spreading economic opportunity to all California reporters by facilitating remote freelance deposition reporting options.
- 2017: Turned aside **AB 1631**, an effort by the Big Box corporations to enter the California market with no safeguards.

- 2015: Wrote and secured enactment of **AB 1197**, a first-in-the-nation law requiring disclosure in the Deposition Notice of any ongoing contracts, allowing attorneys to object to the use of a contracted reporting firm up to three days before the onset of the deposition. An informative Q & A document was prepared to educate the public about the benefits of the bill, which was signed into law by Governor Brown. Shortly thereafter, CalDRA launched ab1197.com to help inform consumers and reporters about the effects of the law.
- 2014: Wrote and secured enactment of **AB 2747** that clarifies that you, a nonlawyer and nonparty to the lawsuit that sparked the deposition, cannot be unfairly and uniquely forced to defend your rates and charges in the underlying litigation.
- 2014: Moved to protect freelancers by clarifying the deposition officer's scope of practice in a successful [petition for rule-making](#) with the CRB where existing rules created ambiguity. The Scope of Practice regulations were adopted, and CalDRA continues to work to clarify rules governing the practice of court and deposition reporting in California to ensure they remain consistent with existing practice.
- 2014/2013: Fought alongside our court reporting colleagues successfully to defeat several-pronged legislative efforts to expand electronic recording. Watch CalDRA's video of our visit to the legislator who was championing those efforts <https://www.youtube.com/watch?v=8EqW5KgU8zc>
- 2013: Persuaded the State Bar under certain circumstances to pursue discipline against law-breaking lawyers who fail to pay you.
- 2013: Single handedly led the [successful fight to prevent the creation](#) of a county Bar Association-sponsored competing freelance court reporting firm, a mortal threat to firm owners throughout the state.
- 2012: Blocked the Board of Equalization and Franchise Tax Board from taxing the income reporters make on certified copies.
- 2012: [Wrote and secured enactment of AB 2372](#), a bill in response to CalDRA member complaints about being unable to collect from attorneys using only a P.O. box as their address. The bill requires the requesting attorney or a party representing himself or herself, upon the written request of a deposition officer who has obtained a final judgment for payment of services provided, to provide the deposition officer with an address that can be used to effectuate service of summons by personal delivery.
- 2010: CalDRA created the NCRA Voter's Guide in an effort to provide NCRA members nationwide with all available information about candidates to assist them in making the best possible choices for the following year's NCRA officers and board members.

- 2007: Wrote and secured enactment of **AB 1211**, a bill that holds attorneys directly liable for the payment of reporters' services, unless written notice is given at the time the services are requested that another entity is responsible. The bill makes it easier to collect from deadbeat attorneys.
- 2006: Aided in enactment of **AB 1293** that included language proposed by CalDRA that reporters being paid from the Transcript Reimbursement Fund may be compensated for nonappearances and for customary per diems or hourly fees, neither of which was provided for previously.
- CalDRA aided in writing and securing the enactment of **AB 2842** that solidified the use of realtime by adding language that "Any offer made by a deposition officer to provide [realtime] or rough drafts to any party shall be made to all parties in attendance and that the cost for such services or products shall be equal to all parties." This is the first language in the California CCP to address equal pricing for services, preventing the providing of rough drafts or interactive realtime either for free or at a reduced rate to one side in the litigation.
- **The same bill** also clarified that the deposition officer may not go off the record without the stipulation of all parties present unless any party attending the deposition, including the deponent, wishes to seek a protective order due to the manner in which the examination is being conducted. The bill also exempted a reporter's audio files from the legal requirements imposed upon other audio or video records made at a deposition by differentiating that the reporter's audio file is a record made by the deposition officer to assist in transcribing the testimony as opposed to a record made by or at the direction of a party.
- CalDRA preserved the CRB from efforts by Governor Schwarzenegger to eliminate it – *twice*. **You remember the video:** <https://www.youtube.com/watch?v=IqSUxuoXOOo>
- CalDRA led the charge to defeat Assemblymember Wagner's bills opposed by the profession, especially **AB 2006** that would have wrongly [raised the dignity of videotaped depositions](#) to the dignity of your transcripts and copies.
- CalDRA wrote and secured enactment of **AB 333** which clarified that if a deposition is taken stenographically, it shall be done by a California CSR, which, although custom and practice, was not actually stated in the CCP.
- CalDRA held the **Save Our Schools** Summit, a gathering of leaders in the public and private education sectors as well as industry professionals and regulatory officials to discuss declining enrollment in court reporting programs throughout the state and challenges in students' ability to secure much-needed financial aid due to recent changes in government interpretation of rules.
- CalDRA single-handedly led the fight that **saved West Valley College's Court Reporting program** when West Valley College leadership threatened to discontinue it. CalDRA mobilized reporters and elected officials in a grassroots effort that resulted in the college administration reversing itself and preserving the program.

- CalDRA successfully **fought against the closure** of Tri-Community Adult Education’s court reporting program.
- CalDRA also single-handedly initiated rule-making from the CRB on broadening its ethics regulations to include corporations after the victory in the **US Legal (USL)** case and addressing problems with students obtaining federal financial aid.
- CalDRA’s **complaint initiated the landmark USL case brought by the CRB**, the case that established that nonlicensee-owned corporations are subject to the CRB’s jurisdiction. The case was based on legal theories provided to the CRB as a part of that Complaint. CalDRA’s lawyer and lobbyist made at least five court appearances and engaged in innumerable consultations with the Attorney General and provided four [substantive and lengthy legal briefs](#).
- CalDRA wrote and filed **friend-of-the-court briefs** in the *Seranno* and *Burd* cases, both at the courts of appeal and the California Supreme Court, working with counsel closely.
- CalDRA retained a prestigious law firm to outline the dangerous [tax consequences](#) of law firm employees taking kickbacks in exchange for selecting one reporting firm over another based on incentives offered in exchange for future business.
- CalDRA took the message that lawyers might be liable for kickbacks before the IRS directly to the **State Bar Annual Convention**, and **secured** a column in the State Bar magazine and the magazine for legal secretaries as well. CalDRA also crafted an entertaining and educational video about it and brought it to the floor of the 2011 State Bar convention.

CalDRA’S RECORD OF SUCCESSFUL NATIONAL ADVOCACY FOR FREELANCERS LIKE YOU

- CalDRA worked with the NCRA to organize and coordinate successful efforts across the country to preserve the impartiality of the freelance deposition reporting profession. As a result, **court rules or laws preserving the impartiality of freelance deposition professionals were passed in fourteen states**, including California, Hawaii, Texas, Minnesota, Utah, West Virginia, New Mexico, Georgia, Louisiana, Nevada, Kentucky, Michigan, Arkansas, Indiana, and North Carolina.
- CalDRA spearheaded the drafting and lobbying for NCRA’s strict new ethics policy in their Code of Professional Ethics, Provision 8, entirely banning kickbacks for business.
- Within 48 hours of it coming to CalDRA’s attention that NCRA’s Immediate Past President had taken a job with a company which provides and promotes digital audio recording over stenographic reporters in the courts, CalDRA lodged the first formal written complaint to NCRA, requesting it take immediate action to ameliorate the situation. CalDRA garnered the signatures of over 400 members in support of our assessment of the urgency of the situation and [our proposed plan of action](#).

- Upon submittal of a joint resolution with CalDRA and CCRA, NCRA banned gift-giving entities from advertising in its publications, setting a national standard as a template for state entities to enact similar language.
- CalDRA submitted lengthy and successful testimony in defense of Arizona's impartiality regulations, for which CalDRA received heartfelt thanks from our Arizona colleagues.

As you can see, the matchless record of your CalDRA, including the continuous efforts of one of its founding members, longtime legislative advocate and Depo Diplomat, Toni Pulone, is quite remarkable. This is indeed something to celebrate. Let's toast to Toni Pulone and to CalDRA on its 25th anniversary celebration!