

THE DEPOSITION REPORTER

Deposition Reporters Association OF CALIFORNIA, INC.



WINTER
2009

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President's Message

Toni Pulone, President

It's hard to believe that my year serving as DRA president is nearly at an end. At our convention in February, a new slate of officers and Board of Directors will be sworn in and take over, but for now this issue of *The Deposition Reporter* marks my final newsletter message as president. I hope that you have found at least some of the references to the various laws and regulations that I've discussed in this series of articles to be helpful and informative, and I'd like to take this final opportunity to mention a few more code sections that involve issues that generate some of the most frequently asked questions by reporters.



First, the subject of telephonic depositions. Section 2025.310 of the

California Code of Civil Procedure (CCP) provides for depositions taken by and attended by telephone, as follows:

2025.310. (a) A person may take, and any person other than the deponent may attend, a deposition by telephone or other remote electronic means.

(b) The court may expressly provide that a nonparty deponent may appear at the deposition by telephone if it finds there is good cause and no prejudice to any party. A party deponent shall appear at the deposition in person and be in the presence of the deposition officer.

(c) The procedures to implement this section shall be established by court order in the specific action or proceeding or by the California Rules of Court.

The above language specifically allows for any of the attorneys involved to appear at a deposition telephonically and also by videoconference or internet, since either of those methods would involve a connection by telephone or "other remote electronic means." If the attorneys choose to have a witness appear by any of these remote

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2000-2001 Anne Torreano

1999-2000 Katherine Wayne

1998-1999 Karen Klein

1996-1998 Lois Ludwig

President's Message

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methods rather than in person, the court may allow for that form of appearance in the case of a nonparty witness, but a party witness is required to appear in person and be present with the reporter. This language also allows for the reporter to appear via telephone for a nonparty's depo, so that you could in fact have the attorneys, the nonparty deponent and the reporter each attending from a separate physical location for a deposition, as permitted by this code section.

Now, if we're talking about a case filed in Federal Court, the rules are more liberal, because the Federal Rules of Civil Procedure (FRCP) allow for the parties to simply stipulate to taking the depo by remote means and do not distinguish between a party and nonparty deponent, so any witness may be deposed in this fashion, and this can be found in Federal Rule 30(b)(4) as follows:

(4) By Remote Means.

The parties may stipulate — or the court may on motion order — that a deposition be taken by telephone or other remote means. For the purpose of this rule and Rules 28(a), 37(a)(2), and 37(b)(1), the deposition takes place where the deponent answers the questions.

Second, the question of when to suspend a deposition. This may be the question most often asked by depo reporters: "I'm being told by one attorney to stop reporting, while the other attorney is telling me to keep going, and I don't know what to do. Do I stop reporting at some point, and if so, when?" CCP Section 2025.470 gives us direction in this regard, in the following language:

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2025.470. The deposition officer may not suspend the taking of testimony without the stipulation of all parties present unless any party attending the deposition, including the deponent, demands that the deposition officer suspend taking the testimony to enable that party or deponent to move for a protective order under Section **2025.420** on the ground that the examination is being conducted in bad faith or in a manner that unreasonably annoys, embarrasses, or oppresses that deponent or party.

This basically instructs us that we must continue to report a deposition unless and until either all of the parties present agree to the suspension of the proceedings or one of the parties states that the depo must be suspended so that he/she can move for a protective order, with "protective order" being the magic words here. If there is no stipulation for suspension or mention of someone seeking a protective order, then the depo continues.

Third, the question of who can order that the depo not be transcribed. It does often happen that one of the attorneys who attended a depo instructs the reporter to put the transcript on hold or not prepare it at all, and this instruction may come a day or two following the depo or at least after the depo's conclusion and not in the presence of the other attorneys. All of the attorneys must agree to not transcribing a depo or putting a hold on a transcript, and CCP Section 2025.510 sets that out:

2025.510. (a) Unless the parties agree otherwise, the testimony at any deposition recorded by stenographic means shall be transcribed.

(b) The party noticing the deposition shall bear the cost of that transcription, unless the court, on motion and for good cause shown, orders that the cost be borne or shared by another party.

So while the noticing attorney may believe that he/she has the authority to cancel the preparation of the transcript, that is not the case, because none of the attorneys have that unilateral authority; the transcript must be prepared unless all the parties agree not to have it done. And if prepared, the noticing attorney is responsible for the cost of the original, so if the noticing attorney does not want the depo transcribed and the other attorney or attorneys do, then this point about the cost of the transcript should be discussed ahead of time, for practical reasons. This language above certainly doesn't preclude another attorney from accepting responsibility for the preparation of the original, especially when it's already known that the noticing attorney is objecting to

paying for the transcript, but this Subsection (b) makes it quite clear that the attorney who takes the depo is expected to bear this expense.

Four, the question of how long we must retain our notes. This answer is very clear-cut and contained a little further on in Section 2025.510 (e):

Stenographic notes of depositions shall be retained by the reporter for a period of not less than eight years from the date of the deposition, where no transcript is produced, and not less than one year from the date on which the transcript is produced. Those notes may be either on paper or electronic media, as long as it allows for satisfactory production of a transcript at any time during the periods specified.

So once a transcript of a depo is produced, we must retain our notes for at least one additional year, and if there is no transcript prepared, then we need to hold on to our notes for eight years following the depo in question. Now, as you can see above, this doesn't call for paper notes to be kept, although you can do that, assuming you're still generating paper notes with your steno machine, but electronic notes or any media that will allow you to later produce a transcript will satisfy this requirement.

And lastly, but most importantly perhaps, the question of when and where do you renew your CSR license. For this answer, we refer to the Business and Professions Code (B&P), Section 8024. This does seem very fundamental, something we should all be keenly aware of, but unfortunately there have been situations where reporters have been caught by surprise on this and have lost their licenses as a consequence and had to retake the CSR exam in order to be relicensed, and the thought of having to do that is not a pleasant one, so all of us should know how to keep our licenses current, and here is that language:

8024. All certificates issued under this chapter shall be valid for a period of one year, except for the initial period of licensure as prescribed by the board, and shall expire at 12 midnight on the last day of the month of birth of the licensee unless renewed.

To renew an unexpired certificate, the certificate holder shall, on or before each of the dates on which it would otherwise expire, do all of the following:

(a) Apply for renewal on a form prescribed by the board.

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(b) Pay the renewal fee prescribed by this chapter.

(c) Notify the board whether he or she has been convicted of any felony or any misdemeanor if the misdemeanor is substantially related to the functions and duties of a court reporter and whether any disciplinary action by any regulatory or licensing board in this or any other state was taken against the licensee subsequent to the licensee's last renewal.

Now, there is really not a great deal of effort involved in this renewal process, because the Court Reporters Board (CRB) sends out these prescribed renewal forms to all active CSRs well before our birthday expiration date, so we have ample time to return the form with the required renewal fee. But if you find that your birthday is quickly approaching and you haven't yet received your renewal form from the CRB, then you should contact the CRB office in Sacramento as soon as possible and arrange for a form to be sent to you, and you should also check to be sure that they have your current address in their database. And that brings up another section of the B&P to be aware of, and that's 8024.6, which requires that all CSRs notify the CRB in writing within 30 days of any name or address change, and that language reads as follows:

8024.6. (a) A certificate holder shall give written notice to the board at its office in Sacramento of a name change within 30 days after each change, giving both the old and the new names. A copy of the legal document affecting the name change, such as a court order or marriage certificate, shall be submitted with the notice.

(b) Each certificate holder shall notify the board in writing at its office in Sacramento of a change

of address within 30 days after each change, giving both the old and the new addresses.

(c) A penalty as provided in this chapter shall be paid by each certificate holder who fails to notify the board within 30 days as specified in this section. Any certificate holder to whom this penalty applies who fails to pay that penalty shall not have their certificate renewed without payment of that penalty, and the board may take disciplinary action.

Now the penalty fee for failing to notify the CRB of a name or address change within the required 30 days is \$50, but the consequences of having your license-renewal form not reach you in a timely fashion because the board doesn't have your current address on file could be far more costly to you, including paying delinquency penalties and perhaps even the loss of your license, so be sure to keep the Board apprised of your current name and whereabouts.

In closing, I thank you all for the opportunity to serve you this year as president and allowing me this forum to speak with you in this fashion. Again, I hope you've found the information contained in these articles to be helpful to you in some way, and with all the reading that you do every day, I'm very flattered that you've found the time to spend on what I've had to say here in this column. My best to you all, and I hope you can all join us at our convention at the Fairmont in Newport Beach in February. It's a beautiful venue, we have a wonderful seminar program for you, and, as always, the most fun is getting together to catch up with old friends and meet lots of new friends .



PLAN TO ATTEND
**DRA'S 13th ANNUAL
CONVENTION**
February 20-22, 2009
FAIRMONT HOTEL, NEWPORT BEACH

Wendy's World

Wendy Corcoran, Newsletter Editor



Well, it is with great joy and great sadness that I am writing my last editor's article. Joy that my business is demanding more of my time and that I'll have more time to spend running and building it; and sadness in giving up something that has been a source of deep satisfaction. Most of all I'll miss the comradeship that I have enjoyed with DRA's Board of Directors over these three years. I am very proud to be represented by the true caring professionals that we have at our helm.

Rest assured that your next *Deposition Reporter* editor is already on the way. The Board has had several well-qualified individuals express interest in the position. I look forward to relinquishing my duties to someone

even more qualified to continue to improve our future editions.

This edition includes the convention brochure. The hotel is beautiful, the curriculum enticing, and what can be better than spending a whole weekend with a bunch of like-minded court reporters. I hope you all can make it February 20th to 22nd to Newport Beach. I'll be there for sure.

I am grateful for the opportunity to have served as your newsletter editor for the past three years. My best wishes to all of you for a successful 2009.



April's Briefs

.COMD*M
 .ORG..... D*ORG
 CONSERVATIVE..... SKEFT
 CONSERVATIVELY..... SKEFL
 CONSOLIDATE..... SDAIT
 CONSOLIDATED.....SDAITD
 CONSOLIDATION..... SDAIGS
 DOWNLOAD(S)DOUNL(S)
 DOWNLOADED.....DOUNLD
 DOWNLOADING.....DOUNLG
 I'M NOT.....AOEUMT
 I'M NOT SURE.....AOEUMTS

I'M SURE.....AOEUMZ
 I'M GOINGAOEUMG
 MISCHARACTERIZE(S) M-FK(Z)
 MISCHARACTERIZED M-FKD
 MISCHARACTERIZATIONM-FX
 THE LAST TIME T-LT
 WHEN WAS THE LAST TIME..... WHELT
 OUTCOME OUK
 OUTLINE(S)OULT(S) or TLAOIN(S)
 OUTLINED OUTLD or TLAOIND
 OUTLINING..... OULG or TLAOING
 OUTPATIENT..... TAISH or TAISHT



"Building Your Future" Schedule of Events



Friday, February 20, 2009

.45 CEUs Available

9:00 A.M.-12:00 P.M.

DRA Board Meeting

12:00 P.M.-1:00 P.M.

Lunch on your own and check-in

1:00 P.M. – 2:30 P.M. .15 CEU

TO BLURB OR NOT TO BLURB?

When is a blurb considered editorializing? "(Indicating)"? "(Witness complies)"? "(sic)"? How and when do you decide to index unanswered questions? What should the exhibit blurb say? Join us for a lively discussion of an important but seldom-discussed part of your transcript.

Speaker: **John Squires**

OR

YOUR BODY'S FRAMEWORK

Whether at the machine or at the computer, reporters spend many hours sitting. Learn ways to prevent those passing "twinges" and avoid potentially more serious injuries, as well as when movement and exercise is needed to work through everyday aches and pains versus when it is wise to simply take a break and give your body a rest. Speaker: **Dr. Glowaki, Champion Chiropractic**

2:45 P.M. – 4:15 P.M. .15 CEU

DEPO DIPLOMAT I – Building an Ethical Foundation

Our first session of the ever-popular seminar on reporting issues. This session will focus on ethical considerations such as gift-giving, use of audio recordings, and defining "impartiality." Discuss situations which might create potential problems for a reporter and help you develop a guiding philosophy to handle sticky scenarios with confidence. Speaker: **Toni Pulone**

4:30 P.M. – 6:00 P.M. .15 CEU

BIDDING THE JOB

As an independent contractor, do your charges include parking fees? mileage? extra for interpreted and/or video depositions? marking excessive exhibits? late cancellations? per diems or an hourly wage? Practices vary widely. Find a payment model that works for you. Speaker: **John Squires**

*** (NOTE: SPECIFIC AMOUNTS WILL NOT BE DISCUSSED)

OR

RETROFIT YOUR INTERNET RESEARCH

We all have favorite websites for our research of specialized vocabularies, proper names and acronyms. Bring a list of your favorites and share tips on getting the best results from your Internet searches to save you editing time and make your transcripts more accurate. Speaker: **Karen Hensche**

7:00 P.M. – 10:00 P.M. – OPENING RECEPTION

Share an "after-work" bite with other attendees for some socializing and fun . . . No Host Bar

DRA will be presenting NETWORK CENTRAL: An "open house" for agency owners and freelancers to connect. This is the place for reporters who want to expand their contacts and agency owners who want to meet freelancers to cover jobs. Bring your business cards and put a face to those with whom you work.

There will be a room available on Saturday during the morning break from 10:00 – 10:30 A.M., the afternoon break from 3:00 – 3:30 P.M. and also from 5:00 to 6:00 P.M.



SATURDAY, FEBRUARY 21, 2009

.70 CEUs Available

**7:30 A.M.-8:30 A.M.**

Registration and time with vendors

8:30 A.M. – 10:00 A.M. .15 CEU**KEYNOTE - RIGHT BRAIN/LEFT BRAIN**

NCRA's former Director of Government Relations and Public Policy will host this fun and interactive seminar that will give you insight into marketing yourself better and shaping how the rest of the world views us. Whether you are looking to expand your client base or want to learn how to speak to others regarding the little-known field of verbatim reporting, this seminar will open the toolbox. Learn to present yourself more effectively to others, both personally and professionally. **Speaker: Dave Wenhold**

10:00 A.M. – 10:30 A.M. – ENJOY A CONTINENTAL BREAKFAST DURING OUR MORNING BREAK WITH EXHIBITORS**10:30 A.M. – 12:00 NOON .15 CEU****CUSTOM DESIGN YOUR TAX STRATEGIES**

(This seminar will be repeated on Sunday.)

Your tax accountant is only as good as the information you provide! Are you missing out on legitimate allowable business deductions? Mr. Bradford will point you toward some deductions for entertainment, home offices, car expenses and medical expenses that can help you manage your tax bite. He will also highlight some "red flags" to help you avoid a dreaded audit. **Speaker: Murray Bradford, Bradford & Company**

OR**THE CRB – THE BUILDING INSPECTORS**

Your license is your livelihood. An opportunity to learn the inner workings of the CRB, including the discipline process, the Sunset Review process to justify its existence, and the board's legislative goals for the year -- items that affect you directly. Don't miss meeting the new CRB Executive Director, a licensed reporter and former CRB board member, who brings immense talent and insight to the position. **Speakers: Yvonne Fenner and David Brown**

12:00 NOON – 1:30 P.M. – LUNCH

Annual Business Meeting & Luncheon, DSA award presentation

1:30 P.M. – 3:00 P.M. .15 CEU**THE REPORTER'S TOOLBOX**

(This seminar will be repeated on Sunday.)

Wireless gadgets, new writers, software enhancements – the new technologies are both mind-boggling and exciting. With transcripts piled up, it's hard to find the time to keep up with it all. Let a pro teach you ways to make your work easier and be entertained at the same time.

Speaker: Mike Miller aka Depoman**OR****REHAB YOUR ENGLISH SKILLS**

Margie always leads an entertaining and educational discussion of the peculiar punctuation problems of court reporters. We might not get to choose which words are spoken, but we can use effective punctuation to reflect the intent more accurately. Find out where those commas and dashes belong!

Speaker: Margie Wakeman Wells**3:00 P.M. – 3:30 P.M. – AFTERNOON BREAK WITH EXHIBITORS****3:30 P.M. – 5:00 P.M. .15 CEU****DEPO DIPLOMAT II – THE BUILDING CODE**

This session will explore the law governing you as a reporter. Go beyond the CCP and learn about topics such as whether your transcript is your work product or whether it can be subpoenaed, the propriety of surreptitiously recording a proceeding, as well as the current case regarding a "reasonable" fee for expedited copy orders. **Speakers: Toni Pulone and Ed Howard**

OR**HARDHAT AREA - INSIDE YOUR COMPUTER**

"If you delete this program, it may really mess up your computer. Do you want to proceed?" What do you do when your computer pops the \$64,000 question? How much junk is housed on your computer and when should you delete it? Learn to answer confidently, keep your computer clean, lean and mean, and gain control of your files. **Speaker: Carlo Barrientos, Will Help U**

5:00 P.M. – 6:00 P.M. .10 CEU**MAKE YOUR WRITER WORK FOR YOU**

Don't take your most important tool for granted. Making the little adjustments to tailor your writer to you, as well as performing basic maintenance, are the building blocks that make a huge difference in your writing and may save you from an on-the-job catastrophe.

Speakers: Tom LeFera & Terri Wilson**OR****A DIFFERENT BLUEPRINT – THE RECORD IN RUSSIA**

Two adventurous DRA past presidents recount their recent trip to Russia with NCRA to explore and exchange ideas on reporting. A fascinating travelogue which is sure to spur you to make your own "cultural exchange" journey. **Speakers: Christine Randall and Rosalie Kramm**

SATURDAY CONCURRENT STUDENT/NEW REPORTER WORKSHOPS

.65 CEUs Available

8:30 A.M.-10:00 A.M. - Workshop I - KEYNOTE - RIGHT BRAIN/LEFT BRAIN .15 CEUs

NCRA's former Director of Government Relations and Public Policy will host this fun and interactive seminar that will give you insight into marketing yourself better and shaping how the rest of the world views us. Whether you are looking to expand your client base or want to learn how to speak to others regarding the little-known field of verbatim reporting, this seminar will open the toolbox. Learn to present yourself more effectively to others, both personally and professionally. *Speaker: Dave Wenhold*

10:00 A.M.-10:30 A.M. - Break with Exhibitors**10:30 A.M.-12:00 P.M. - Workshop II .15 CEUs**

Mary Gallagher, motivator extraordinaire, will jump start your day of learning with her ever-popular motivational tips and techniques. Following will be our favorite English teacher, Nancy Patterson, who will help you through some of the basic pitfalls of the English language and teach you how important the "little" things can be. Is it "by in large" or "by and large"?

12:00 P.M.-1:30 P.M. - Enjoy lunch with friends and working reporters.**1:30 P.M.-3:00 P.M. - Workshop III - Mock Video Deposition .15 CEUs****3:00 P.M.-3:30 P.M. - Break with Exhibitors****3:30 P.M.-4:00 P.M. - * Mock CSR coordinated by Carolee Freer and Dixie King****4:00 P.M.-6:00 P.M. - Workshop IV - Don't guess! .20 CEUs**

How to research the Internet efficiently. Q&A with a panel of working reporters and guest motivational speakers. You will get tips about taking the CSR, how to dress in a professional environment, speed-building shortcuts. Come with your questions!

***Note: All-day attendance to the workshops is required in order to take the mock CSR. Don't forget to bring steno machines!**

SATURDAY NIGHT DINNER ON YOUR OWN**SUNDAY, FEBRUARY 22, 2009**

.45 CEUs available

6:30 A.M. - 8:00 A.M. - California Commission on Real time Reporting Exam (Separate registration and additional fee required.)

The CRR tests you for the skills you need day in and day out on the job. This is a Q&A format at 180 wpm with live readers. Become one of the elite real time reporters.

8:00 A.M.-8:30 A.M. - ENJOY A CONTINENTAL BREAKFAST DURING OUR MORNING BREAK WITH EXHIBITORS**8:30 A.M. - 10:00 A.M. .15 CEUs****CUSTOM DESIGN YOUR TAX STRATEGIES (Encore)**

If you missed Mr. Bradford's first seminar on getting the most out of your accountant and saving yourself a bundle in taxes, we've given you a second chance. You can't afford to miss this one! *Speaker: Murray Bradford, Bradford & Company*

OR**THE ULTIMATE POWER TOOL - REAL TIME**

"The only thing we have to fear is fear itself." Let these two stellar reporters inspire you to see interactive real time in YOUR future. Visualize yourself making more money and being a member of an elite group of reporters who constantly strive for cleaner and more accurate writing. This seminar is for both the uninitiated and veteran real time reporters, covering "hooking up" and various problems that can occur.

*Speakers: Regan Evans and Marla Williams***10:15 A.M. - 11:45 A.M. .15 CEUs****THE REPORTER'S TOOLBOX (Encore)**

An alternative chance to see this fun presentation on the latest technology and innovations. Let Mike guide you through the myriad of choices available for court reporters. *Speaker: Mike Miller aka Depoman*

OR**STENO SWAP/BRIEF ENCOUNTERS**

Sometimes a brief or two can make the difference between trailing 10 words behind a speaker or writing with ease. This popular interactive exchange offers ways to write common words and phrases that might save you not only countless strokes on your machine, but editing time as well. Bring your favorite briefs and take some new ideas home with you! *Speaker: April Heveroh*

11:45 A.M. - 1:15 P.M. .15 CEUs**DEPO DIPLOMAT III - Construction Zone Dangers**

End the convention with a discussion of those whacky off-the-wall situations that the CCP doesn't address. Whether you have been reporting for 20 years or six months, there is always a chance you will find yourself in a unique situation for which there is no hard-and-fast rule. Learn the building blocks of ethics and experience that will help you protect your license. *Speakers: Toni Pulone and Karen Klein*



"Building Your Future" Registration Form

BE AN EARLY BIRD – REGISTER BY 1-31-2009

| | |
|------------------------------------|-----------------|
| NAME: | DATE: |
| MAILING ADDRESS: | NCRA #: |
| CITY/STATE/ZIP: | PHONE: |
| EMAIL (Required for confirmation): | NAME FOR BADGE: |

****Circle Appropriate Fees

| | EARLY BIRD (Received by 1-31-09) | | | | GENERAL (Received 2-1 to 2-14-09) | | | | LATE (Received 2-14-09 to 2-19-09) | | | |
|------|-------------------------------------|--------------------|--------------------|--------------------|--------------------------------------|--------------------|--------------------|--------------------|---------------------------------------|--------------------|--------------------|-------|
| | Reporter | | Student/Instructor | | Reporter | | Student/Instructor | | Reporter | | Student/Instructor | |
| | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | Member - Nonmember | |
| FULL | \$250 | \$360 | \$110 | \$155 | \$290 | \$400 | \$130 | \$175 | \$340 | \$450 | \$150 | \$195 |
| FRI. | \$125 | \$235 | \$ 50 | \$ 80 | \$150 | \$260 | \$ 65 | \$ 95 | \$180 | \$290 | \$ 80 | \$110 |
| SAT. | \$185 | \$295 | \$ 80 | \$120 | \$225 | \$335 | \$100 | \$140 | \$275 | \$385 | \$120 | \$160 |
| SUN. | \$125 | \$235 | \$ 50 | \$ 80 | \$150 | \$260 | \$ 65 | \$ 95 | \$180 | \$290 | \$ 80 | \$110 |

CCRR Examination Sunday, February 22, 2009. Separate Fee - \$175 Member \$300 Nonmember
Please register online at www.ccrrexam.org or submit a separate check made payable to California Commission on Real Time Reporting

➤ **DRA Membership/Renewal:** Professional - \$125 Associate - \$100 Student/Instructor - \$25

Social Events Only: Includes Friday reception, Saturday and Sunday Continental Breakfast, Saturday Luncheon & Exhibit Hall

(Seminars NOT included) \$175 (Please mark below meal events you plan to attend)

Friday reception Saturday Business Meeting and Luncheon Saturday Cont. Breakfast Sunday Cont. Breakfast

Friday reception or Saturday Luncheon only (Spouse or guest) \$75 Check here if you would like a vegetarian meal.

Check here if you would like to volunteer to help at the convention. (You will be contacted at a later date.)

Yes, I want to sponsor a student Full Student Member Registration \$130 OR Saturday Only \$100 OR \$ _____

● STUDENT NAME: _____ SCHOOL: _____

● ADDRESS: _____ CITY, STATE, ZIP _____

● PHONE: _____ EMAIL: _____

Please accept my donation in the amount of \$ _____ to be used where needed.

I would like to participate in the raffle/silent auction. (Must receive item by 2-14-09) I will donate the following item(s)

1. _____ 2. _____

Total Payment: \$ _____ ⇒ Charge my CC below ⇒ Check # _____ made payable to DRA in the amount of \$ _____

| |
|--------------------|
| Credit Card Number |
| Expiration Date |
| 3-Digit Pin |
| Signature |

FAIRMONT NEWPORT BEACH
4500 MacArthur Blvd.
Newport Beach, California 92660

Global Reservations Line
1-800-441-1414

Ask for reservation code DRA149
Special room rate of \$149.00
Expires January 31, 2009

Returned Checks will be assessed a \$25 processing fee.
Cancellation policy: Cancellations must be received in writing (fax or email accepted) by 5:00 p.m. February 10, 2009 to qualify for a refund. There will be a \$25 processing fee for all refunds. No refunds for cancellations received after 5:00 p.m. February 10, 2009.

\$25 additional onsite registration

DRA reserves the right to substitute speakers and seminars without penalty due to unforeseen and/or unavoidable circumstances. DRA and sponsors claim no liability for the acts of any suppliers to this event or for the safety of any attendee while in transit to or from this event. CEUs applied for

Fax or Mail Registration Form to:
DRA, 7172 Regional Street #111, Dublin, CA 94568
Fax: 925-905-2611 / Phone: 888-867-2074
Online Registration – www.caldra.org



FAIRMONT NEWPORT BEACH
4500 MacArthur Blvd.
Newport Beach, California 92660

Global Reservations Line
1-800-441-1414
Ask for reservation code **DRA149**
Special rate of \$149.00 expires January 31, 2009



All guest rooms currently available at Fairmont Newport Beach have been completely renovated, average 325 square feet and lodgings feature upgraded finishes in a textured natural palette of rye, chocolate, gold and cayenne, accented with tumbled granite, woven cane and rich British Colonial wood.

Additional features are:

- Marble Entries and Bathrooms
- 32" High Definition LCD Flat Panel
- DVD Player and CD Player
- Alarm Clock/Radio
- 3 Phones, (cordless, standard and in bathroom)
- In-Room Refreshment Center
- Complimentary In-Room Coffee
- In-Room Safe for your Laptop
- Fairmont Gold Simmons Pillow Top Mattress,
- 100% Goose Down Duvet and 100% Egyptian 300 Thread Count Sateen Linens
- Imported Miller Harris Bath Amenities
- High-Speed Internet Access

Complimentary transportation to and from John Wayne/Orange County Airport.

The hotel offers shuttle service to Balboa Island, Fashion Island, South Coast Shopping Center, and "The District" for you to enjoy during your stay.



Fairmont Newport Beach is thrilled to also offer its full-service urban Spa. With more than 8,000 square feet of space, the Spa features eight decadent spa treatment rooms offering the finest in spa services and using only the finest in products and techniques. Prepare to be pampered like never before!



Free "Green" Parking at Fairmont; Overnight guests who drive hybrid vehicles can enjoy free parking.

SAMPLE AIRFARES - BOOK NOW
Southwest Airlines/United Airlines
Oakland-Orange County SNA \$176
Sacramento-Orange County SNA \$173
San Jose-Orange County SNA \$138
San Francisco-Orange County SNA \$138

Who is Dave Wenhold?

Dave grew up in Portsmouth, New Hampshire and received his B.A. in Political Science from *Keene State College* in New Hampshire. Dave then served as an aide for U.S. Senator Warren Rudman. After working for Rudman, he worked on many political campaigns at the federal, state and local levels.

Dave took a position with the *Direct Impact Company*, a premier grassroots lobbying firm in Washington, which specializes in strategic planning, analysis, implementation and troubleshooting for legislative campaigns. Dave was responsible for over 75 grassroots campaigns during his four-year tenure with the company and ran campaigns for many industries including defense, healthcare, manufacturing and private companies. These efforts resulted in billions of dollars for Direct Impact's clients.

Dave then became the Director of Government Relations and Public Policy at NCRA where he was successful in lobbying the Judicial Branch, the Executive Branch and persuaded Congress to earmark tens of millions of dollars for the court reporting profession.

In addition to his work for his firm, Dave serves as President-Elect of the American League of Lobbyists, an association representing the lobbying community. He is the founder of the ALL Capitol PurSUIT Drive that holds an annual clothing drive on Capitol Hill for those American's trying to re-enter the workforce. In 2004 through 2008 he was able to collect over 44,000 suits for fellow Americans from Members of Congress, the White House and the lobbying and association communities. He also is a columnist for *The Hill* newspaper and writes articles pertaining to the lobbying and Hill communities.

Also, Dave serves on the American Society of Association Executives Future Leaders Council as well as

being a long-term veteran for the Government Relations Council. He also was recently selected as one of ASAE's Future Leaders of America. For Dave's volunteer service with the Capitol PurSUIT Drive, the President of the United States awarded Dave the "Call to Service" award which is the country's highest award for citizen volunteerism. Dave and his associate, Laura Dennis, are the only lobbyists to ever receive this prestigious award. In 2008, Dave was selected with 3 other lobbyists and named as one of the most effective association lobbyists in Washington by *Association Trends*.



Dave Wenhold
will be Keynote Speaker at the
DRA Annual Convention, 2009.

Toni Pulone's
Depo Diplomat

Dear Depo Diplomat:

Sorry to bother you, but I was having a “hmmmm” moment, so was wondering if all attorneys need to stipulate on the record in order for a non-videotaped depo to be timestamped. This is in a regular, California-venued case, not a Federal case. And the reason I am seeking a clarification is because in the code it says “when requested by counsel on the record,” and does that pertain to one counsel or all present? That’s what gives rise to my question.

Dear Reporter:

This is a good question, and the first time that I’ve ever had this question raised on this specific subject regarding timestamping transcripts. Of course, the “code” you’re referring to is the Court Reporters Board’s Minimum Transcript Format Standards as contained in Section 2473 of the California Code of Regulations, Title 16, Division 24, Article 8. Included in those format standards is the following requirement regarding under what circumstances reporters may include timestamping on a transcript:

- (3) Timestamping may only be printed on a transcript under any of the following circumstances:
- (A) when a deposition is videotaped,
 - (B) when requested by counsel on the record,
- or
- (C) when a transcript will have not less than 56 characters per line

So you’ve obviously been giving this language some careful consideration and wondering if this reference above to “counsel” means all of the counsel present or any one of the counsel at the depo, and I recognize that the wording here may not be specific in that regard.

But I’d hazard a guess here, and I’m just going on common sense, that any one counsel asking on the record for timestamps to be included on the transcript should be enough to create this circumstance, if only because I don’t think you could refuse timestamping to one just because the other(s) didn’t care or happen to also ask. And since the intention of the Court Reporters Board here was to ensure that a reporter would not apply timestamping to a transcript at his/her own choosing simply to stretch the pages a bit by putting only 52 characters on a line, I think that the Board wanted to require at least one attorney to ask that the transcript be produced in this fashion in order for the reporter to be permitted to use the 52-character format.

Also, I suppose if you had any doubt about the timestamping request by just one attorney being sufficient, if you generated the transcript with 56 characters per line, then you’d be working within the minimum format called for in any event, and you’d have nothing to worry about.



THE NEXT
CCRR EXAM
WILL BE HELD AT
DRA's 13th ANNUAL CONVENTION
February 22, 2009

Deadbeat Judgments

As a service to our members, DRA will continue to publish in our newsletter and on our website any final, formal court judgments in connection with court reporting services, whether obtained against an attorney, law firm, court reporting firm, or any other person or entity. If you are aware of any judgments within the last two-year time period, fax us the paperwork or email us the attached documents or a link to *LexisNexis*, and we will publish it. Here are some more . . .

**CHARLOTTE C. ROCHE
DBA BAY AREA COURT REPORTERS**

v.

WILLIAM A. ROMAINE
Case No. HS08388727, Alameda County, CA
Judgment date: 8/1/08, **\$396.40 + court costs**

CALNORTH REPORTING SERVICE

v.

JOHN WARNER LAWSON
Case No. MSC-172737, Sonoma County, CA
Judgment date: 3/3/08, **\$1,378.08**

CALNORTH REPORTING SERVICE

v.

RONI ROTHOLZ
Case No. MSC-173725, Contra Costa County, CA
Judgment date: 3/3/08, **\$640.27**

CALNORTH REPORTING SERVICE

v.

[REDACTED] redacted 3/1/2012
Case No. **[REDACTED]** Napa County, CA
Judgment date: 3/3/08, **\$1,716.35**

CALNORTH REPORTING SERVICE

v.

MAXIMILIAN J.B. HOPKINS
Case No. MSC-173724, Marin County, CA
Judgment date: 3/3/08, **\$808.50**

CALNORTH REPORTING SERVICE

v.

JEFFREY JAMES GOODRICH
Case No. MSC-173728, Marin County, CA
Judgment date: 3/3/08, **\$1,414.18**

FREDDIE REPPOND

v.

**MARK BRICKMAN
IND/DBA MARK BRICKMAN CSR INC.**
Case No. 819599, San Francisco County, CA
Judgment date: 7/26/07, **\$1,481.51 + court costs**

GOLDEN GATE REPORTING

v.

LAW OFFICE OF DAVID T. MOUTOUX
Case No. 0810451, Marin County, CA
Judgment date: 8/1/08, **\$784.14 + court costs**

GOLDEN GATE REPORTING

v.

LAW OFFICE OF AMANDA METCALF
Case No. 0810452, Marin County, CA
Judgment date: 8/6/08, **\$1,379.69 + court costs**

GOLDEN GATE REPORTING

v.

J.C. LAW OFFICE
Case No. 0810453, Marin County, CA
Judgment date: 8/1/08, **\$1,476.84 + court costs**



Calendar of Events

January 17, 2009
DRA Board Meeting in Burbank

February 12, 2009
NCCRA seminar at the Clarion/Mansion Inn, Sacramento

February 20-22, 2009
DRA Annual Convention at the Fairmont Hotel, Newport Beach

February 22, 2009
California Commission on Realtime Reporting exam
(at DRA Annual Convention)

March 26-28, 2009
StenoCat Users Network Spring Annual Convention in Anaheim

April 17-19, 2009
NCRA's Midyear convention at the Sheraton in New Orleans

Mentor Program Update

DRA's Mentor program needs a few more volunteer mentors and mentees.

We currently have an available mentor in the Orange County area with 32 years of experience and we also have two available mentors in the Northern California area with 20 years experience each, all who would love to impart their vast wisdom to students in 200's up to reporters in their fifth year of reporting. Please spread the word to the students and new reporters about the availability of mentors to partner with them in their new careers.

Deposition Reporters Association of California, Inc.
7172 Regional Street #111
Dublin, CA 94568
Phone 888-867-2074/Fax 925-905-2611
Email: Cal_dra@yahoo.com/Website: caldra.org

Mentor Program Coordinator
Cassandra M. Dechter
caseydechter@hotmail.com
Phone (949) 233-0606

IN MEMORIAM

BURR KEMBLE ANTZ



Burr Kemble Antz, California CSR, passed away in Portland, Oregon, on October 1, 2008, where he resided with his daughter following his retirement in 1998.

Kemble was a founder and partner in the San Francisco reporting firm of Tooker & Antz since its inception in 1961. Following his discharge from the U.S. Army after World War II, he enrolled in night court reporting school. He passed the California CSR exam in 1953 and was awarded license 669. As an aside, today's last number is 13,385.

Kemble was a reporter of the Old School, dictating his notes to a transcriber and thereafter proofreading the final. He specialized in medical malpractice and reported on a regular basis before the California Supreme Court, National Labor Relations Board, Interstate Commerce Commission and California Department of Savings & Loan. He was the first and only court reporter of the Bay Area Air Quality Management District in San Francisco, their having switched to electronic reporting following his retirement.

He was a fine court reporter and partner and will be missed by his three children, six stepchildren, 29 grandchildren, 11 great grandchildren and all who knew him during his 88 years.

Revisiting the Team Concept: Networking

John Squires, Vice President

Recently I set off a bit of a controversy by being so bold as to inquire and complain to some deposition firm owners and freelance reporters about problems I have experienced with networked jobs. After discussing this issue with many reporters from all over the State of California, it is evident to me that I am not alone in these experiences, so with that in mind and in keeping with DRA's history of addressing substantive issues, I decided to write the following article.

For purposes of this article, I am using the phrase "networked jobs" to mean jobs set with one deposition firm and referred to another deposition firm for assignment to a freelance reporter.

First, let me make it clear that I have no problem with the concept of networking per se. These jobs need to be covered, and I think, for the most part, reputable deposition firms try to refer their jobs to other reputable deposition firms with access to competent reporters. I say "for the most part" because we are all aware of firms and reporters being stiffed for payment, formats being changed, transcripts being uploaded to databases. Let's face it, there is a control issue involved in networked jobs and you as the reporter lose control after you turn your job in.

I am also very aware of the time and money that many deposition firm owners have expended in establishing these business relationships and so from their perspective it is understandable that this can be a sensitive topic.

I know several freelance reporters who flatly refuse to cover any networked jobs and I know them well enough to know they have valid reasons for taking such a stance. There is the other end of the spectrum, the reporter who takes anything that is offered (blessed be the meek). I also know several reporters who will accept networked jobs but make it clear up front that "these are my charges, my minimum, basically take it or leave it." I think I fit in the middle of this spectrum. I will take networked jobs, but only after asking questions and getting the responses I need to assuage my conscience and my anxiety.

As a threshold question, can we all agree that as a freelance reporter I have the right not to work for certain firms if I so choose? I think the answer, unless you are trying to get a visit from the IRS or Franchise Tax Board, is obviously yes. Well, I choose not to work for firms that engage in contracting, I choose not to work for firms that engage in gift giving, and I choose not to work for firms that have a reputation for changing format or uploading transcripts to a database that is available to just about anyone. So how do I avoid working for those types of firms when I am offered a networked job through a firm I respect and work with on a regular basis? The answer is, I need to know who the referring firm is. Simple enough? Not always. For whatever reason, this is where you often butt up against the "shroud of secrecy." You see, some firms either balk at divulging, refuse to divulge or, as has been my experience, take you off their list of reporters if you dare to ask such a question.

Several of our DRA leaders have been fighting to level the playing field as regards gift-giving in exchange for setting depositions here in the State of California. The fact is, if you are a California CSR, you must play by certain rules that are set forth by the Court Reporters Board; however, if you own a deposition firm and you are not a California CSR, some of those rules are not applicable to you, i.e., gift-giving. I feel very strongly about this fight, so you can imagine how I felt when I found out after the fact that I had done a favor for one of the firms that engages in gift-giving by covering a job for them. I took this job through a firm I respect and had worked with numerous times in the past; however, I failed to ask the questions that I will ask from here on out. So what I am asking for is disclosure in regards to who the referring firm is so that I can make an informed decision about whether to accept the job or not.

Another problem I constantly have with networked jobs is the estimated length of the deposition in the vast majority of cases bears no semblance to reality. It seems as though it is common practice to put "5 hours" or "all day" down for the length of the job on every networking worksheet. All I am asking for is a realistic estimate as to the probable length of the job. I suppose it is easier

cont'd on page 18

Team Concept - Networking*cont'd from page 17*

to get someone to accept the job if you put “5 hours” as compared to “30 minutes,” but I doubt the majority of firms would do that on purpose; it must just be a poor estimate. There seems to be an abundance of poor estimates lately.

The job still needs to be covered for the attorneys’ and the parties’ sakes. However, if it is a short job, it should be covered by someone that is in the immediate geographic area. How frustrating is it to drive for a couple of hours, pay for gasoline, toll, parking, and have the job go for 15 or 30 minutes when you were told five hours? And perhaps in the meantime you have turned down other work. Or, worse yet, the job does not proceed at all and you failed to make it clear up front what your charge will be if that happens, and now you are stuck with a much lower minimum than you would have otherwise accepted.

Now, I have been in this business for 38 years, so please don’t tell me, “Well, there is no way to know how long a job will last.” I think I am aware by now that that may be the case at times. In the past, for several years, I have assigned up to 25 reporters a day to depositions and court, so I think I am familiar with the nuances of assigning the calendar in a reporting setting. I am aware that oftentimes there is no notice, which makes it tough to know how long a job may last. I am not talking here about that kind of situation. I am talking about the situation where you do have a notice and the case is titled “ABC Chemical Company versus XYZ Energy Systems.” My educated guess would be that job is going to last a while. I am also talking about the situation where you have a Workers’ Compensation notice and the case is titled “Smith versus ABC Widgets” and you can tell the deponent is a treating doctor. You can pretty much bet this will be a short deposition, one hour or less in the majority of cases.

I would just ask that the referring firm put a little more effort into giving a reasonable estimate as to the length of the job if at all possible, to realize that there is more involved than just covering a job, that freelancers would prefer not to lose money by accepting the assignment. There is one other area I would like to discuss, sort of a “full-disclosure” issue. I would like to be able to make a fully informed decision when deciding whether to accept a networked assignment. I suppose I am looking at the reporting world in this regard through

rose-colored glasses, but it would be very nice to know any downside to the job. Last year I drove 150 miles round trip to do a job that the referring firm knew beforehand was a one-copy job and did not disclose that fact to the deposition firm with whom they were networking. I would not have accepted that job if I was advised of that fact in advance. I may have taken it if it were a local job, but I certainly wouldn’t have driven 150 miles to do it.

A couple of years ago I wrote an article in *The Deposition Reporter* about the freelance reporter and the deposition firm working together as a team. I gave several examples of things the freelance reporter could do to benefit themselves and the deposition firm they are working for, i.e., offering to give attorneys a ride back to the airport after a deposition, turning your work around quickly and thus making the deposition firm look good, touting the deposition firm you are working with to the attorney on other side of a case in the hopes that they will call that deposition firm for depositions in the same case, et cetera. After the article was published, I was contacted by several firm owners who said that it was a great article and they liked my philosophy and they hoped other freelancers would take it to heart.

Well, now I’m asking the firm owners to take this article to heart. The teamwork concept, by its very nature, should work both ways. Or do I have those glasses on again?

When I finished the first draft of this article, I asked a friend who is much more skilled in matters grammatical than I to review it. After helping me with some punctuation and syntax errors, she set forth a couple of thoughts she had on the subject, and I wanted to share those thoughts with you.

“John: Would this not be a win/win? Would full disclosure not earn deposition firms the respect of the freelance reporters on whom they rely? Would freelancers not be more willing to step up to the plate and cover a lousy job out of appreciation for being given the choice based on all available information? Would this mutual appreciation then not foster a valuable working relationship for a long time to come? Isn’t there more to the equation than covering one’s immediate calendar needs at all costs?”

By the way, this friend is a deposition firm owner.



Vendor Highlights

THIS
ISSUE



élan Mira® A3 & STENTURA® fusion users -- Archiving Steno Notes

**by Terri Wilson
Stenograph, L.L.C.
Senior District Sales Manager**

Whether you need to provide the court system with a copy of your steno notes or you want a better alternative than saving your Data SD cards in a shoe box, the time is now. The A3 & fusion have an option as to how to organize steno files on the Data SD card. The Classic option organizes steno files in the root of the Data SD card and puts the steno note's associated job dictionary in a Text folder and the associated audio files in an Audio folder. The Date / Time option organizes the steno file and all associated files in a folder for each month. Using Case CATalyst version 7.02 or higher allows you to take advantage of the Date / Time directory option. If you are using another CAT system or using a version of Case CATalyst earlier than 7.02, you need to use the Classic directory structure.

To change the directory structure, at the Opening menu (no file open) press Setup, More and then press Directory. If you are on Case CATalyst version 7.02 or higher, press Date/Time if it isn't already selected. If you are on another CAT system or using an earlier version of Case CATalyst, select Classic. (If you select Date/Time directory structure and you are not on version Case CATalyst 7.02 or higher, the Read program will not see the steno files on your Data SD card.)

Backing up steno files in the Date/Time directory structure:

1. On a blank spot on your computer's desktop, right click and select New and then select Folder. A new folder is created with your cursor in the file name.
2. Type: **Steno Notes** and press **Enter**. A Steno Notes folder is created on your desktop.

3. With your A3/fusion turned off, remove the Data SD card and insert it into the SD card reader or built-in SD card slot on your computer. If you are using the SD card reader, once the card is inserted into the reader, plug the reader into your computer.
4. If your computer is set to auto play, the AutoPlay dialog box displays prompting you to take action on the SD card. Select the **Open folder to view files** option. If your computer is not set to auto play, double click My Computer or Computer and select the drive assigned to the SD card to display the contents.

The contents of the Data SD card displays. You will see folders named with the year followed by the month. For example, 200807 is July of 2008. The steno file and all associated files (audio, job dictionary) are automatically named the date and time the files were taken followed by the file type extension and are placed in the folder. For example, you took a job on July 21st at 10:05 in the morning and you made job dictionary entries on your steno machine along with recording audio. The following files would be in the 200807 folder:

20080721-100531.sgstn (steno)
20080721-100531.wav (audio file)
20080721*100531.sgdict (job dictionary)

5. Highlight folder name (i.e. 200807), left click and drag it to the Steno Notes folder you created on your desktop. The entire contents of the 200807 folder (all steno files written in July of 2008 and associated files) are copied into the Steno Notes folder on your desktop.
6. Repeat this process until you have copied the contents of the folders on the Data SD card to the Steno Notes folder on your desktop.

cont'd on page 20

Vendor Highlights
cont'd from page 19

7. Use whatever method you are accustomed to using to archive the Steno Notes folder. For example, you can burn the contents of the Steno Notes folder to CD or DVD, upload it to an electronic storage service, copy it to a network drive, etc. Once the Steno Notes folder has been copied to another location for archiving, you can delete the contents of the folder on your desktop.
8. Remove the Data SD card and insert it into your steno machine. You can format the Data SD card in your writer and start with a clean Data SD card.

There are many methods of copying the contents from one area to another and clicking and dragging is just one. If you are more comfortable using another method to copy and paste, please feel free to use that method. Also, you should develop a routine of always archiving the steno notes at a specific interval, for example at the end of each month.

Backing up steno files in Classic directory structure:

1. On a blank spot on your computer's desktop, right click and select New and then select Folder. A new folder is created with your cursor in the file name.
2. Type: **Steno Notes** and press **Enter**. A Steno Notes folder is created on your desktop. Double click the Steno Notes folder. In the blank folder, right click and select New and then folder. Name the folder the year and month, such as 200810 or 2008OCT, and press **Enter**. Leave the Steno Notes folder open so the 200810 folder is displayed.
3. With your A3/fusion turned off, remove the Data SD card and insert it into the SD card reader or built-in SD card slot on your computer. If you are using the SD card reader, once the card is inserted into the reader, plug the reader into your computer.
4. If your computer is set to auto play, the AutoPlay dialog box displays prompting you to take action on the SD card. Select the **Open folder to view files** option. If your computer is not set to auto play, double click My Computer or Computer and select the drive assigned to the SD card to display the contents.

The contents of the Data SD card displays. You will see two folders, TEXT and AUDIO and steno note files. The steno note naming convention is the word FILE followed by a three-digit extension. The three-digit extension consecutively numbers the files. For example, the first steno file on the Data SD card is named FILE.001, the next steno note file is named

FILE.002, etc. At the same time, the job dictionary and timestamp files associated with the steno note file are stored in the Text folder and named respectively, FILE001.sgdct and FILE001.hms. The associated audio file is stored in the AUDIO folder and named FILE001.wav.

5. Highlight the first steno file name and hold Shift and click the last steno file name. While continuing to depress the left mouse button drag those files to the 200810 folder in the Steno Notes folder.
6. Highlight the TEXT folder, left click and drag it to the Steno Notes folder you created on your desktop. The entire contents of the TEXT folder are copied into the 200810 folder.
7. Highlight the AUDIO folder, left click and drag it to the Steno Notes folder you created on your desktop. The entire contents of the AUDIO folder are copied into 200810 folder.
8. Use whatever method you are accustomed to using to archive the Steno Notes folder. For example, you can burn the contents of the Steno Notes folder to CD or DVD, upload it to an electronic storage service, copy it to a network drive, etc. Once the Steno Notes folder has been copied to another location for archiving, you can delete the contents of the folder on your desktop or leave it there **but** create a new folder inside of it for the next month's steno files.
9. Remove the Data SD card and insert it into your steno machine. You can format the Data SD card in your writer and start with a clean Data SD card.

IMPORTANT NOTE: When using the Classic directory structure, there isn't a "distinctive" name given to the steno files. It is very important to develop a routine of archiving the files because you don't want to accidentally overwrite existing steno files in the Steno Notes folder. That is why the instructions include creating a "subfolder" inside the Steno Notes folder that is the year and month of the steno notes.

There are many methods of copying the contents from one area to another and clicking and dragging is just one. If you are more comfortable using another method to copy and paste, please feel free to use that method. Also, you should develop a routine of always archiving the steno notes at a specific interval, for example at the end of each month.



Congratulations, Yvonne Fenner!

DRA is pleased to announce that Yvonne Fenner has been selected by the Court Reporters Board of California as the new Executive Officer. On January 2, 2009, she officially replaced David Brown, the former Executive Officer. Yvonne has been a freelance reporter in the Sacramento area since 1996. She served as a licensee member of the CR Board from the time of her appointment by Governor

Schwarzenegger in May of 2006 until earlier this year, when she became employed by the Board as a staff analyst. We are confident that she will serve the Court Reporters Board and the consumers of California well in her new role, and we congratulate her wholeheartedly.



Congratulations, Scholarships!

DRA has established a scholarship program to award financial assistance to deserving reporting students throughout California. Scholarships will be awarded yearly, based on the applicants' grades, financial need, participation in reporting activities and organizations, letters of recommendation, essays, and interviews conducted by the DRA Scholarship Committee.

was able to attend one of our Fall Seminars to accept her scholarship. Please visit our website to find out more about Ron Clifton.

John and Fosca Zandonella Scholarship

This \$1,500 scholarship was awarded to Brittany Flores from Humphreys College in Stockton. Please refer to the Fall 2008 issue of *The Deposition Reporter* or visit our website to find out more about John and Fosca Zandonella.

Michele Meyer Scholarship

This \$750 scholarship was awarded to Stephanie Fernandez from Cerritos College in Norwalk. Please refer to the Spring 2008 issue of *The Deposition Reporter* or visit our website to find out more about Michele Meyer.

Ron Clifton Scholarship

This \$750 scholarship was awarded to Marsha Sawa from Cypress College in Cypress shown here with DRA President Toni Pulone. Marsha



PLAN TO ATTEND
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Ten by Ten
Laura Brewer

Who doesn't want to be a 10? In addition to conjuring up the image of a gorgeous, young Bo Derek running in Slo-Mo along the beach (for those of us old enough to remember), the number "10" evokes other positive images - from the Olympian's perfect 10 to the "10 - extremely satisfied" survey response. Now there is a new reason to love the number "10."

NCRA's new president, Karen Yates, started her presidency in Anaheim with an exciting new initiative called 10x10. The 10x10 campaign is a program designed to get reporters to recruit ten of their peers to commit to obtaining a professional certification by 2010. Karen kicked off the 10x10 campaign by making her own commitment to obtain her RMR by 2010.

I was so excited when I heard Karen introduce this new program that I immediately started forming a list of reporters I would sponsor. This is truly a win-win program - the participants improve their skills, all of our clients benefit from a larger pool of skilled reporters, and our associations are strengthened by the vibrant participation of members.

Do you remember the thrill of passing the CSR and how exciting it was to take your first few jobs? The feeling of satisfaction at passing the CCRR or the CRR and how realtime re-energized your career?

It's time to dust off those old practice tapes or even buy some new practice CDs and start working on skills development. You will thank yourself for the effort, because you will enjoy your work all over again and look forward to the satisfaction and pleasure of writing beautifully through jobs that would have formerly sent you to the restroom in tears. Better yet, develop your own list of 10x10ers. Surely you know ten reporters who would benefit from skills development and certification. The CSR, RPR, CCRR, CRR, RMR, CCP, or CBC - any advanced certification qualifies, and each will bestow a sense of satisfaction and accomplishment.

Improved skills equate to greater efficiency and, in turn, higher earnings. Let's improve the lot for all reporters by each improving ourselves. My personal goal is to produce more 10x10ers in California than in any other state. How about it? Want to be a perfect 10? This is YOUR chance - this is OUR chance. Bo Derek's got nothing on us.

If you are interested in the 10x10 campaign, please contact me at lauraquicktext@gmail.com.



NCCRA Seats New Board

It was election night for the Northern California Court Reporters Association (NCCRA) at their fall seminar held October 23, 2008, which was attended by over 50 reporters and students. Below is the new slate of officers, who will be serving a one-year term.

CAROLE BROWNE, who served as NCCRA's treasurer for the last two years, is stepping into the position of president. Carole is a freelance reporter in the Sacramento area.

ROSE FRANCO-TOGNOTTI, newly elected vice president, resides in the foothills east of Sacramento and also is a freelance reporter in the Sacramento area.

LINDA HART, taking over the treasurer's duties from Carole, owns *L.J. Hart & Associates*, a deposition firm in Sacramento.

SARAH STROMBERG, who has graciously agreed to stay on for a second year as secretary, is an official reporter in El Dorado County.

The seminar, held at Sofia's in downtown Sacramento, featured three speakers – Gary Smith of *Visionary Legal Technologies*, who gave a presentation on new transcript software; Terri Wilson of *Stenograph*, who demonstrated the latest in wireless technology for court reporters; and Sandra Bunch VanderPol, who, after taking the group for a walk down memory lane with a slide show of now-ancient steno machines and dictating equipment, discussed reporting ethics in the digital age.

After the presentations a raffle was held, and various prizes – including a bottle of wine donated by DRA – were awarded to the lucky winners.

The next NCCRA seminar will be held on February 12, 2009. Information, as it becomes available, will be listed on their website, NCCRAonline.com.



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Transcription in a jiffy

A. Saye Sekhar

Laura P. Brewer and Teri Darrenougue make sure their brains work in perfect sync with their nimble fingers



In perfect tandem: Teri Darrenougue and Laura P. Brewer are 'Certified Realtime reporters'.

HYDERABAD: A giant screen pivoted on a stand became the cynosure of all eyes at the Hyderabad International Convention Centre (HICC) on Wednesday.

The speeches and observations of speaker after speaker and even the intermittent applauses from the audiences, promptly recorded on the screen, took everyone by surprise. Most participants thought a new speech-recognition software unveiled this wonder, for the available tool can only recognise one particular voice or style of speech.

Laura P. Brewer and Teri Darrenougue, working as 'Certified Realtime Reporters' of their own company, demonstrated the apogee of their talent, making sure their brains worked in perfect sync with their nimble fingers at breakneck speed. The moment a word is uttered by a speaker, it appeared on the screen in less than a nanosecond, if it's not an exaggeration.

cont'd on page 25

Found on the Net
cont'd from page 24

Array of issues

While the IGF was deliberating upon an array of issues, the duo provided an opportunity for most to understand that another profession is thriving – fast transcription. What's more, they were grasping translated versions from eight different languages into English and transcribing the text in no time.

Triumph recalled

Slipping a speaker of her headphone aside, Ms. Laura recalled her triumph of winning a world record in typing – 290 words a minute, conducted by 'InterSteno', while the world standard is 260 words a minute. The duo passed the hearing-and-transcribing test conducted by the National Court Reporters Association's Speed Contest in the US. A blushing Teri, of course, said she didn't participate in any competition for more speed like her pal.

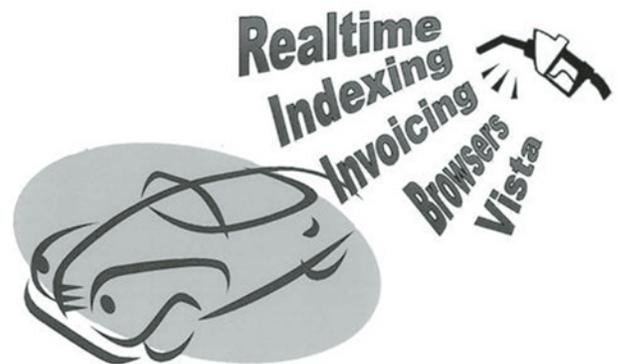
It is lucrative for specialised assignments, but not so much attractive pay is given for writing subtitles of films.

Sitting in Canada and watching the programme in hall No.5 through webcast was another captionaire. "Had she been connected through Skype, the transcription would have been in realtime," said Stefano Polidori of the International Telecommunication Union.

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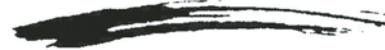
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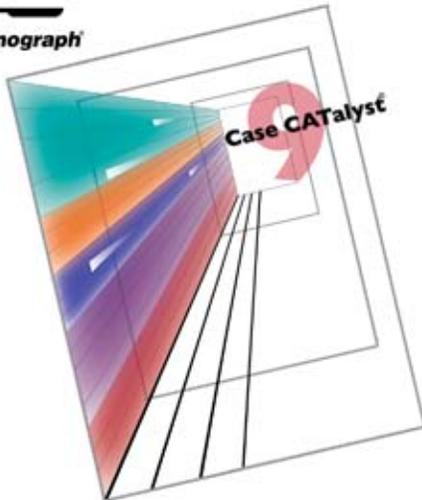
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 3-YEAR RENEWAL (\$275 – save \$25)
- INSTRUCTOR** (\$25 per year) Instructors who are nonreporting CSRs or, if not CSRs, who teach at institutions recognized/certified by the CRBC. **SCHOOL** _____
- STUDENT** (\$25 per year) Any student enrolled in a verbatim shorthand reporting school. **SCHOOL** _____
- PAC** (**Not tax deductible**) These are funds used to support the passage or defeat of legislation that has an impact on our members and for the support of political candidates seeking elective office who share similar points of view on issues that are important to our membership. **PAC AMOUNT:** _____
- FRIEND OF DRA** (Amount \$ _____) (tax deductible)

| | | |
|-----------------|--------------------------|---|
| PAYMENT TYPE: | CHECK / MC / VISA / AMEX | (add 3.5% for AMEX) |
| TOTAL ENCLOSED: | \$ _____ | |
| CARD NUMBER: | _____ | |
| EXP. DATE: | _____ | |
| CVV2: | _____ | (3 or 4 digit code on the back of card in signature line) |

NOTE: Checks returned from the bank for any reason will be assessed a \$25 service fee.

A portion of your dues will be used for lobbying activities as defined by the Revenue Reconciliation Act of 1993. For this year's dues, it is estimated that the percentage used for such purposes will be 55%. This portion of your dues is not deductible as an ordinary and necessary business expense.