

The Deposition Reporter

DEPOSITION
REPORTERS ASSOCIATION
OF CALIFORNIA

May 2013

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PRESIDENT'S MESSAGE

Vicki Saber, *CSR 6212, RPR, CRR, CCRR, CLR, DRA President*

Changing of the Guards. If you've ever seen it at Arlington Cemetery, you've experienced the importance of such a ceremony. The changing of the DRA officers and directors may not be a national event, but its accomplishments each year are certainly worthy of the national respect that DRA has achieved. Each president, with the assistance of their board of officers and directors, have spent their term working tirelessly to ensure that our members are educated, informed and up to date on all aspects of our great profession.

Now that the torch has once again been passed, let me give you a brief overview of who will be head coach of DRA this year. I have been reporting since 1983 – back when our hair was as big and heavy as our steno equipment - which means this year I will be celebrating my 30-year anniversary. I'm a certified realtime writer, and report almost

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MARY BARDELLINI, DRA'S 2013 DISTINGUISHED SERVICE AWARD

*Awarded By Christine Randall, CSR, RPR
DRA Past President*

Mary Bardellini, CSR, is a founding member of the Deposition Reporters Association of California. She was DRA's first two-time president from 2002 through 2004. Yes, she served two terms. And, of course, she has entertained us all through the years as an emcee and speaker. I think we can all agree that she is one of the most entertaining individuals to grace a podium. I use the term "grace" lightly.

I proudly served on Mary's board during her presidency, and I've worked with her

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BOARD OF DIRECTORS

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vicepresident@caldra.org

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CSR 11372, CSR
secretarytreasurer@caldra.org

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Lorrie Marchant,
CSR 10523, RPR, CRR,
CCRR, CLR
district1@caldra.org
Counties Represented:
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Mendocino, Napa, Solano, and
Sonoma

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CSR 11694, RPR
district2@caldra.org
Counties Represented: Monterey,
San Benito, San Francisco, San
Mateo, Santa Clara and Santa Cruz

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district3@caldra.org
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Humboldt, Lake, Lassen, Modoc,
Nevada, Placer, Plumas, Sacramento,
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Stanislaus, Sutter, Tehama, Trinity,
Tuolumne, Yolo and Yuba

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CSR 13497, RPR, CCRR, CLR
district4@caldra.org
County Represented:
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CSR 12585, CLR, CCRR
district5@caldra.org
County Represented:
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Linda Nelson,
CSR 11795, CLR
district6@caldra.org
Counties Represented:
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DISTRICT 7



Vanessa Caparas
CSR 12231, RPR
district7@caldra.org
Counties Represented:
San Diego and Imperial

DISTRICT 8



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CSR 13600, RPR, CLR
district8@caldra.org
Counties Represented: Fresno,
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Mariposa, Merced, Mono, San
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Tulare and Ventura. (*All
Professional Members residing
in counties or states other than
California or the USA.*)

Deposition Reporters Association
1900 Point West Way, Suite 222
Sacramento, CA 95815-4706
888-867-2074
916-487-7105 Fax
memberservices@caldra.org

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NEWSLETTER EDITOR

Lisa Michaels,
CA CSR 6361, RPR, CCRR, CLR
newslettereditor@caldra.org



DRA_Tweets



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PRESIDENT'S MESSAGE

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every day. I own a small deposition agency and I freelance for others, and therefore understand both sides of the reporter/agency equation.

So what are my goals and promises to you, our members of this great association? It's pretty simple, straightforward, and even comes with a FREE PRIZE! And I can sum it up in one word: MEMBERSHIP.

Those of you reading this article most likely are already members of DRA. You are top reporters because you have chosen to invest in yourself and your career by staying educated and informed. You understand the importance of belonging to your professional association, and the invaluable benefit you gain by participating in seminars and conventions, or just taking part in online discussions with colleagues. On behalf of everyone involved in DRA let me express our gratitude and appreciation that you support us in our efforts to support you. You are all one well-defined, cohesive team.

However, there's lots of CSRs sitting on the bench, not contributing much to the overall team. And that's important to all of us because DRA will not be able to thrive and continue all we do long into the future unless those on the bench step up to the plate and become members.

And here's where my goal and promise to you comes in. DRA has launched an exciting Membership Incentive Program. We're calling it Get 3 – GO FREE. Here's how it works: For every current member that refers three colleagues to join DRA as a professional member from now until January 31, 2014 will receive FREE registration to either next year's convention at the amazing Westin

Resort & Spa in Palm Springs - or the 2015 convention in Northern California. All you have to do is ensure the new member applicant (or previous members who have been expired for a minimum of one year) puts your name down as the referral on their application. That's it!

I can't emphasize enough the need for membership growth within DRA. I strongly encourage you to persuade your colleagues to join. You are doing the right thing, and so should each licensee who benefits from the efforts

of DRA on behalf of every California CSR. Membership is the lifeblood that sustains us and keeps us moving forward. Our board members, officers and past presidents cannot alone make this happen. WE NEED YOU, our current, enthusiastic members to help wave the flag, round the bases, and most importantly, help us win the game.

Thank you for your dedication and your participation in our fun and exciting Membership Incentive Program. Now go out there and get 'em, team!



Board Member Spotlight:

VANESSA CAPARAS CSR, RPR, is the District 7 (San Diego) Representative on the DRA Board of Directors. Vanessa recently attended NCRA Bootcamp in Washington, DC and spoke on behalf of the nation's court reporters on Capitol Hill!

Closer to home, we are receiving rave Caparas reviews:

I want to let you know that Vanessa Caparas is an amazing mentor. She is my very first mentor, and she has exceeded what I have ever expected from a mentor. She goes above and beyond to find answers for me and has helped me immensely in becoming a better student and CSR.

Thank you,
Kim Chow, CSR



SMILES 4 DRA

Thank you for all your hard work that you do. You are admired by us all.
Carol Haraburda

Thanks so much for all you do to protect our profession!

Teresa Russ

Thanks for all your hard work!

Ron Fernicola

I really appreciate your work on our behalf, thank you!!

Lisa Marie Parker Desai

Thank you for all your efforts and hard work. You are a gem!

Gigi

AskDRA

Dear DRA:

Nearly two years ago, my firm took a depo for an out-of-state attorney, and despite all our efforts since then, we still have not been paid. He continues to insist that his client is responsible for our payment and that he is not. I filed a complaint with his state's Attorney Grievance Commission, but they determined that this was a civil matter that did not warrant further action on their part.

I understand that our California law says that attorneys are responsible for payment of our reporting services, but does that law also apply to any attorneys who take depositions here in cases filed in other states? If we can't hold them responsible per our law, what other options do I have for collecting this debt?

Dear Reporter:

You're right, we do have some very strong language in our Code of Civil Procedure ("CCP") here in California to rely on when an attorney tries to avoid paying by passing off responsibility to his/her client. That language appears in CCP 2025.510(h) through (i), and became law by way of legislation sponsored by DRA and reads as follows:

(h) (1) The requesting attorney or party appearing in propria persona shall timely pay the deposition officer or the entity providing the services of the deposition officer for the transcription or copy of the transcription described in subdivision (b) or (c), and any other deposition products or services that are requested either orally or in writing.

(2) This subdivision shall apply unless responsibility for the payment is otherwise provided by law or unless the deposition officer or entity is notified in writing at the time the services or products are requested that the party or another identified person will be responsible for payment.

(3) This subdivision does not prohibit or supersede an agreement between an attorney and a party allocating responsibility for the payment of deposition costs to the party.

(4) The requesting attorney or party appearing in propria persona, upon the written request of a deposition officer who has obtained a final judgment for payment of services provided pursuant to this subdivision, shall provide to the deposition officer an address that can be used to effectuate service for the purpose of Section 708.110 in the manner specified in Section 415.10.

(i) For purposes of this section, "deposition product or service" means any product or service provided in connection with a deposition that qualifies as shorthand reporting, as described in Section 8017 of the Business and Professions Code, and any product or service derived from that shorthand reporting.

And yes, these sections of our CCP do apply to any depositions taken here in actions venued in "foreign jurisdictions," or any state other than California. This means that, just as with any CA-venued case, the out-of-state attorney in this situation, regardless of any agreement he has with his client for payment of costs, remains responsible for your bill unless he notified you in writing at the time he scheduled this depo or when the transcript was ordered that his client would be responsible to pay your bill. That notification never happened, so

the attorney is still legally responsible for payment of your services and should have paid you timely as well.

Now, making the case that this attorney owes you this money is one thing; getting actually paid by him is another matter. Here is where the supportive language that we achieved for depo reporters that appears in (4) above may not help because it could be very difficult to obtain a final judgment against the attorney involved since he is not in California. A Small Claims action can only be filed against an out-of-state defendant in very limited circumstances, generally if that person or entity owns real property here in CA, or if you're able to somehow serve them with court papers while they're here in CA, so that option for collecting what's owed is likely not available. You may be able to bring a Small Claims action against this attorney in his home state, but again, unless a great deal of money is involved, that is probably impractical. If the total owed exceeds \$10,000 and you are not incorporated -- for corporations, it only has to exceed \$5,000 -- the case falls into the jurisdiction of Superior Court so you may file there, but the costs involved then of retaining counsel and pursuing this attorney in another state may exceed what's practical under the circumstances.

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TEXT IN THE CITY

Postage Stamps at Midnight

I am always interested to hear how other court reporters became interested in the profession. It's often exposure to the job via a family member or friend, or perhaps a career day at school. My friend Bill McBride, CSR 2667, became interested when he was the youngest juror on the Charles Manson trial in 1970-1971, intrigued as the two court reporters worked away.

I "fell" into reporting by chance, and I feel so fortunate to have done so.

It was a dark and stormy night – really!

It was January 1988, midnight, and I was grocery shopping at Albertson's, then the only store that sold postage stamps. With an almost-two-year-old daughter and eight-month-old twin boys at home, an outing to the post office and grocery store during the day was not a simple endeavor. I saved such treks for evening hours after my husband was home from work and the kids were in bed. What serendipity it was as I heard the clerk at the checkout stand next to me talking about going to court reporting school during the day and working at Albertson's at night. Aha! The answer to my dilemma!

I had followed the traditional educational route, acquiring a BA in the mid '70s and an MBA in the mid '80s, and I had a job I loved working as a research analyst in an engineering department at Stanford Research Institute in Menlo Park. Marriage in 1985 included moving an hour south of my job to Santa Cruz, a beautiful coastal resort town. I happily commuted for a while, but life changed drastically with the birth of our daughter in May 1986 and the

birth of her brothers in May 1987.

It was quite a shock to go from two incomes and no kids to one income and three kids in a short two-year period. It was fun to stay home for a while, but soon I was pondering how I could contribute financially to the household. I needed a part-time job that paid well enough to not just cover the childcare costs.

When I overheard the grocery clerk talking about court reporting, I remembered my jury experience in my early twenties. I was a juror on a purse-snatching case. I remember being curious about the machine the reporter used, and I remember being under the impression that court reporters made a fabulous amount of money. And it looked so easy. It couldn't be that hard. Right? Ha-ha.

I enrolled at West Valley College, loved my theory class, zoomed from 0-160 in about 18 months, and was sure I was going to finish in two and a half years, max. Ha ha.

In September 1990, our fourth child, Christopher, was born. I now had four kids under age 4. Childcare costs were exorbitant, but my husband was supportive and I assured him that I would soon be finishing school and working. When I returned to school after Christopher's birth, I should have dropped back in speed. Pride wouldn't let me "go back," and I seriously messed up my notes for a long time. Big mistake!

About the time our daughter was entering school, West Valley changed its program from morning to afternoon. Just when I thought the childcare costs were going to diminish as the kids entered school, they didn't. Stress, stress, stress!

Fast-forward a few years. Actually, "fast-forward" is not correct. Just go

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NEW MEMBERS:

Roberts, Brenda
DeWit, Katherine
Nguyen, Vienna
Pak, Zaneta
Bowersock, Debra
Ikeda-Sato, Ruth
Trattel, Deborah
Fieldson, Michele
Berg, Kristina
Dichirico, Michelle
Clifford, Shana
Stellhorn, Shari
Bell, Sheri
Ryan, Linda
Countz, Brenda
Kusar, Jeri
Liza, Cachola
Dasovich, Nancy
Brewer, Jo
Vazquez, Janette
Boccaleoni, Cindy
Huaman, Doris
Bueltel, Amanda
Jacobs, Judy
Stanley, Jordan
Iacono, Jessica
Richard, Sheriece
Meyers, Deborah
Angeles, Stella
Clark, Erika
Rossi, Barbara
De La Torre, Ramona
Kim, Jinna Grace

AskDRA

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When Small Claims or Superior Court actions don't provide a reasonable means for getting the money owed to you by an out-of-California attorney, another avenue that you may be able to pursue is contacting the State Bar or another organization having disciplinary authority over lawyers in the state where the debtor is located. Admittedly, this isn't the most promising option, as many such entities take the position that any disputes over payments claimed to be due by an attorney are strictly a civil matter rather than an issue that calls for ethical review and sanctioning. You already tried this approach in this case and unfortunately to no avail, but in other situations there may be help coming from some bar associations in other states that will contact the attorney involved and strongly

encourage that he pay his debt, so it's always worth a try. I understand that the Texas State Bar has responded to similar complaints of nonpayment by their members and has stepped in and assisted a reporter successfully.

The unpleasant reality is that we may always be on shaky ground when trying to collect unpaid invoices from attorneys located out of California for work performed here. The only fully safe approach may be to always require payment in advance when accepting work from any non-CA attorneys or firms with whom we have no previous credit experience, asking for a deposit first to cover your reporting time if no transcript is ordered, and then request an additional deposit if the transcript is ordered, based on an estimate of any balance that will be owed. Will the attorney be happy about this policy? Maybe not, but a reasonable and creditworthy attorney or firm should understand the necessity for making such a request, and maybe anyone who

isn't willing to comply with this policy is the one who's going to keep you waiting for another two years for your money.

I know this doesn't offer you any great help for this current situation, but possibly something here will be helpful for the future. I hope so.

*Antonia Pulone
DRA Depo Diplomat*

CONGRATULATIONS TO THE NEW CCRRs!

Valerie Rasmussen,
Trabuco Canyon, CA
Lynette Nelson,
San Marcos, CA
Candance Yount,
San Rafael, CA
Susan Portale,
Stockton, CA

POP QUIZ: MONYEEN BLACK, DRA VICE PRESIDENT



What's your favorite word?
"REALLY?"

What's your least favorite word?
"Shut up."

What is your favorite cuss word (in steno)?
SKWRABK/A *SZ

If you weren't a court reporter, what would you be?

Traveling landscape photographer

Beer or wine?

I'm a wine-o

If they made a movie about your life, what actor/actress would play you?

Sandra Bullock

What's your Starbucks order?

Grande extra hot soy chai tea latte

What secret talent do you have that you're willing to share?

Is being anal-retentive a talent?





MAKING A DIFFERENCE

Five years ago, the Deposition Reporters Association Board of Directors voted to once again attempt to gain National Court Reporters Association affiliate status. Ten years after DRA was formed, and after two prior attempts to be recognized by National as an equal in our own state, our members still aspired to be a full-fledged partner with NCRA. In 2008, DRA adopted a board resolution to once again propose an NCRA bylaws change and begin our third campaign to create an opportunity for more than one association in each state to have a voice on a national level.

At that time, the number of NCRA members in California alone exceeded the total number of members in over half the country (29 states) combined. In 2008, if DRA were ranked in terms of the percentage of NCRA membership, it would have been among the top ten associations in the country. We were listening and giving input from the "outside," but with our creative talent, ethics and a strong passion for stenographic reporting, our members deserved to work as a true partner with the rest of the country and participate in the direction of NCRA while shaping the future of our profession.

You, our supporters, who logged on and voted that important day in July 2008 have made a difference!

Since that exciting announcement that over two-thirds of the NCRA member votes approved our bylaws amendment and DRA was congratulated as a new California affiliate, your DRA Past Presidents have been honored to be asked to take part in creating a successful, ethical and stenographic future for NCRA:

Rosalie Kramm, Ethics First Task Force

Antonia Pulone, Chair, Task Force on Contracting

Lisa Michaels, 2013-2014 Nominating Committee

Christine Randall, 2012 Executive Director Search Committee

Holly Moose, 2010-2013 Committee on Professional Ethics

With many more chances to learn and participate on a national level, DRA is proud to celebrate our 4th anniversary as an NCRA affiliate and will continue working for the benefit of the shorthand reporting profession while giving voice to the hundreds of NCRA members that DRA represents.

(Want to make a difference at NCRA? Volunteer to be involved in one of their over 40 committees here!)



WE NEED YOUR HELP NOW FOR YOUR DRA'S WAR CHEST!

PROTECT OUR PROFESSION!
LEVEL THE PLAYING FIELD!
EXPOSE BOGUS E.R. CLAIMS!
PROTECT OUR SCHOOLS!

ONLY YOUR DRA TAKES THE FIGHT EVERYWHERE

THE COURT REPORTERS BOARD
THE BOARD OF EQUALIZATION
THE PUBLIC
LITIGATION
THE STATE BAR
THE PRESS

THANK YOU FOR YOUR CONTRIBUTIONS!

Thomas Lange
Celeste Byrd



[Click here to donate now](#)



DID YOU KNOW ...
YOU CAN ATTEND THE NEXT DRA CONVENTION FOR FREE?
HOW?
GET 3 AND GO FREE!

It's easy! Sponsor three new professional members to DRA, and we'll pay your convention registration to either the 2014 or 2015 Annual Convention. Firm owner? You can go free, too! Just sponsor five new members. Or, sponsor three and pay the difference in firm owner registration. See below for all the details.

How do you find reporters to join?

- Go through your Facebook friends. How many of your reporter friends are not members?
- Ever meet other reporters on the job? Ask them if they belong to DRA.
- Think of all the reporters you know. Do you know three who aren't DRA members?

3 = FREE

A message from our corporate sponsor -



Stenograph®

Reinvention of the Reporter

Nary a reporter would say that the past couple of years have been easy on us. We've fought many battles with blood, sweat, and tears – not to mention money from our own pockets. We've won many, lost a few, but regardless, here we stand. As the dust begins to settle and changes are implemented, we are all attempting to make adjustments and forge ahead.

Change means reinvention. Each time a major shift happens in our lives, we have to take control of who we will become, or we risk never reaching our full potential. So we have to evolve, reinvent ourselves. We have to forge a new path deliberately and with foresight.

This new path for reporters is technology. Advancements in reporting technology offer benefits to the reporters as well as our clients, the judges and attorneys. So what can reporting technology do to help you reinvent yourself? Here's a look at some of the exciting technology products and services Stenograph, the leader in court reporting technology, has to offer:

The Diamante – The short, light stroke is easier on your body, while its TrueStroke technology utilizes advanced software to more accurately track the movement of each individual keystroke, helping you to achieve cleaner writing right from the start --

which results in cleaner realtime for the client and less editing for the reporter.

Case CATalyst features advancements such as E-Key keyless access on multiple computers, leaving you one less thing to worry about. Feature highlights: Hotspots keeps track of needed spellings or trouble-spots you'd like to check – without making a mark in your transcript for the attorney or judge to see in realtime or on a rough. Search File Contents allows you to search all of your transcripts for a key word or phrase in seconds. Brief-It helps to keep your realtime clean by offering reminder briefs from your own dictionary and new suggested briefs for three or more strokes written two or more times. Finally, the ability to export to ptx format right from Case CATalyst can save you time and money!

CaseViewNet – Our wireless realtime product streamlines your realtime process. Wi-Fi technology (no Internet connection necessary!) provides you a fast, encrypted connection with no need to worry about com ports, baud rates, or carrying around wireless receiver adapters for each client's viewing computer. Attorneys and judges view the transcript on our free CaseViewNet PC viewer or iCVNet iPad app. No need to spend additional dollars to output to the iPad – it's all included! Best of all, with RapidRefresh, any changes or globals made by the reporter are instantly and completely refreshed on the viewers' screens, giving the reporter peace of mind and the client a cleaner realtime transcript. Finally, transcripts can be emailed to another computer from

a laptop, netbook, or even the iPad at the touch of a button – and then saved in just about any desired format.

Remember that when we are out on the job -- be it a courtroom or conference room -- each and every one of us is representing the reporting profession as a whole. We want to project the image of being a part of advancing technology, a vital and irreplaceable piece of the legal system. Visualize a reporter sitting with her Diamante in front of her, wirelessly connected to her laptop, attorneys around the room viewing realtime wirelessly on any combination of laptops, netbooks, iPads, or tablets. This reporter brings value to the table and demonstrates the fact that WE are the future of reporting; WE are technology. Is this the image that you project when you're out on the job? Let your Stenograph team help you reinvent yourself and embrace the future of reporting technology.

Written by Michelle McLaughlin, CSR, Southern California District Sales Manager for Stenograph, with contributions by Chris Tobin, Los Angeles District Sales Manager for Stenograph



SUPPORTING OUR FUTURE

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Wendy Graves
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DRA SCHOLARSHIPS**

2013 NEWPORT CONVENTION WRAP-UP



Success on Display in Newport Beach: Ride the Wave with DRA!

With the completion of the Deposition Reporters Association's sold-out 17th Annual Convention in Newport Beach: Ride the Wave, we mark the close of a very successful 2012 under the leadership of President Susan Campana, CSR, RPR, whose guidance helped the association to grow in membership, in stature among state reporting associations, and in political clout in Sacramento.

Now with DRA launching a new term, we welcome the "new sheriffs in town": Incoming President Vicki Saber, CSR, RPR, CRR, CCRR, CLR; and Vice President Monyeen Black, CSR, CCRR, CLR. The leadership team has exciting plans in store for the association this year, including our newly announced "Get 3 - Go Free" convention promotion!

Saturday's board installation luncheon saw DRA's top honor, the Distinguished Service Award, bestowed upon Past President Mary Bardellini (2002-2004) for her years of service to the profession and to your association. Mary never fails to bring lighthearted fun while packing a serious punch, including volunteering to put together a marketing seminar when one speaker had an emergency -- with three hours' notice. With our heartfelt thanks, Mary's strength, camaraderie and drive are the embodiment of our values as an organization and as a profession. Photographic evidence of Mary's DSA acceptance has been posted to an album at facebook.com/caldra.

DRA is recognized nationwide for serving the freelance reporters of California, but the gathering of our colleagues and industry professionals from all over the country -- including Hawaii, Alabama, New York, New Mexico, Colorado, Oregon, Illinois and Texas -- proves why our conventions consistently receive great reviews! A strong CEU program, professional and firm owners tracks and a packed exhibitor hall with new technology and services debuting were a few of the highlights this year, not to mention the Friday night cocktail and networking receptions.

One big theme this year was the changing landscape of technology. Attendees learned the ins and outs of their CAT software, iPads, Windows 8, the latest wireless realtime technology and more apps and gadgets than most can keep track of. Additionally, freelancers covering the courts as official pro tems has been a big part of our year, and both professionals and firm owners experienced a day in the life of an official reporter with our continuing "Cover the Courts" seminars.

For the first time ever, a court reporting documentary is in production. Convention planners welcomed Marc Greenberg of Simply Steno as he and his team filmed an exciting look behind the scenes of the reporting profession, titled "On the Record." Video clips of the fun have been trickling out on social media, and more information is available at courtreportingmovie.com.

The past year has seen challenges in the profession, but your DRA has faced those head-on while fighting for steno reporters in California. Following our convention, your newly sworn board of directors has a renewed focus and has wasted no time in identifying new trials

in 2013 as we prepare our plan of attack. Don't miss out on what's next! Be sure to save the date for next year's 18th Annual Convention in sunny Palm Springs from February 21-23, 2014.

Thank you to our convention exhibitors and sponsors, whose products and services keep our profession moving forward and without whom we would not be able to keep our conventions as one of the best values in the industry:

The Neutrino Group
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and Videoconferencing
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Redwood Reporting
Stenograph
YesLaw
Pengad
System One Business Products
Bo Potter Insurance Agency
Margie Holds Court Publishing
LiquidSpace
KC's Court Reporting
CCROLA
L.A. Stenotype Service





by Antonia Pulone, Legislative Committee Chair

The following bills are currently under consideration by the California legislature and are being watched by your DRA lobbyist, Ed Howard, and your DRA Board of Directors. DRA carefully reviews and follows every bill introduced in Sacramento that could potentially have an impact on California CSRs, our profession or our livelihood.

A note of explanation, if you're not familiar with legislative terminology: AB stands for Assembly Bill, meaning the bill was introduced by a member of the Assembly, and SB stands for Senate Bill, meaning it was introduced by a Senator. The name in parens which follows the bill number is that of the author, the legislator who introduced and is carrying the bill. The status of each bill below is current as of May 9, 2013.

The bills in this report all happen to be Assembly bills and are shown in numerical order, except for AB 365 (Mullin), which is our current DRA-sponsored bill, and is saved for last.

AB 186 (Maienschein; Principal Coauthor: Hagman, plus 10 Coauthors)

Sponsor: Author-sponsored.

Summary: As amended, would require any board within the Department of Consumer Affairs to issue a temporary license, under given conditions, to a person holding a current license in another jurisdiction who is married to, or in a domestic partnership with, an active-duty member of the Armed Forces who is stationed in California.

Status: Heard by the Assembly Business, Professions & Consumer Protection (BP & CP) Committee on 4/30; passed. Re-referred to the Assembly Appropriations Committee.

AB 251 (Wagner; 3 Coauthors)

Sponsor: Conference of California Bar Associations

Summary: Would allow courts to use ER equipment in family

law cases if an official reporter or official reporter pro tempore is unavailable.

Status: Heard by the Assembly Judiciary Committee on 4/09; failed passage. Reconsideration requested by the author and granted by the committee.

AB 291 (Nestande)

Sponsor: Author-sponsored

Summary: Would abolish the Joint Sunset Review committee and establish the CA Sunset Review Commission within the Executive branch, consisting of 10 members, 8 appointed by the Governor, one each appointed by the Senate Committee on Rules and the Speaker of the Assembly. The director would be appointed by the commission members.

Status: Referred to the Assembly Accountability and Administrative Review Committee (A & AR). Hearing date cancelled at the request of the author; no new hearing date set.

AB 376 (Donnelly)

Sponsor: Author-sponsored

Summary: Would require any state agency that passes a regulation after January of 2014 to notify any business that would be required to comply with the new regulation of the existence of the regulation 30 days before it becomes effective. The agency would also be required to cooperate with the Secretary of State in accessing business records to obtain the contact information necessary to provide the required notice.

Status: In the Assembly Accountability & Administrative Review Committee. Hearing date postponed by committee; no new hearing date set.

AB 566 (Wieckowski, with 11 Co-Authors)

Sponsors: SEIU (Service Employees International Union) and AFSCME (American Federation of State, County & Municipal Employees)

Summary: Would establish specified standards if a trial court intends to enter into any new contract, or renew or extend an existing contract, for any services that are currently or customarily performed by trial court employees, or that were performed or customarily performed by trial court employees at the time the contract was originally entered into or previously renewed or extended.

Status: Heard by the Assembly Judiciary Committee on 4/09; passed. Minor amendments made. Re-referred to the Assembly Appropriations Committee; set for hearing. Referred to the Appropriations suspense file.

AB 648 (Jones-Sawyer)

Sponsor: Judicial Council of California

Summary: Would establish specific rules regarding the \$30 user fee to be charged by courts for any civil proceeding lasting one hour or less. Among other details, it would require that the fee be charged to the filing party, or parties if filing jointly, and be charged once per case for all proceedings conducted within the same hour, if the total time taken is one hour or less. Also, the fees are to be deposited into the Trial Court Trust Fund and be distributed back to the court where those fees were collected. This fee would be waived for anyone granted a fee waiver.

Status: Heard in the Assembly Judiciary Committee on 4/23; passed with offered amendments. Read second time and amended on 4/29. Ordered to third reading on 4/30.

AB 655 (Quirk-Silva)

Sponsor: California Court Reporters Association

Summary: Would allow, but not require, trial courts to establish the Reporters' Salary Fund, as currently exists in L.A. County, from which the salaries and benefits of official reporters would be paid. The fund would be replenished each month to ensure a balance is maintained to provide for reporters' pay. No amount is currently specified as to the size of the fund, but it's expected that an amount will be amended into the bill before being heard by the Appropriations Committee.

Status: Heard in the Assembly Judiciary Committee on 4/09; passed. Referred to the Assembly Appropriations Committee. On 5/08 amended and re-referred to the Appropriations Committee. Read second time and amended.

AB 679 (Fox)

Sponsor: California Court Reporters Association

Summary: Would require that the Judicial Council adopt rules that any party arranging for a CSR as an official reporter pro tempore must notify all other parties of that fact and that attempts be made to share the costs of the reporter to assure better access to justice for all parties to a proceeding.

Status: Referred to the Assembly Judiciary Committee. No hearing date set yet.

AB 788 (Wagner)

Sponsor: Conference of California Bar Associations

Summary: Would amend Section 69954 of the Government Code to allow for copies of non-computer-readable court transcripts, once purchased from the reporter, to be reproduced for internal use or in

response to a request for discovery, court order, rule, statute or subpoena, without paying a further fee to the reporter.

Status: Heard in Assembly Judiciary Committee on 4/22; passed with offered amendments. Read second time and amended; ordered to third reading.

AB 365 (Mullin)

Sponsor: **Deposition Reporters Association of California**

Summary: This bill adds a new section to the CCP that simply provides that official reporters and official reporters pro tempore shall be appointed as provided by Government Code Section 69942. In addition, the bill adds the clause "notwithstanding any other provision of law" to reinforce that the rule of CCP Section 273 applies in every circumstance—namely that only transcripts made by licensed official court reporters and official reporters pro tempore can be considered as prima facie evidence of that testimony and the proceedings.

In other words, CCP Section 273 establishes that transcripts made by official reporters are those that qualify as prima facie evidence of not just what occurred at a proceeding, but evidence of the testimony and proceeding itself, and all other transcripts are not entitled to be recognized with that evidentiary status. This Section is intended to limit the evidentiary status of the work product of officials in that statute to those transcripts that are done by licensees of the Court Reporters Board, namely "official court reporters" and "official reporters pro tempore."

However, the absence of a cross-referencing statute tying the Government Code definition of "official reporters" and "official pro tempore reporters" to this presumption in CCP Section 273 leaves an unwanted ambiguity in the interpretation of the statute, and this bill is intended simply to remove that ambiguity.

Status: Heard by Assembly Judiciary Committee on 4/09; passed. Read second time; ordered to third reading.

If you're interested in following the progress of these or any bills, go to www.leginfo.ca.gov, and click on "New Web Site for Accessing California Legislative Information," then on "Bill Information," and "Bill Search." Search for the bill number you are interested in and click on "Track Bill" to provide your e-mail address. You'll then receive emails from the Legislative Counsel whenever there is any action on that bill. Also, a "Guide for Accessing California Legislative Information" can be found at www.leginfo.ca.gov/guide.html, which contains a thorough glossary of legislative terms and a great deal of helpful material.



The DRA RealtimeARMY wants to know...

What did you discover was wrong with your realtime hook-up when it **didn't** work?

"The comport always seems to be the problem."

"My USB to serial would output, but when I tried to use it to receive, it didn't work. Radio Shack USB/Serial adaptors are not recommended."

"I was writing, but nothing was showing up. Found out my output to Caseview on translate option screen wasn't checked in CaseCat."

"The realtime cable wire didn't work. As soon as I plugged in another wire to my connectors, it worked!"

"Only had my USB/Serial driver on a CD. The attorney didn't have a CD drive! Should have downloaded that driver to a flash drive."

"The attorney only had the first line I wrote and nothing more showed. The attorney's software had the wrong reporter software picked in the 'connect to' realtime screen on LiveNote."

"Nothing but garbage words were showing up on the attorney's screen. I didn't need to practice more, but my baud rate and the LiveNote baud rate were different."

"The comport number was 11 on the throwdown laptop, but on my laptop LiveNote, it didn't show up. Turns out that the LiveNote software was a really old version that doesn't recognize double digit comport numbers. I had to go change the comport number 11 to be number 7 in device manager."

FACEBOOK COURT REPORTING PAGES

DRA

The Brief Exchange

Encouraging Court Reporting Students

Court Reporters Vent Here

Court Reporting Stuff – Buy/Sell/Swap

Chairs from Hell

Top Gun Realtime Reporters

One Word, Two Words, Apostrophe, Hyphen, OH MY!

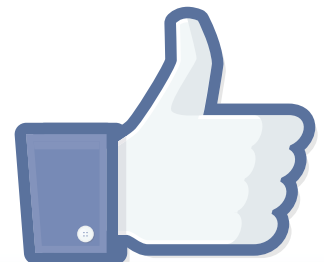
Punctuation for Court Reporters

Infinity writers users

Total Eclipse Facebook Group

Stenograph

Stenographers World



facebook®

THE CSR LICENSE AND YOU

Any California licensed CSR knows how stressful it was to take that CSR test, even if it was 30 years ago now. Wouldn't it be tragic to lose that license after all of that hard work?

Be very careful not to let that annual renewal invoice for your license get lost in your bill stack. The renewal fee is a mere \$125.00, and there is a 30-day grace period before you are charged a \$62.50 delinquent fee. During the grace period your license will be in a delinquent status. If you represent yourself as a CSR or utilize your CSR number while in a delinquent status you could be issued a citation and fine of up to \$2,500 per occurrence. Ouch!

There is no inactive status. You can elect to remain in a delinquent status (by not paying your renewal fee) for up to three years without the need to retake your examination. Business & Professions Code Section 8024.5 states, "A certificate which is not renewed within three years after its expiration may not be renewed, restored or reissued thereafter. The holder of the certificate shall return the expired certificate to the Board." This means that if your license is not renewed within three years during the delinquency period, you must take the entire CSR examination over again. Ouch!

A California court reporter's license may be suspended or revoked, or other disciplinary action may be taken, for any of the following:

- 1.) Conviction of any felony or any misdemeanor if the misdemeanor is substantially related to the functions and duties of a court reporter. Fraud, dishonesty, corruption, willful violations of duty, gross negligence or incompetence in practice or unprofessional conduct in or directly related to the practice of shorthand reporting.
- 2.) "Unprofessional conduct" including confidentiality; impartiality; filing and retention of notes, notifications, availability, delivery, execution and certification of transcripts; and any provision of law substantially related to the duties of a certified shorthand reporter.
- 3.) Repeated unexcused failure, whether or not willful, to transcribe notes of cases pending on appeal and to file the transcripts of those notes within the time required by law or to transcribe or file notes of other proceedings within the time required by law or agreed to by contract.
- 4.) Loss or destruction of stenographic notes, whether on paper or electronic media, that prevents the production of a transcript due to negligence of the licensee.
- 5.) Incapacity to perform the duties of a certified shorthand reporter due to physical or mental infirmity or incapacity.
- 6.) Inability to perform the duties of a certified shorthand reporter due to abuse of chemical substances or alcohol.

So be sure to always pay your California CSR license renewal fee as soon as you receive it, and always maintain the utmost professionalism and integrity on of behalf our beloved profession.

Save the Date!

**2014 DRA Annual Convention
February 21-23, 2014**

**Palm Springs — Rancho Mirage
The Westin Mission Hills Resort & Spa**





TEXT IN THE CITY

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forward! There was nothing fast about it. Everyone I knew qualified, passed the CSR, and started working before I did. Friends and family asked me, why not just give up? I remember reading an article that Toni O'Neill wrote about how no one can really understand what court reporting school is all about unless they've lived it. That article gave me so much encouragement!

The rest of the time is a blur, but eventually I passed the RPR, then the CSR. I wasn't one of those who passed the first time – not by a long shot! Becoming a reporter has been the hardest thing I've ever done. You can't cram. You can't fake it. You have to work and work and work. One of my dearest friends used to say, "Discipline is the price of freedom." I truly believe it is! Discipline and hard work led me to a profession I love. Yes, reporting can

provide a very lucrative income, but it involves a lot of discipline and hard work.

I always thought I would be an official, and I was for a short time in the 2004-2005 timeframe. I enjoyed the people I worked with in court, but the long hours and schedule just weren't conducive to running a household that included four teenagers. Reporting depositions has been a perfect career for me. I was able to work in the kids' classrooms when they were young and be involved in their lives. I have the freedom now to help my mom out (92) when she needs me.

The best part of being a deposition reporter is the freedom to work or not work and to be exposed to so many interesting cases and subjects. Every day is different. Every day can be a challenge. Some days are very easy. Other days are just the opposite and I wonder what I'm doing! Being an integral part in the judicial system is so rewarding. I'm proud of what I do, proud of the product and service I

provide, and am so interested in getting better at my job and continuing to learn.

A late night trip to the grocery store led me to this profession. It has allowed me to help out with the bills, my original goal, but it has offered me so much more and such a rich experience, and I have made some close friends along the way.

Linda Lawson and Sue Coleman, among other instructors at West Valley College, were my rock of support during school.

Lisa McMillan, firm owner and friend extraordinaire, was my rock during school days and all other days.

My wonderful father (1917-1997) always told me, "You can do anything you put your mind to, count your blessings, and I'm so proud of you." That's love!

The rest of my family and my fantastic kids – love you all.

Life is truly good!

Robin Riviello, CSR, RPR, is a freelance reporter in Santa Cruz and DRA Representative for District 2.



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MARY BARDELLINI, DRA'S 2013 DISTINGUISHED SERVICE AWARD

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on numerous projects. I can say that she is not only a dear friend of mine, but she has also been a teacher and mentor to me as well.

Knowing all this, I struggled with how could I present this fabulous woman with the Distinguished Service Award. How could I make her award memorable? I had to ask this question -- a question that I often ask myself in my daily life -- "What would Mary do?"

Well, the first thing she would do is make sure it started off with a bang -- she'd come in on a scooter, dress up like a pirate, or run in with a surfboard. She would make it fun and exciting. DRA Olympics? Remember that? Yes, Mary's idea. Marital Idol? Are you Smarter than a Fifth Grader? Fun, fun and more fun thanks to Mary!

Okay. But "What would Mary do" next? Well, it's not all fluff with Mary. There has to be substance. From her seminars on Putting your Best Foot Forward, How to Use a

Scopist, and Survivor Reporting, Mary has graciously shared with all of you, her peers, her 39-plus years of experience in this industry. She truly is a giver and a wonderful teacher.

Need advice? DRA's board of directors and presidents have always enjoyed Mary's candor and guidance. She has been a speaker at DRA board retreats on several occasions, and she has shared her insights into the challenges of different personalities working as a cohesive group while always keeping the mission and future of DRA at the forefront. Suffice it to say that she is the DRA expert in working as a board and not as individuals.

What would Mary do? Well, in a presentation like this, she would give it her heart. I remember a difficult time during my presidency -- oh, believe me, all the presidents have had these moments -- and Mary took my call and gave me sound advice. The next day I received flowers with a card signed by her and all the other DRA past presidents. This is just one example of many where Mary is called on for advice and how she still helps today's DRA leaders lead.

But I think Past President Lisa Michaels said it best, and I quote:

"Through all the tough decisions, the legacy of Mary kept my blood pressure down, my negotiation head straight and has reminded me that how I act, what I say, and who I inspire is what will be remembered."

So what would Mary have done to wrap this up? She would have led the applause to celebrate the recipient. So I invited our over 200 lunch guests to stand and wave Mary's Head on a Stick. In classic Mary style, I expressed to this woman how much we love and appreciate her as I presented her with DRA's 2013 Distinguished Service Award.

Mary, from all of the DRA members and leaders, we thank you!



What's New At The Court Reporters Board of California?

Spring Newsletter

http://courtreportersboard.ca.gov/formspubs/spring_2013.pdf

Citations and Fines

<http://www.courtreportersboard.ca.gov/lawsregs/cite-fine.pdf>

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