

The Deposition Reporter

DEPOSITION
REPORTERS ASSOCIATION
OF CALIFORNIA

MARCH 2019

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ASSOCIATION DEDICATED TO
THE FREELANCE
DEPOSITION REPORTER



PRESIDENT'S MESSAGE

DIANE FREEMAN, CSR, RPR, *CalDRA* PRESIDENT

I AM READY TO LEAD!

As I take the gavel, I wish to thank the many previous CalDRA leaders who so generously took the time to share their wisdom and offer overwhelming support for the new 2019 Board of Directors.

A special thank you to Cheryl Haab, immediate past president, for her strength in guiding the 2018 board to unprecedented heights of accomplishment and for stewarding this organization to a new level of statewide and national recognition. I am determined to continue her momentum.

To those of you who were in Santa Barbara and witnessed my utter fear when the moment of truth arrived and I stepped up to the podium to address nearly 300 convention attendees, knowing it's all on me now, rest assured: I am prepared to lead this new energetic board full throttle. That momentary state of nerves has turned into outrage and anger at the barrage of attacks that have recently been levied against our profession with talk of digital recording and video-only nonsense. These "technologies" cannot compete with licensed professional California Certified Shorthand Reporters, human beings who have passed one of the most grueling state exams at 97.5 percent accuracy.

CONTINUED ON PAGE 3

BOARD OF DIRECTORS

PRESIDENT



DIANE FREEMAN,
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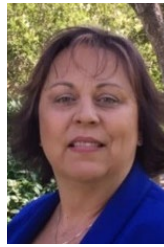
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DISTRICT 4



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County Represented: Orange County, plus all Professional Members residing in counties or states other than California or the USA.

DISTRICT 5



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County Represented: Imperial, Riverside, San Bernadino, and San Diego counties.



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PRESIDENT'S MESSAGE

CONTINUED FROM PAGE 1

Following our hugely successful 23rd annual convention in Santa Barbara, themed “**BE EXTRAORDINARY**,” your new 2019 CalDRA board got to work immediately. The following Monday, I traveled to Sacramento to meet with Ed Howard, CalDRA’s attorney and legislative advocate, to help promote recognition of Court Reporting & Captioning Week on the floor of the California State Assembly.

The following week, CalDRA president elect Kimberly D’Urso and CalDRA vice president Kelly Shainline spoke on behalf of our CalDRA-sponsored bill, AB 424, aimed at preventing deceptive digital recording sales pitches. Imagine my glee when I received word from the National Court Reporters Association that they were submitting a letter of support for our bill! Thank you NCRA! We are all in this together. We’ve got this. Each and every one of you has something to contribute, so please join our fight. We have a powerful voice and a great profession!

KNOW THIS: Your new board is nearly bursting with one thing: **Determination**.

Determination this year to write the next chapter in the book of the Deposition Reporters Association of California. It started years ago with the Court Reporters Board’s successful lawsuit against U.S Legal Support where, for the first time, a so-called “big box” was found by a court to be a professional corporation like licensee-owned firms.

Determination this year to fight for legislation that would require such corporations to have a California licensee on the hook, like you and me, with the same stake in losing their license for corporate misdeeds.

I am determined that THIS is the year we get these things done!

If I can make one promise to you as your new president and on behalf of your new board, I make this one promise to you:

Over-My-Dead-BODY will you and I be replaced by machines!

Not on my watch. Not on CalDRA’s watch!

What I can tell you is this is something we need to do together, all of us, to preserve our paychecks, to preserve our profession, to preserve and defend **our dignity**.

We at CalDRA care deeply about every reporter. We don’t judge you based on whomever you choose to work for or not work for. That is up to you. Every person, every family is different. We respect that. Your business is none of our business.

Fueled by that respect, inspired by the fighting spirit of the amazing men and women that founded this organization more than 20 years ago, and confident in the knowledge that there is NOTHING we reporters can’t do...

LET’S GET TO WORK!

DIANE FREEMAN, CSR, RPR,
CalDRA PRESIDENT

WHY I SUPPORT DRA

BY JEN SCHUCK



As CalDRA'S 2019 convention wraps in Santa Barbara, I am rejuvenated and motivated to be the best I can be. The theme this year was "Be Extraordinary." In my opinion, this organization is run by a group of super classy women that are already extraordinary!

I do not live in California. I am not even a deposition reporter – anymore. I am a captioner who lives in Scottsdale, Arizona. However, I am a licensed Certified Shorthand Reporter in California. Why am I licensed in California, you might ask. Because the California CSR has always had a reputation to be "the" CSR exam in the country that you want to pass. A few years ago I felt the desire to challenge my skills to make sure I was still able to pass a certification exam. If you're going to mentor students, remind yourself what it is like to walk in their shoes. It was a long time ago that I was a student. I passed – but not without studying for the written exams and the nerves and anticipation of a testing environment.

Fast forward to joining DRA. I have heard from other reporters over the years the conventions are great. I decided to become a member and watch from afar – this was at least six years ago. In this last couple of years, I have taken notice of their advocacy efforts at the California legislature. There has been a lot! They see issues that affect our profession and then discuss how to effect change. Not everyone is of the same opinion, but what sets DRA apart from other associations is they are talking about these issues – out in the open, professional discussion from all points of view -- and then a plan is created to move forward.

This past weekend I witnessed some of the classiest women speaking their opinions in a professional manner. No egos. No finger pointing. Open dialogue about some really important issues affecting the stenographic profession. Disagreements amongst professionals were had without communication breakdown.

Many state associations are struggling financially these days. I feel CalDRA is strong and growing stronger every day. They represent me as a stenographer. What happens in the judicial field affects me as a captioner. We are all stenographers. We are all magical by taking the spoken word and putting it into text – whether you are producing a transcript or captioning. We have options on what organizations we choose to support. The California Deposition Reporters Association values me as a stenographer and, in turn, I will support them in whatever way I can.

Thank you, CalDRA Board Members, for your service!

[Applause]



TALKING POINTS: WHY CERTIFIED SHORTHAND REPORTERS ARE THE GOLD STANDARD

With the use of social media and targeted markets, big box court reporting firms are touting the use of digital recording as the wave of the future. Their perceived answer to the shortage of Certified Shorthand Reporters throughout the country is to introduce what they are promoting as new technology. This new technology involves a “trained” person sitting with a digital recording device, operating a machine, while taking copious notes concerning the proceedings, all the while marking exhibits and ensuring the proper times to go on and off the record. The recording is then sent to a person with no certification to perform the task, perhaps even in a foreign country, to transcribe through automated speech recognition, in cahoots with the digital recording and notes from the person who was in the room at the time of the proceedings.

How anyone can claim that this procedure sounds effective and high tech is beyond me. If this proceeding had been reported by me, the attorneys could have had an uncertified transcript within their possession minutes after the fact. The certified transcript to be used in court comes the next day. Here’s the question I have: Why would the legal professional want anything less?

Courtrooms throughout the country have tried repeatedly to find other methods to produce a transcript other than utilizing court reporters. We cost money, we are hard to replace, oftentimes being a burden to administrators who need to find a CSR. They need to pay for reporters’ health care, vacation time, and other miscellaneous benefits. A machine would make that all go away. But historically, we ALWAYS win out. Courts are jam-packed with backrooms filled with tape recordings devices that couldn’t fill the demands that are required for the most accurately coveted record.

To court reporting students and newbie reporters, this threat may appear daunting and plausible, undermining their confidence in their career choice. After all, no one wants to enter a field that appears to be outdated and archaic.

Rest assured, court reporters of the world, this is old packaging in a new box. The threat of replacing court reporters has plagued the industry since the invention of the tape recorder. People find it hard to believe that a highly trained person can produce a transcript more accurately, more timely, and more cost effectively than any piece of technology, no matter how shiny or technologically savvy the replacement appears.

Associations throughout the country are leading the fight to educate attorneys and the legal community how valuable our services truly are, especially with a plethora of young tech-savvy attorneys who think it’s feasible to automate us out of business.

The Deposition Reporters Association of California continues to be at the forefront of this fight. Since knowledge is power, our consortium of dynamic and intelligent leadership is prepared to educate and, in the process, chart the future of our industry by working with legal groups and legislators. I urge every freelance reporter in this state to accept the same call to action and help bear the responsibility of proving that licensed certified shorthand reporters produce the record that the legal community should dare not compromise.

INTERVIEW WITH JOSIANE GOLDMAN, CSR 13132

BY DEBORAH MEYERS



Q. How long have you been reporting?

12 years

Q. How did you choose to become a court reporter?

Short version: I was working in a law office transcribing tapes all day and someone recommended that I do medical transcriptioning at home. When I went to check out the school, their main program was actually court reporting. I did not know much about court reporters, but I thought it would be perfect for me, since I had graduated law school in Brazil, and this way I could still work in the legal field.

Q. What kind of assignments do you prefer and why?

It changes. I used to really enjoy medical malpractice depositions and experts of all kinds because I felt like I was learning something interesting. But since having a kid, I take a lot of civil court hearings and occasional easy PI and workers' comp depositions because I know they're quicker and I don't want a lot of homework!

Q. What are your favorite and least favorite things about reporting?

The flexibility, the ability to adapt and stay in the workforce as my life changes. I love to feel mentally challenged, I love working independently, I love the chance to dress up, I love the variety of a new case every day. I am frustrated by the decline of respect for the work we do, how attorneys seem to not care as much for the record as they did ten years ago.

Q. Tell us about your family and your pets.

I have an awesome husband who understands what it takes to do my job (and constantly nags me about my deadlines), an adorably sweet seven-year-old boy, and three cats that are all best cats, though they like to "staple" my exhibits :)

Q. Where did you grow up?

I was born in Brazil and unexpectedly moved to New Jersey when I was 24. I had just graduated law school and had a very basic grasp of English. It's a bit of a miracle how I ended up doing what I do!

Q. What do you like to do when you are not reporting?

Lots of things! I definitely would know what to do with myself if I retired! Right now I usually spend my free time cooking, reading, and dancing hula.

Q. Do you have a secret talent?

I am the type of person who can do a lot of things reasonably well, but I don't think I excel at anything in particular. I guess my superpower is being resourceful.

Q. If you had to give up one of these forever, which would it be?

Coffee, ice cream, or alcohol? Definitely ice cream! Don't all court reporters run on coffee and alcohol alone?

Q. Do you speak any other languages? Which ones? Do you think it helps or hurts you when reporting?

I speak Portuguese, and while everyone seems to think that being an ESL speaker is a disadvantage, being fluent in another language actually helps me understand accents and can also help with spelling when you know the root word in a Latin language.

Q. Why are you a part of DRA?

Because I feel like DRA truly has our best interest at heart and truly advocates for the profession, more so than other associations throughout the country.



CHRIS DUNSMORE - CalDRA SCHOLARSHIP PERSONAL STATEMENT

When people ask me what I do, I always have to remind myself to be careful. If I'm not careful, I often find myself rambling on and on about court reporting, stenography, and transcription, and noticing just a little too late that my interlocutor has tuned out and is now waiting for me to stop talking. For me, though, it's all very exciting—what I'm learning in court reporting school, what I'll be doing as a court reporter, and what I've been doing in my work as a transcriptionist. Court reporting fits my interests and my skills perfectly, and I'm always happy and proud to tell people about the profession I'm joining. I think I should receive a CalDRA Scholarship because, like I tell people who ask, I know that I want to do this work, that I can do this work, and that I will contribute to the court reporting profession. But I do need some financial support to push me over the academic finish line in the next year.

I have always had a passion for words, for reading, and for writing. These passions are foundational to who I am. If a day or two go by and I haven't read a chapter of the book I'm enjoying, or if I haven't had time to write in a while, I get antsy. This connection to language led me to study creative writing and book making. But I managed to earn a master's degree—reading and talking about great novels and poems, experimenting with language, using my hands to make my own books—without ever really thinking about what I wanted my career to be. Luckily, the university I attended provided me with a job that, to my surprise, I fell in love with: transcription. I was hired to transcribe oral history interviews, and I became fascinated by the process. Here was a strange confluence of things I enjoy. I get to write, listen to stories and the way people tell them, learn new facts and new ways of thinking, and earn a living. This was the job that set me on a path to court reporting.

When I first learned about the court reporting profession, I had a feeling that it would be something I could do. An acquaintance who was attending court reporting school described to me what it's all about, and I thought it would be similar to my transcription job. I soon found out that, though there are aspects of transcription and court reporting that overlap, the skills required to become a court reporter are unique, even a bit quirky. I met with teachers at College of Marin, who described the school's requirements and explained how long it might take me to finish. But when they brought out the steno machine, I realized that I just might be quirky enough to become a court reporter. Here was a whole new language, a language that, after learning theory, I could mold to my own mind and my own hands. I would have a personal dictionary, my own unique language. And on top of that, I would basically be learning another instrument. I could use my experiences and linguistic skills developed as a transcriptionist and writer, and my dexterity as a bookmaker and musician, to make a career for myself.

My hunch—that court reporting would be something I could do and would want to do—has been confirmed. I have moved steadily through school and have only grown more fascinated with stenography and court reporting as I have progressed. This semester I have been shadowing professional reporters, and my experiences in the courtroom and in depositions have been affirming. I feel confident with my skills, and I feel comfortable in court reporting settings. Happily, I have also discovered how kind and supportive the reporters in my area are. I know I want to be a part of this profession. The CalDRA Scholarship will help me do that by contributing to the school fees, test prep, and technology and equipment upgrades I will need to get certified and start working.

When people ask me what I do, I'm always excited to explain my passion to them. I love explaining stenography and my machine and the court reporting profession. But I can't wait until I'm working so that I can show people what I can do, too.

Thank you for your consideration,

Chris Dunsmore

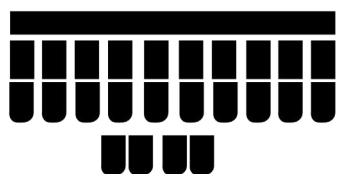
CalDRA Members:

Congratulations to you! Because of YOUR advocacy, a “Stenographic Sticker Revolution” strategy is being implemented by reporters across the United States. Reporters are posting stickers to laptops and writers and posting their photos on social media. All of this as a show of solidarity and pride for what we do, and also as a way to educate curious attorneys and legal professionals.

CalDRA has received generous donations to our War Chest from reporters as far away as New York, Florida, West Virginia, Michigan, Connecticut, Oregon, Pennsylvania, Washington, Texas, and Montana. Our sister state associations have taken our lead and tailored stickers for their own states, as well. How wonderful it is to see reporters standing strong together to promote stenographic reporting across the United States. Keep it up!

Keep the War Chest donations coming. CalDRA will be working hard in our efforts to increase the protection of stenographic reporting over digital recording. If you would like to donate to our War Chest, please go to: caldra.org/war-chest. FB message Kimberly D’Urso with your address, and she will send your stickers.

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“READY, BEGIN.”

BY HOLLY MOOSE

Possibly the two most anxiety-provoking words for a court reporter participating in a speed or realtime competition. However, on February 22nd, 2019, those words did not faze in the slightest our 23 brave warriors. YES, 23! A RECORD TURNOUT!

CalDRA hosted its 23rd annual convention at the Hilton Santa Barbara the last weekend in February, and the opening act was its sixth annual California Realtime Competition. What an amazing display of talent, camaraderie and good will amongst the competitors. They genuinely wanted each and every one of their fellow colleagues to do well, and the positive vibes seemed to help everyone relax just a little bit. Except me. I was a wreck, and I was only a spectator.

The instructions were given. The “play” button was pushed. The recorded lead-in was dictated, followed by a brief pause. As we held our collective breath and waited for those two hateful words, the room was so still you could hear a pin drop. And then finally ...

“Ready, begin.” They were off to the races! Six minutes of literary at increasing speeds of 185 to 210 words per minute, followed by six minutes of Q&A at 225 words per minute, followed by ... SILENCE ... then an enormous unified sigh of relief! It was over, and they had DONE it. I wanted to hoot and holler at the top of my lungs and cheer them all on for being so brave!

Bubbling with relief and excitement, everyone filed out onto the beautiful, sunny oceanfront deck for a group photo and then hunkered down to grade their own tests. This is a newly implemented feature in the competition, which seemed well received this year. It gave the participants an opportunity to get an idea of how they performed, while waiting for the official results to be announced the following day at the awards luncheon. Once the self-graded tests were collected, the scores were verified by the committee (Andrea Chavez and myself) and our many



wonderful volunteers who gave up their afternoon to help grade: Laura Brewer, Lorrie and Sophia Marchant, Heatherlynn Gonzalez, Celeste Poppe, Claudia Stevenson, Kellie Zollars, Charlotte Roche, Anne Torreano, Allison Ash Hoyman and Paige Hutchinson. THANK YOU ALL! We couldn't do this without you!

Saturday's luncheon was spectacular. The room was beautifully decorated and buzzing with excitement. Various awards were bestowed and colleagues honored. It was a packed house. Finally, the moment of truth arrived. We began to call the realtime competitors up to the podium to receive the recognition they so deserved, be it a trophy or a certificate or both. Another new feature of the competition is the beautiful certificates awarded to participants for every minute through which they qualify with an accuracy rate of 95% or more. Not only do they deserve it, this allows the audience to know who participated and how well they did, even if they aren't going home with a trophy.

CONTINUED ON PAGE 10



HERE ARE THE RESULTS!

LITERARY CERTIFICATES:

Qualifying Through Minute 2:

Stephanie Leslie, Kelly Bryce Shainline, Heather Bautista, Victoria Valine, Cynthia Vega, Harry Palter, Jamie Asbury

Qualifying Through Minute 3:

Lucy Carrillo-Grubbs, Susan Portale, Michelle Kirkpatrick, Shawnda Dorn, Tricia Rosate

Qualifying Through Minute 4:

Ana Dub, Rich Germosen, Patrick Mahon

Qualifying Through Minute 5: Chase Frazier

Qualifying Through Minute 6: 4th place, Jen Shuck

LITERARY MEDALISTS:

1st Place Mark Kislingbury, 98.6%

2nd Place Jo Ann Bryce, 98.3%

3rd Place Ron Cook, 98%

Q&A CERTIFICATES:

Qualifying Through Minute 2:

Jamie Asbury, Heather Bautista

Qualifying Through Minute 3:

Susan Portale, Kelly Shainline, Monyeen Black

Qualifying Through Minute 4:

Harry Palter, Shawnda Dorn

Qualifying Through Minute 5:

Lucy Carrillo-Grubbs, Tricia Rosate, Stephanie Leslie, Chase Frazier

Qualifying Through Minute 6:

4th place Jo Ann Bryce

5th place tie: Patrick Mahon and Rich Germosen,

6th place Ana Dub

Q&A MEDALISTS:

1st Place Jen Shuck, 98.4%

2nd Place Mark Kislingbury, 98.31%

3rd Place Ron Cook, 97.6%

OVERALL TROPHIES:

1st Place Mark Kislingbury, 98.46%

2nd Place Jen Shuck, 98%

3rd Place Jo Ann Bryce, 97.91%



Congratulations and THANK YOU DEAR COMPETITORS. We definitely couldn't do this without YOU!

I am so proud of these reporters for challenging themselves and devoting their precious time to being the best they can be. These amazingly talented individuals give the entire profession something of which to be truly proud, something we can all hope one day to emulate. I invite and encourage each and every one of you to give serious consideration to joining in the fun next year. Challenge yourself! You can do it! I promise you it's worth the effort.

I'M ON THE DRA MEMBERS-ONLY FACEBOOK PAGE – AND WHY YOU SHOULD BE

There likely aren't many of you that were more resistant to participating in social media platforms than I. Life is busy, especially these days in the court reporting world, and we all have seen instances where these platforms have been used to post or comment in a less-than-admirable fashion. A few years ago, for networking purposes, I finally joined Facebook. I would estimate that 90 percent or more of my "friends" are court reporters. And I have reaped the benefits in more ways than I ever would have anticipated from the various pages dedicated to different aspects of the court reporting profession. And the CalDRA Members-Only Facebook page is a sterling example. If you haven't joined, you should. Here are a few of the reasons:

- FB members-only page allows you to ask questions of fellow reporters based in CA who are familiar with CA laws
- Have your questions answered by professionals who are invested in their career and often more informed than nonmembers
- Information and updates released by DRA for members only, including breaking legislative news released to members before the general public
- Presence on social media page raises professional stature for networking purposes
- Quick and fun way to get info without having to read long emails or do extensive Google searches
- For firm owners, you can post jobs on the DRA page. When trying to cover assignments, knowing you are getting a DRA reporter helps you to ensure that you are sending an engaged, professional reporter to the job
- Be advised of upcoming events and the many ways that DRA is working on your behalf

Go to Facebook, type in "Deposition Reporters Association of California – Members Only," ask to join, and admin will promptly process and approve your request.

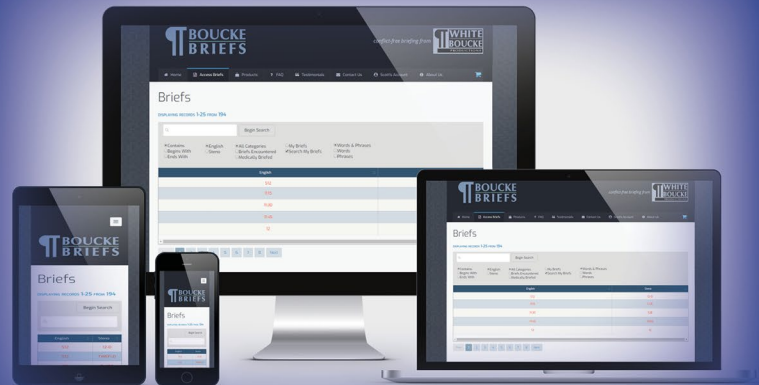
New Members

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Gwen Brass	Bethany Glover	Susanne Paisley
Joanne Chiaravallotti-Larson	Mechelle Gonzalez	Harry Palter
Janice Darby	Janet Hirsch	Linda Parks
Kenynia Darden	Jamie Kirk	Retta Parsons
Tina Dulco	Molly Kramer	Cherree Peterson
Nicole Duzich	Ruth Levine Ekhuas	Lisa Richardson
Brianna Figueras	Christen Marquez	Kristina Santana
Lisa Flores	Marty McArver	Melody Tice
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THANK YOU FOR YOUR CONTRIBUTIONS!

Evelyn Mah

Mary Ann Payonk

Janet Taylor

Claudia Stevenson

Jennifer Schuck

Patty Garaventa

Lisa Michaels

WE NEED YOUR HELP NOW FOR DRA'S WAR CHEST



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Ask DRA

BY ANTONIA PULONE, DEPO DIPLOMAT

DEAR DEPO DIPLOMAT:

A question re: CCP 2025.220(a)(5)

The notice of deposition for tomorrow's job reads: "Notice is further given that said deposition will be recorded stenographically and may be videotaped by a certified video reporter in accordance with Code of Civil Procedure section 2025.220(a)(5)." I searched the code section (as best I knew how) and found no "certified video reporter." Do I try to tactfully correct this misunderstanding, or let it go? Is this a "digital recorder"?

Thanks so much.

DEAR DRA MEMBER:

You're absolutely right that there is no reference anywhere in the CCP, or in any other California Code or Federal Rule that I'm aware of, to a "certified video reporter." The section this notice cites, CCP 2025.220 (a)(5), requires that any intention to audio or video record a deposition in addition to the stenographic record should be included in the notice as well as any intention to have realtime, or "instant visual display of the testimony," available. While NCRA offers a CLVS certification for a Certified Legal Video Specialist, which is earned by demonstrating a proficiency in video deposition practices, that's not meant to designate that the videographer is certified as a reporter. So I have no clue what the attorney is referring to, and I suspect neither does he.

It could be that this language has been included in the notice in the event that the depo might be recorded by video only if no reporter is available. It's also possible that he has heard about the suggestions given lately by some reporting firms that since they may be providing digital recording in lieu of a CSR, that attorneys should add that alternative reporting method to their depo notices as possibly being used. Perhaps this attorney has attended a depo that was recorded by video only, where no reporter was present, and for some reason now thinks that videographers who report depositions under those circumstances are certified in some way, but there is no such certification.

You might try tactfully asking this attorney about his reference to a "certified video reporter" in his depo notice, if you feel comfortable doing so. I think he should be informed that, one, there is no such certification and, two, that the CCP just requires that video be included in a depo notice if it may be used, but that is only in addition to the stenographic reporter, who is certified by the Court Reporters Board under the Department of Consumer Affairs.

I hope this helps, and if you have any other questions on this, feel free to contact me at this email address. Also, if and when you speak to the attorney, I'd love to hear about what response you receive.

DEAR DEPO DIPLOMAT:

Thanks so much, Toni, for replying. My passive idea was to bring the DRA "Know The Risks" one-page document and put it on the table for all to peruse. My slant will be protecting the attorney's record, having recently been informed of this at our DRA convention. I did find out that this job I'm reporting tomorrow is networked with a national firm, and they may have something to do with that language being in there.

DRA BILL WATCH

ANTONIA PULONE, CHAIR, LEGISLATIVE COMMITTEE

Our bill watch report that appeared in the last newsletter was very brief, since at that point the legislature in Sacramento had been in session only a few weeks at the start of this 2019-2020 two-year session. But several bills with potential consequences to our members and the reporting profession have been introduced in the past three months, so this report has now stretched to include 12 bills, which we will be following to their conclusion.

CalDRA's legislative committee, guided by our skilled attorney and lobbyist, Ed Howard, will be closely watching all of the legislation listed below, and you can count on us to keep you informed by means of these reports and enotes on occasions when we have especially significant news to share with you.



ACR 24 (STONE)

Summary: This Assembly Concurrent Resolution proclaimed that February 9 to February 16 of 2019 was to be observed as California Court Reporting and Captioning Week, to honor all reporters and captioners as guardians of the record.

Support/Opposition: Supported by DRA and CCRA. No opposition on file.

Status: Passed by both houses. Enrolled, 3/12/19

AB 5 (GONZALEZ)

Summary: This bill intends to codify the Dynamex decision by including provisions in the CA Labor Code that would clarify its application in State law. The "ABC" test, which resulted from the Dynamex case, expanded on the definition of employment versus independent-contractor status. Given the possible implications to freelance reporters and agencies, DRA's legislative committee will be watching the progress of this bill very closely.

Support/Opposition: None on file.

Status: Not yet assigned to a status committee.

AB 71 (MELENDEZ & KILEY)

Summary: Rather than relying on the "ABC" test which resulted from the Dynamex case, this bill would determine employee versus independent-contractor status based on a multifactor test, including whether the hiring entity has control over the manner and means of performing the work involved. As this has important consequences for reporters and reporting agencies, we will also be very closely following the progress of this bill.

Support/Opposition: None on file.

Status: Amended on 2/25 and re-referred to the Committee on Labor and Employment. No hearing date set yet.

AB 71 (MELENDEZ & KILEY)

Summary: Rather than relying on the "ABC" test which resulted from the Dynamex case, this bill would determine employee versus independent-contractor status based on a multifactor test, including whether the hiring entity has control over the manner and means of performing the work involved. As this has important consequences for reporters and reporting agencies, we will also be very closely following the progress of this bill.

Support/Opposition: None on file.

Status: Amended on 2/25 and re-referred to the Committee on Labor and Employment. No hearing date set yet.

AB 199 (CALDERON)

Summary: Known as the CA Online Notary Act of 2019, this bill would allow notaries and notary applicants to register to be online notaries, and authorize them to perform online notarial acts and online notarizations by means of audio-video communication.

Support/Opposition: None on file.

Status: Referred to the Committee on Business & Professions

AB 424 (GABRIEL)

Summary: This DRA-sponsored bill would clarify existing law that a stenographic transcript of a deposition recorded by audio or video must be prepared by a CA CSR.

Support/Opposition: CalDRA (sponsor) and Esquire Deposition Solutions, Inc.; opposed by Planet Depos.

Status: Passed unanimously by Assembly Judiciary Committee; passed by the Assembly. Referred to the Senate.

CONTINUED ON PAGE 17

DRA BILL WATCH

CONTINUED FROM PAGE 16

AB 496 (LOW)

Summary: Changes the requirement for the Director of the Dept of Consumer Affairs to report certain audit or review findings. In the B & P Code, changes “licentiate” to “licensee” and replaces gendered with nongendered terms.

Support/Opposition: None on file.

Status: Referred to the Committee on Business & Professions; no hearing date set.

AB 1264 (PETRIE-NORRIS)

Summary: The bill simply changes one word in Section 101 of the B & P Code, which lists the various boards and bureaus within the Dept of Consumer Affairs, to say, “The department is composed of the following” rather than “comprised.”

Support/Opposition: None on file.

Status: May be heard in the Committee on Business & Professions March 24.

AB 1520 (COMMITTEE ON BUSINESS & PROFESSIONS)

Summary: Known as the Sunset bill, this would extend the authorization for the operation of the Court Reporters Board from Jan. 1, 2020, to Jan. 1, 2024. It would also make an appropriation for the Transcript Reimbursement Fund.

Support/Opposition: None on file.

Status: May be heard in the Committee on Business & Professions on March 25.

SB 16 (ROTH) (CO-AUTHORED BY ASSEMBLYMEMBERS CERVANTES AND OBERNOLTE)

Summary: The bill would appropriate \$8,887,800 from the General Fund for six Superior Court judge positions. The Judicial Council would determine which positions to be funded. We hope that officialships to support these judgeships would also be established.

Support/Opposition: None on file.

Status: Set for hearing March 26 in the Senate Judiciary Committee

SB 17 (UMBERG)

Summary: Would require a court to impose sanctions against any party, person or attorney who engages in conduct that’s a misuse of the discovery process.

Support/Opposition: None on file.

Status: Referred to Committee on Rules; no hearing date set.

SB 179 (NIELSEN)

Summary: This would enact the Excluded Employees Arbitration Act, to permit an excluded employee who files certain grievances with the Dept. of Human Resources to request arbitration and provides a party to the arbitration the right to have a CSR report the proceeding, which would become the official record.

Support/Opposition: None on file.

Status: Set for hearing on March 27 in the Committee on Labor, Public Employment & Retirement.

SB 645 (MONNING)

Summary: In any civil action where the injury results in mesothelioma or silicosis, the deposition testimony of the plaintiff shall be limited to a total of seven hours, if a physician attests to the plaintiff’s condition and he may not survive beyond six months. But on request of the defense, the court may grant up to three additional hours of testimony, not to exceed ten hours total.

Support/Opposition: None on file.

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

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