

The Deposition Reporter

DEPOSITION
REPORTERS ASSOCIATION
OF CALIFORNIA

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President's Message



Sue Campana, *CSR, RPR*

How can it be the end of July already? It seems as though spring flew by this year. So much so, in fact, that I'm still finishing up my annual spring cleaning. It's always an enormous undertaking to clean out my closets and drawers and files, donating what items I can to charity, discarding what needs to be discarded, and then shredding whatever paperwork I no longer need. Perhaps it is taking longer this year because in addition to my usual cleaning, I added a few more unconventional areas to work on – cleaning up my attitude and also asking for help and support when I'm feeling overwhelmed and in need of a little encouragement.

While I like to think I don't have a negative attitude about much, especially with regard to reporting, sometimes I do find it difficult to maintain a positive outlook after a particularly stressful day or when hearing

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2013 Annual Conference Newport Beach

An Interview with Ed Howard, Attorney at Law, re US Legal

Recently, Sue Campana, DRA President, sat down with our legislative advocate and attorney Ed Howard to get a better feel for what the recent lawsuit and decision means in the real world of reporting in California.

Q. Good Morning, Ed. First of all, DRA thanks you so much for representing us at the Santa Clara courthouse during one of the most important trials in the history of California freelance court reporters. DRA was the only reporter association sitting at counsel table and submitting briefs to argue this case for the stenographic freelancers in California.

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President's Message

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the attorneys announce, "We're planning to stay as long as it takes, even if it's midnight. We hope that doesn't inconvenience you." Or perhaps after asking counsel if they would like to purchase a copy and hearing the response, "No. That's okay. I'll share Mr. Smith's." Or my favorite, "No other court reporter has ever asked me to slow down."

Little occurrences such as those can drag you down mentally. This profession is challenging enough without adding extra pressure on ourselves by not having a good outlook and a support system in place to keep us motivated and engaged. Whenever I feel those pesky little doubts weighing on my mind, I know I can lean on my friends and colleagues at DRA to help me through my day and support me. For me, DRA is just that, part of my support system, and I hope it is for you also.

On May 19th, DRA held its first RealtimeARMY seminar. 85 excited reporters marched in for duty, ready to forever change their writing and to support their fellow comrades who have also made the decision to adopt Mark Kislingbury's "write short and write fast" theory. DRA is committed to helping all of us improve our skills and become realtime reporters. We would be thrilled to have you enlist in our RealtimeARMY and join the ranks in [Northern California on September 29th](#) for the next boot camp training session.

Another area of support DRA offers is our very own in-house Depo Diplomat, Toni Pulone, and our [AskDRA](#) program. Have you ever thought to yourself, "Hmm...I wonder if I handled

that situation correctly"? If so, then grab your video camera and submit your question. Or if you're camera shy, you can send an email with your question as well. Either way, you can be assured that your inquiry will be answered quickly and accurately by one of our profession's top experts.

Or maybe it's a punctuation question you have for that 200-page expedited transcript due in the morning. One quick post on [DRA's Facebook](#) page will surely bring many responses from court reporters around the country.

Another form of support DRA is proud to offer is our new website. Our webmaster extraordinaire and resident photographer, Monyeen Black, has been furiously working behind the scenes to get our new site up and rolling. Members now have the ability to upload an individual

[Member Profile](#), detailing their areas of expertise, what geographical locations they cover, what certifications they hold, and countless other details so that agencies are able to quickly search the fields and find the perfect reporter for their assignment. We are also now hosting a [Member Forum](#) on our website in addition to many other new features we are pleased to offer our membership. If you haven't checked out all the new additions, I encourage you to do so. I'm confident you will find it as exciting as we do.

I hope you will take advantage of these as well as the many other support systems DRA has in place to help our members because that's what DRA is – reporters coming together to help other reporters and, in turn, to help preserve this wonderful profession.



SMILES 4 DRA

Thanks to DRA for a great seminar on Covering the Courts. Though it was a lot of information, it gave us the information we need to make an informed decision as to whether to choose to work in court or not and what is expected if we do. Thanks also for putting together the booklet that has all the information in one place. It's a great resource for freelancers, as well as agencies.

Christina Cornelius

Thank you for all of your efforts! Keep up the great work!

In appreciation,
Susan and Mike Miller, from Texas

This is one of the best seminars I've attended. Thanks to everyone who put in so much effort to put it together. Extremely informative and well done by Anne, Toni, Lisa, and Tim.

Lois Ludwig

Dear sir or ma'am:
I have been a fan of CalDRA since at least February 2011, when I asked Lisa Michaels if I could use her Terminator video as part of the introduction to the Marine Corps' court reporter course here at the Naval Justice School. Your organization does good work toward educating people about the importance of the written record and just how hard it is to do court reporting well.

Respectfully and sincerely,
Gunnery Sergeant Andrew P. Evans, United States Marine Corps

Say Hello To My Little Friend

*By Lisa Michaels,
CSR, RPR, CCRR, CLR*

It's just another depo day with me sitting behind the machine, concentrating on perfecting my realtime feed, marking exhibits and anticipating client needs before they even think of them. Suddenly, my leg stretches out while trapping my foot in the dangling wires spooled on the floor spanning the gap between my sedentary self and the cherry wood conference table. Sound familiar?

Say hello to my little friend – the Cable Caddie.



Besides the obvious trip hazard at our feet, I've been dreaming of ways to speed up the daily wire dance where we unpack, unroll, hook up, then unhook, roll up and again repack multiple USB and power cables that help make the reporter magic happen. There had to be some genius invention to free us from this tedious task. Today I'm happy to announce that StenoCouture has answered my dreams and the dreams of many working reporters.

This small, discreet fabric caddy holds chargers, mics and all those reporter wires up off the floor in one compact space tucked right behind the Mira or Diamante. And the best part? My endless loops and wires sleep tight in my Cable Caddie inside my machine case until the next depo, cutting unpacking time in half and leaving more free time to chat with my clients and, hopefully, future clients.

Feeling the need to express yourself all while looking professional and organized? StenoCouture has custom colors and

FAREWELL AND HEARTFELT THANKS

In May of 2006, Vicki Squires joined the Deposition Reporters Association as its Executive Director and brought with her a wealth of knowledge and business experience which has contributed in large part to the success DRA enjoys today. In the time that Vicki was with DRA, she was instrumental in creating new ways to improve its efficiency as an association. Quietly working behind the scenes at conventions, seminars and meetings, Vicki made it look easy. If she didn't know the answer, she knew where to find it. If there was a problem, she found a solution. She worked long hours, often late into the night. A former court reporter herself, Vicki's love for this profession was evident in everything she did for DRA.

While the DRA Board and Officers look forward to working with their new Executive Director, they will be forever grateful to Vicki Squires for her countless hours of help and her friendship these past six years.

Best wishes and THANK YOU, Vicki!

I would like to thank all the past and present Board Members, Presidents and Officers I have had the pleasure of working with the past six years. I have enjoyed every minute. Reporting has always been my passion so I have felt privileged to serve as the Executive Director of such an awesome association. The members are the core of DRA and should be proud of the support they give to the board which enables them to continue to fight for freelancers throughout the state. I will miss seeing everyone but hope our paths cross over a glass of wine once in a while!

Thank you,

Vicki Squires



fabrics from which to choose. To me, this is the most important addition to our bag of tricks that I've seen in a very long time. Check out their website for more pictures and instructions.

So go ahead, say hello. Everyone needs a new friend now and then.

www.etsy.com/shop/StenoCouture

<https://www.facebook.com/pages/Steno-Couture/330685923611053>



GOVERNOR BROWN SIGNS DRA BILL!

Reporters come January 2013 will have another tool available to them in their effort to collect overdue bills from attorneys, thanks to the DRA-sponsored bill Governor Jerry Brown signed into law on July 13th.

Assembly Bill 2372 by Assemblymember Jerry Hill will make it easier for reporters to collect from attorneys against whom they have obtained a judgment.

Too often judgments against attorneys aren't worth the paper they are printed on because the attorneys cleverly avoid efforts to attach their assets. To attach the assets of a delinquent attorney after a reporter obtains a final judgment, current law says you have to serve the proper papers - called an Order of Examination - personally. But some lawyers dodge this by using only a PO Box.

This bill places delinquent attorneys who ambitiously seek to avoid paying their reporters between a rock and a hard place. The new law says that an attorney has to provide a reporter an address that can be used to serve the Order of Examination personally. No more hiding behind PO Boxes. If the attorney breaks this law and doesn't provide the reporter the address, the reporter can seek discipline from the State Bar, which because of DRA's successful effort last year, will consider discipline against attorneys who break collection-related laws such as AB 2372 just signed by the Governor.

"DRA wants to thank Governor Brown for signing this bill and especially thank Assemblymember Jerry Hill," said DRA President Susan Campana. "Assemblymember Hill has shown he is a devoted friend to reporters throughout the State."

AB 2372 and the State Bar action are both a part of DRA's Project Collect, started in 2007. Aside from this bill and the State Bar victory, the project also successfully spearheaded the drafting of the law that made attorneys clearly responsible to pay reporters/agencies for all reporting services requested, legislation DRA cosponsored with CCRA.

Congratulations to the new CCRRs!

Ball, Elizabeth
Banta, Mark
Chenevert, Cassandra
Coverson, Drew
Davila, Dawn
Dub, Ana
Dukic, Janette
Fong, Christianne
Joko, Alexander

Kielwasser, Anne
Lafranchi, Lori
Manning, Tavia
Miller, Susan
Miller, Althea
Munoz, Lori
Pun, Wendy
Stewart, Jennifer
Torreano, Maria

TEXT IN THE CITY



Arachno - Steno-Phobia

By Linda Nelson, CSR

As a reporter, I have to say that I've had my share of strange depositions. The one I'm about to tell doesn't involve an attorney, nor a witness; it involves a very large, intelligent eight-legged arachnid that decided to torment me one day not so long ago.

As we started into our third hour of testimony, I found myself glancing around this huge meeting room trying to wake up and stay focused. Let's just say the testimony wasn't keeping me on the edge of my seat. It had been a pretty good day so far except that the witness mumbled and the attorney spoke way too fast. Just your typical day of reporting...right? WRONG!

As the testimony droned on, out of the corner of my eye, I noticed a very large spider floating down from the ceiling. I squirmed in my seat at the sight of this dangling creature, wondering where he would be headed next. As he drifted past the edge, I was overcome with relief that he had missed the table.

Keeping up with the day's testimony stroke for stroke, I kept a sharp lookout for this creepy crawler, hoping he would not scurry along the floor near my feet. Just as Mr. Spider was becoming a distant memory, there he was again, rounding the edge of the table as if he had just reached the summit of Mt. Everest. I froze in horror. He seemed to pause at the edge of the table and stare directly at

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AskDRA

Dear Depo Diplomat:

I have a client who has asked me to travel to Minnesota and Ohio with him on a case that is venued in California. Is it permissible for me to travel under my CSR license with a case that is venued here?

Dear Reporter:

Yes, it is permissible for you to travel to other states under your CSR license to take depositions venued here in California. The applicable code section is CCP 2026.010, which both indicates the authority for a CA-licensed attorney to take depositions in another state and for the depositions to be taken under the supervision of a person authorized to administer oaths under the laws of the U.S. or the laws of the place where the depositions are to be held. As a CA CSR, you are authorized to administer oaths by CA law – that's found in CCP 2093 (b) (1) – and so you would be able to take these depositions, assuming you wouldn't be disqualified by the other sections of the CCP that are cited, 2025.320 and 2025.340, which I'm sure is not the case.

Have a question for DRA? Send it to AskDRA@caldra.org!

DRA is delighted to welcome and introduce our new Executive Director Jenifer McDonald

Jenifer began her career in the California State Capitol in 1981 when she was hired by Assemblywoman Marian W. La Follette to serve in her Capitol office. During the 10 years that Assemblywoman La Follette served in the Legislature, Jenifer took responsibility for the overall operation of both the Capitol and District offices as Chief of Staff.

Following the Assemblywoman's retirement, Jenifer's career included 12 years as Assistant Vice President and Corporate Secretary for the Association of California Insurance Companies (ACIC) and a one-year assignment as Executive Director of the California Association of Collectors, where she was responsible for the complete reorganization of this association that represented 400 bill collection agencies.

In 2004, Jenifer opened a full-service association management company and since that time has provided management services to the California Association of Joint Powers Authorities (CAJPA), the California Professional Association of Specialty Contractors of Northern California (CALPASC) and Impact Teen Drivers. Current clients include the Combined Claims Conference, the California/Western States Chapter of the ESOP Association, the Association of California Healthcare Districts and now the Deposition Reporters Association of California.

Jenifer's management company is located in Sacramento and she and her team are delighted to be working with the incredible team of dedicated DRA volunteer leaders.



Reporters: Did you know...

Every DRA member has a professional profile on the DRA web page? You can list the geographical areas you cover, areas of specialization, certifications, equipment, and more. Plus, link with your reporter and firm owner friends and colleagues. Visit www.caldra.org and click on [Member Profile](#) to complete your profile and start getting more work from firm owners searching for reporters in your area!

Firm owners: Did you know...

It's now easier than ever to find a qualified reporter wherever you need? Go to www.caldra.org and click on the blue button [Find a Reporter](#) to search for a reporter by geographical area, specialty, certification, and more. Don't take a chance on unknown reporters from random web sites. Your clients deserve better!



An Interview with Ed Howard, Attorney at Law, re US Legal

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Now that the final decision has been given, thank you for pausing in your legislative advocacy for us and sitting down to answer a few questions DRA has about the recent [California Court Reporters Board v US Legal](#) lawsuit and final decision.

Could you, first of all, give us a layperson's recap of what US Legal did wrong that made the California CRB file suit against them?

A. Well, gee, thanks for all the thanks, and I'll do my best.

The Court Reporters Board has Professional Standards of Practice and one of those regulations says that a reporter can't give a kickback of more than \$100 worth of stuff to a customer or customer contact, like a secretary, in any given year.

The reason you guys can swear in witnesses is that freelancers are officers of the court -- literally, extensions of the judge working in a private setting -- so the regulation is important to preserve the impartiality and appearance of impartiality of the reporter.

US Legal was accused of offering gift cards in exchange for booking depositions in excess of the \$100 limit and, actually, US Legal didn't deny that they were offering those gift cards.

Anyway, when the kickback-gift regulation was put out there, the Board was under the erroneous view that its jurisdiction was limited to individual licensees. We now know the Board was pretty much -- I think entirely -- alone among all the California Department of Consumer Affairs licensing boards in this error. So, the regulation limiting gifts and kickbacks says it only applies to "licensees," meaning individual reporters.

But, there is a provision of state law governing corporations that render professional services -- services that require a license like court reporting -- that says that corporations rendering those services have to abide by the same rules as apply to licensees. These kinds of corporations are called "professional corporations." You've probably seen these words after the names of law firms. Same idea.

When that statute in state law -- the one saying that "professional corporations" have to abide by the same rules as individual licensees -- provision was pointed out to the CR Board by DRA, the CR Board cited and fined US Legal as a "professional corporation" for giving kickbacks in excess of \$100 in violation of their regulation. US Legal refused to pay the fine, and that was one of the bases of the CR Board's suit against US Legal.

Got it? It is a syllogism: Regulation governs licensees. Statute says "professional corporations" as defined have to obey the same laws as licensees. Therefore, a "professional corporation" has to abide by the regulation governing licensees. That was the theory of the case.

Q. So what did the decision say?

A. Based on the evidence in the case, the court ruled that US Legal was, in fact, rendering court reporting services. This is a huge victory, in my opinion. This means that any corporation that qualifies as a "professional corporation" by rendering court reporting services is potentially subject to laws governing corporations that render licensed services and also under the jurisdiction of the CR Board.

The CR Board scored the most important point and one that every working reporter knows is pretty obvious: that corporations like US Legal, in fact, aren't just middlemen but companies that render court reporting services, possibly bringing those corporations under the Act that governs "professional corporations."

Without fully deciding the question of whether the ethics regulation was broken, the court, in fact, ruled that US Legal did give stuff away with a value in excess of the limit in the regulation.

Q. During the trial we heard that US Legal is incorporated in Texas, making them a foreign corporation. How did that affect the judge's decision?

A. A lot. Prior to the enactment of the Moscone-Knox Act in 1968, corporations couldn't be in the business of providing services for which a license is required, period. Total bar. That act establishes the criteria for corporate involvement. If you are a corporation and want to render services for which a license is required -- so-called "professional services" -- you have to comply with and fit under the Act.

Foreign -- meaning out-of-state -- "professional corporations" are treated slightly differently than home grown corporations under the law. In addition to having to be a corporation that renders professional services like court reporting, the statute defining a "foreign professional corporation" also requires that there be some statutory authorization for foreign corporations in the Business & Professions Code.

But, there isn't any such "authorization" for foreign professional corporations in court reporting as there is for, say, accountants. So, the court ruled that because there was no "authorization" in the California Business & Professions Code for a foreign corporation like US Legal to render professional services in California, the CR Board's citation and fine was the wrong remedy against this company for violating the kickback-gift regulation. That is why the court ruled against the CR Board's citation and fine.

This is complex, I know, but think of it like this. If someone was practicing medicine without a license and hurt someone, could the medical board cite and fine them in the same way as the board

could if someone had a license and was subject to the same rules as doctors who had a license? The court in the US Legal case asked for supplementary briefing on this similar question -- what can boards do against non licensees? While a lack of "authorization" in the Business & Professions Code isn't the same thing as not having a license, the way I understand the court's decision is that a licensing board can't legally cite and fine someone who doesn't have "authorization" to be here in the first place as if they did have "authorization" to be here in the first place.

Put more technically, because there is no "authorization" for US Legal, they are not a "foreign professional corporation" under Moscone-Knox.



Q. If it was ruled that they are not authorized to render professional services in California, why are CSRs still getting calls from them for work?

A. Neither the Board nor anyone else has yet moved in court to clarify or enforce the law requiring "authorization." The final judgment was just handed down in late June and the time for US Legal to appeal hasn't run yet.

Q. Wait a second. Does this mean that US Legal and all other court reporting corporations not incorporated in California, but

who have offices here, are really not "authorized" to be booking and shipping California depositions?

A. Nobody is certain about this until a court rules, of course, but I think a court could rule that way in the future, yeah. I don't know what the point of being "authorized" is if there is no consequence legally to not being "authorized."

Q. How does this affect me as a reporter?

A. In the immediate term, I'm not sure, frankly. US Legal is operating here until some court or authority says they can't. What their lack of "authorization" means or doesn't mean for the deposition transcripts they are providing to clients, I simply don't know. I'm starting to look into it.

In the long term, the decision is a huge victory for the CR Board and for ensuring that corporations can't evade laws that govern the profession. This is because a court has held that, in fact, a corporation not owned by a licensee can render court reporting services. With that, such corporations fall under Moscone-Knox and under the jurisdiction of the CR Board.

For too long the legislature's intent has been violated so that the exact problem Moscone-Knox was enacted to prevent -- corporations saying they can operate however they want to, that they aren't bound by rules governing licensees because they can't sit for a licensing exam -- has existed here. This decision signals the end of that, gratefully.

Also, the good news is that a reporter who is working with the firm is still owed their pay. Nothing about US Legal's "authorization" status would alter whether the company is obligated to pay its reporters for their work.

Q. Is my CSR license at risk or on the line by working for these "unauthorized" foreign reporting corporations?

A. Your license is at risk whenever you do any work for anyone who isn't clearly operating within the law. This is the case any time a reporter works for an agency or company. It is in no way limited to US Legal, or even limited to corporations, or authorized or unauthorized foreign corporations.

There is always a chance that if the licensee-owned firm or non-licensee owned agency has policies or practices that violate the law that the company or firm will try to blame the reporter. There is always a risk the CR Board will, in part, mistakenly come after the reporter. Why risk it?

Q. If I follow all my regulations and codes, it doesn't seem fair that whatever mistake the agency makes will fall back on me.

A. Look, in any other setting, like if you were a paralegal or just any kind of employee, you wouldn't take a job with a company that you thought might be breaking the law, right? This is because you wouldn't know how that would entangle you.

The same is true here, whether it comes to the CR Board's rules on

gifts or IRS rules on kickbacks or anything else, any other law.

So it doesn't take much of a lawyer to observe that, as a general matter, you are taking a greater personal and professional risk if you knowingly work for companies that you suspect might be breaking or bending the law than if you work for companies where you have no such suspicion.

If you think you might be working for a company or firm – owned by a licensee or not – that is breaking the law, don't do that.

You all worked so hard to get your license. It just isn't worth it.

Q. Since they have been doing business here, should US Legal and all other foreign corporations not authorized to render reporting services in California have been registered all along with the California Secretary of State and paying California taxes? Could they be reported to the IRS?

A. This is really a different way of asking the same question, counsel. [Chuckle] I'm not smart enough to be a tax guy.

Q. Stepping back a bit, we've learned that the Court ruled that US Legal is, in fact, a provider of court reporting services, but the CR Board can't fine them because US Legal is a foreign corporation. Does this now mean that the CR Board has jurisdiction over domestic corporations, those agencies owned by licensees or even non-licensees incorporated in California and providing court reporting services in California?

A. Yep. That is the really good news here. For years corporations not owned by licensees have argued that they don't really render court reporting services because only licensees can do that -- just middlemen between the reporter and clients -- so the CSR Board had no jurisdiction over them. Not anymore.

Q. What about agencies located in other states but they are not incorporated? Are they authorized to do work in California?

A. The laws that were the subject of the US Legal lawsuit really deal with corporations, not other business entities. I don't know the CR Board rules on out-of-state agencies coming here to do a job or two, but whatever those rules are, they aren't likely affected by the US Legal rulings.

Q. How will this affect the networking arrangements between out-of-state firms and California firms? Many out-of-state firms do the actual production of the job, with the California licensees simply providing the transcript to them. Would these out-of-state firms not, therefore, be in the same situation as US Legal, a foreign corporation rendering reporting services, but not authorized to do so? Does this mean these out-of-state firms should be "giving" the jobs to the California firms or licensees in order to comply with the law?

A. Objection, compound. [Laughter] Ugh. You give me way too much soothsaying credit here. All of this comes down to, first, how much the out-of-state corporation

is operating in ways that make it a company that renders services instead of just being a middleman?

Second, assuming the reporting company renders services, the answer comes down to the sort of metaphysical-legal question of when an out-of-state corporation is actually “here” in California, doing business and is it subject to our laws even if nobody from the company steps foot here. Different state boards, looking at their own statutes, have not always come to the same conclusion on this.

In the absence of CR Board guidance, I’m not sure we know the answer to any of these questions. Anyway, I don’t.

Q. What if the agency seeking to network with a California firm or licensee is not a corporation, but rather, a sole proprietor or some other form of business? How does this ruling apply to them?

A. I think the law is pretty clear that, contrary to what I once thought, corporate form doesn’t matter. To lawfully provide professional services in California you either have to be a licensee or a “professional corporation” or “foreign professional corporation,” as those are defined, period.

Q. So back to the lawsuit. What does US Legal have to do to become authorized to render reporting services in California? Can they register as a foreign corporation? Can they incorporate in California and have dual incorporation? How does all of that work?

A. I’m not a corporate law specialist, so I’m not going to speculate here. Sorry.

Q. Well, I’m just thinking if they register as a California corporation, making them domestic, they would then be under the jurisdiction of the California CR Board and finally subject to all the same rules as California licensees. Am I right?

A. Again, I don’t know corporate law enough to know why you used the word “register,” but, yeah, if they became a domestic instead of foreign corporation, they would under the CA CRB v US Legal decision come under your Court Reporters Board’s jurisdiction if the corporation was still rendering court reporting services.

Q. Until then, are they breaking the law by continuing to render reporting services in California?

A. I’m not a judge or the board. I don’t get to say who is and is not breaking the law.

Here is the situation as I know it: To render professional services in California, a corporation has to comply with and come under the Moscone-Knox Act.

- A court has ruled that US Legal renders court reporting services.
- The same court has ruled that US Legal is a foreign corporation, incorporated out of state.
- The same court ruled that, under state law, to qualify as a “foreign professional corporation” under Moscone-Knox, an out-of-state corporation rendering

professional services has to be able to point to some part of the Business & Professions Code that “authorizes” the out-of-state company to render services here.

- The same court ruled there is no such “authorization.” And, there isn’t.

This is a huge victory for the CR Board, a huge step toward ending the CR Board’s self-imposed paralysis that has for years allowed corporations providing identical services as licensees to, against all reason and against the law, escape all regulatory oversight.

The Legislature never intended this to happen. You look at the law. It is just screamingly obvious. This was simply the Board years ago being mistaken on what the law says; a mistake, I don’t think, made by any other board governing any other licensed profession.

Q. So the judge came to a final decision. What’s DRA’s next step to keep pushing ethics and fairness by ALL those rendering court reporting services in California?

A. There are lots of options...lots of good options to build on what was achieved, and DRA is weighing all of them. One thing for sure, though. It isn’t DRA’s style to rest on any laurels, that’s for sure. DRA -- and I have always loved this about this organization -- DRA acts. It was founded to preserve the integrity and impartiality of the profession, and it has stayed amazingly true to the vision of the founders ever since.

So, end Chapter 1. But the book is a pretty thick one. Now begins Chapter 2.

A MESSAGE FROM OUR NEW STRATEGIC PARTNER

Too often corporate partnership announcements start something like this:

“Our company/organization/pompous figurehead is pleased to announce our blah, blah, prattle, prattle with so-and-so’s company/organization/pompous figurehead. Our companies looove each other, and our pompous figurehead wonders how on earth they ever got along without having so-and-so’s pompous figurehead at their side. Blah, blah, prattle, prattle (repeat for the next 500 words).”

Personally, I find this type of announcement not only void of any real value, but also boring. I don’t know about you, but “boring” and “no value” are the two main ingredients in my “don’t need to waste my time on your stuff” soup. Okay, maybe soup isn’t the best medium for comparison, but I think you get where I’m coming from.

So how about I make you a deal. I’ll save the boring, no value prattle for talking with my kids (it’s boring, no value prattle no matter what I do anyway), and you keep reading until the bitter end or until your coffee runs out and you need a refill...whichever comes first.

Now that we have that out of the way, I’d like to start by saying that The Neutrino Group is pleased to announce our partnership with...what? Oh, dangit. I was doing it, wasn’t I? The boring, no value prattle thing.

Let’s start with who we are. We’re The Neutrino Group, and we make the world’s fastest, lightest, smartest, most greatest machine in the world. And I don’t use the term “most greatest” lightly, or to annoy you (much). We really do make a fantastic machine. We also run a fantastic company. (You can read more about us here while you sip your second cup of coffee: www.infinitytraditional.com/AboutUSVI.aspx.)

Hence, The Neutrino Group and the Deposition Reporters Association have come together to build a new level of relationship between vendor and association.

A whole new level, you ask. Huh, what’s that look like? Well, I’ll tell ya.

This new level is called a Strategic Partnership, and true to the definition of “new,” prior to now this level did not exist. I can’t tell you exactly what DRA saw in us. Maybe it was my witty repartee or my dashing good looks, one may never know, but I can tell you what we see in DRA.

From my, and from our company’s perspective, DRA represents on a whole what is right with reporting and with its leadership. DRA is taking proactive steps to focus on the fundamentals of reporting, looking forward rather than back for answers to questions that are starting to arise. DRA also takes special consideration to work with students, which, given what those students represent, means DRA is looking out for the future of court reporting as a whole. A warden or guardian—not only of the record, but of the profession. I don’t know about you, but I kind of like that. And last but not least, the single most absolutely critical must have attribute...the thing I and The Neutrino Group hold above all others...DRA is fun. Yes, fun. We hold as one of our core values that you don’t need to be a hundred year old stick-in-the-mud company/organization/pompous



DISORDER IN THE COURTS

The mayhem that California’s budget woes have wrought continues its march across the state. In all, \$652 million has been slashed from the statewide judicial budget, leaving cash-strapped counties no choice but to implement massive layoffs of court personnel, including court reporters in civil departments. With these latest rounds of layoffs, court-provided reporters in civil courtrooms is now the exception instead of the norm it once was. Layoffs began in 2010 with Monterey and Santa Cruz counties, spreading to San Francisco, Marin and Alameda in 2011, and 2012 bringing misery to court reporters in Fresno, Los Angeles, San Bernardino, Ventura and, most recently, San Diego.

Reluctant freelancers are being thrust into unfamiliar territory by bewildered clients who now find themselves responsible for bringing their own reporter to court. Firm owners find themselves in a quandary about how to calendar such requests and compensate reporters for it. And the Court Reporters Board weighed in on the issue in May, [issuing a letter](#) reiterating the statutory obligations of licensees to charge appropriate statutory rates for transcripts under the California Government Code.

It’s been a frightening and confusing spring and summer for California court reporters, as evidenced by the deluge of phone calls and e-mails by reporters and firm owners begging for information. As always, DRA responded with lightning speed, assembling a stellar panel of industry leaders leading attendees through a day-long workshop of formats, billing, appeals, and practical on-the-job information. Over 200 reporters, firm owners, and staff attended DRA’s

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DRA RealtimeARMY DEPLOYED

*By Vicki Saber, CSR, RPR, CRR, CCRR, CLR
15-year DRA member*

On Saturday, May 19, 2012, the enlisted DRA RealtimeARMY reported for duty at the Long Beach Renaissance Hotel armed with nothing more than their steno machine, laptop, and the acceptance that realtime writing was not our enemy, but rather our salvation. Camp included reporters at all levels of realtime reporting from those who had never hooked up to seasoned veterans, but everyone had one thing in common: the desire to learn from the five-star general himself, Mark Kislingbury, on how to “write short – write fast.”



If you’ve never had the opportunity to attend a seminar or workshop given by the master himself, I’m afraid you’re doing yourself a major disservice. His ability to take an otherwise ho-hum, some might say incredibly boring, topic such as steno writing and turn it into something exciting, and even fun and funny, is a true gift. Every industry should have someone like him who can take a basic premise and lift it to new heights that the rest of us can just learn, digest and implement without having to spend hours upon hours developing. He truly reinvented the wheel when it comes to writing shorthand.

Included in an introduction that was both informative and entertaining, Mark broke down exactly what he does and how he writes that has earned him both speed and realtime champion bragging rights. But just sharing what he does isn’t what he’s all about. Mark wants to see every reporter thrive and become the best reporter he/she can be so he developed a mission to accomplish this. And this DRA RealtimeARMY was his training ground. What would make every enlistee implement what they came to learn you wonder? Accountability. Everyone was put into a platoon, and every platoon nominated a captain. Over the next three to four months everyone is accountable to everyone else in their platoon. Talk about incentive. I for one am not going to suffer the humiliation of a dishonorable discharge. Five minutes a day. That’s all Mark claims you need to do to become a better, shorter, faster writer.



I hope my fellow soldiers are as excited as I am about this journey. I’ll see you when the general rounds us back up in a few months for some fearless writing competition. And if you haven’t already enlisted, there’s still room in the barracks. Don’t be shy. For many this is their first time away from the comforts of home. And although we may be in a war, at least we’re all fighting on the same side.



A Message From Our New Strategic Partner

- continued from page 10

figurehead in order to bring value, professionalism, and great products to market. I have spent more than 10 years traveling all over the country; talking with you, learning about your business, and becoming friends with a great number of you. Let me tell you what I've learned:

1. 1 out of 5 of you can scan a menu and point out 95% of the misspelled words, out-of-place commas, and general grammatical folly in under 10 seconds. The other 4 out of 5 can do it in less than 5 seconds.
2. You seem to have the uncanny ability to drive by a newspaper box and, through osmosis alone, identify which page the editor either fell asleep or just gave up on.
3. Reporters are great people.

It's this last point which has made the biggest impact on me. Whether you're kicking butt and taking names or bursting into tears over the fact that your tripod has a wiggle, you are some seriously great people. And you know what? You deserve to be treated the way great people should be treated.

Guess what else? We too are people at The Neutrino Group. In fact, at the end of the day, every company across the planet is nothing more than a gathering of people. But as many of you know, many companies don't tend to work as though people are running them. Evil robot cyborgs dressed up to look like people, maybe. But I know something those evil robot cyborgs don't know. Companies are nothing -- no, less than nothing -- without people. And for me this is a failing of their leadership because, when it comes down to it, it's the leadership which makes the call how people in the company interact with people outside the company. Bottom line, DRA has great people, and for us that was all the reason we needed to form this relationship.

Now, roughly 800 words ago I made a promise that I would steer clear of the boring, no value prattle. But, since we're sooooo close to the end, perhaps you'll allow me a few (seven) tiny indulgences. I'll even use bullet points.

Did you know?

- The Neutrino Group has been building writers for 8.5 years.
- The latest version of the TNG writer family is called the Infinity Family.
- The Infinity Family is composed of 14 different models. (Which means TNG makes more unique types of writers than all other court reporting companies in the world combined.)
- Of the current DRA board, 25% use our equipment. One other openly lusts for it.
- TNG is the only company in the world to make ergonomic reporting equipment.
- The Infinity Family of writers are the most advanced writers in the world (and we can prove it).
- **THIS IS ALL IN BIG BOLD CAPS SO YOU'LL PAY ATTENTION. TNG IS GIVING \$100 TO THE DRA STUDENT SCHOLARSHIP FOR EACH COURT REPORTING MACHINE SOLD TO A DRA MEMBER...JUST BECAUSE WE CAN, AND WE SHOULD.**

Court Briefs

as a matter of fact	SMAF
as a matter of law	SMAFL
asked and answered	SKAEND
bad faith	BA*IT
Cal.App	KLAUP
challenge for cause	KHAUZ
constitutionality	STULT
Evidence Code	VOED
Evidence Code section	VOEDZ
good afternoon	GAON
good faith	G-F
good morning	GAOM
ladies and gentlemen of the jury	LAIRJ
ladies and gentlemen	LAIJ
may I approach	MAIP
may we approach	MAOEP
No, Your Honor	NURN
peremptory	PRERMT
peremptory challenge	PRAJ
peremptory challenges	PRAJS
Probate Code	POED
Probate Code section	POEDZ
so stipulated	STOIPD
State of California	STAFL
status quo	STAUTS/KWOE
stipulate	STAIP
stipulated	STAIPD
Superior Court	SPROT
thank and excuse	THUX
Thank you, Your Honor	THAURN
Yes, Your Honor	YURN
burden of proof	BURP
prospective juror	PR-J
with all due respect	WREKT
bailiff	BAIFL
motion in limine	MOIN
fair, just and equitable	FA*IBL
state your full name for the record	STAIFM
conservatorship	KROIP
judgment	J-MT
THE CLERK:	KL-FRPBGLTS
THE BAILIFF:	B-FRPBGLTS
assuming, arguendo	SAOURG
estopped	STOIPD
estoppel	STO IPL
cause of action	KAUFGS
contributory negligence	KRIJ
declaratory relief	DLAOEF
motion to dismiss	MOIDZ
so stipulated	STAOIPD
demurrer	DMUR
state your appearance/s	STAURP/S
status conference	S-K

DISORDER IN THE COURTS

- continued from page 10

Covering the Courts seminar on June 2 in Los Angeles, and yet, demand hasn't diminished. In order to meet the needs and respond to the requests of our many members in the Bay Area, DRA will again conduct its Covering the Courts seminar, this time on

October 13 in Burlingame. So if you were unable to attend on June 2, be sure not to miss this opportunity to learn everything you need to know about working in the courts.

Reporters and firm owners alike will find DRA's Reporter and Agency Court Resources manual an invaluable reference. It includes formats, appeal information, folio rates by county, forms, tips and more in a handy tabbed and spiral-bound manual. To order, visit the [DRA store](#).

Stick with DRA to help you through these uncertain times and arm you with the tools and information you need to embrace change and take on new challenges!

NCRA Elections. Let Your Voice Be Heard!

With no NCRA members emerging to oppose the election of Steve Zinone to the office of secretary-treasurer, his ascension to the new office will create a vacancy for the remaining two years of his three-year director term. Nominations from the floor and voting to fill that vacancy by those present will be held during the Annual Business Meeting on Thursday, August 9, 2012, in Philadelphia, PA.

Three amendments to NCRA's Constitution and Bylaws have been proposed, which can be voted on in person or online by their members. [Click here](#) to read more.

NCRA headquarters has received no additional nominations for officer or director positions on the Board of Directors.

Whether you plan to be in Philadelphia or not, you should take the time to vote on the bylaws amendments. Please make sure that NCRA has your valid email address by July 31, 2012, so that your voice can be heard! Membership@ncrahq.org

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

To find out the latest news from your licensing board, check out the Board Newsletter, Spring 2012

http://www.courtreportersboard.ca.gov/formspubs/spring_2012.pdf

Citations & Fines

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

Did you know you can get on the list to get instant CRB news right to your inbox? Just click on the link below and follow the instructions on the web page.

<https://www.dca.ca.gov/webapps/crb/subscribe.php>

Court Reporting Documentary Now Filming

Filming has begun on the court reporting documentary, On the Record - A Year in Stenography. On the Record will follow several court reporters, CART providers and captioners, in an attempt to gain insight into a steno culture that often flies under the radar. At the film's core will be Mark Kislingbury's attempt to break his own speed record and write 400 words per minute at the 2013 NCRA convention in Memphis. When asked why he is making this documentary, Marc Greenberg, a court reporting instructor at SimplySteno, responded, "A good reporter - or anyone who takes down the spoken word - does the job with minimal human interaction. A big part of the job is to go unnoticed, to capture the record without being part of it. Because of that, I feel that the world of stenography has been partitioned off from the world in many ways. So this is my way of sharing this exciting profession with those outside our circle."

In addition to filming at the 2012 (Pennsylvania) and 2013 (Tennessee) NCRA conventions, filmmakers have planned shooting schedules in New York, Texas, Washington, California, and Georgia. On the Record is still looking for good stories to tell, so if you have an interesting job, experience or story related to the steno machine, please contact Marc Greenberg at Marc@CourtReportingMovie.com. You can follow the movie's progress at www.CourtReportingMovie.com and on their [Facebook](#) page.





DRA BILL WATCH

by Toni Pulone, CSR

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 in the Senate. 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 July 16, 2012.

AB 1875 (Gatto; Co-author, Ammiano)
Sponsor: Consumer Attorneys of California.

Summary: Would amend CCP 2025.290. After several amendments to the bill language, it now would limit the deposition of any person to one day of seven hours, except under specified circumstances, those being,

one, if the parties stipulate that this will not apply to a given depo or the entire proceeding; two, if a witness is a designated expert per Sections 2034.210 to 2034.310; three, where a case is designated as complex per Rule 3.400 of the CA Rules of Court, unless a physician attests that the deponent may not survive beyond six months, in which case the deponent's depo will be limited to two days of no more than seven hours each day; four, in any case brought by an employee against an employer relating to the employment relationship; five, in the depo of any person designated as the person most qualified under Section 2025.230. Also, the court could allow for an extension of the seven-hour limit as necessary to fairly examine the deponent or if any circumstance delayed or impeded the examination.
Status: Passed by the Assembly; now in the Senate. Passed by the Senate Judiciary Committee. Read second time in the Senate and ordered to third reading on July 27.

AB 2076 (Ma)

Sponsor: COCRA and CCRA

Summary: Would amend Government Code 68085.1, 68086, 68086.1 and 69953.5. Would require each court to charge the official court reporter fee for each civil-action proceeding lasting less than an hour and would authorize the court to retain the fee. It would also allow the court collecting a per diem fee for a daily transcript to retain that fee to offset the cost of the additional court reporter. Also, \$30 of specified fees must be retained by the court where collected and be used to provide for official

reporter services in civil proceedings. It would also require that in courts where official reporting services are not provided for civil proceedings, that all fees collected revert to the Trial Court Trust Fund for redistribution to trial courts providing official reporting services for civil proceedings and be used to provide those services.

Status: Passed out of the Assembly; now in the Senate. Passed by the Senate Judiciary Committee and re-referred to the Senate Appropriations Committee on July 5.

AB 2372 (Hill)

Sponsor: DRA

Summary: Would amend CCP 2025.510. Would require an attorney or party in pro per, upon the written request of the deposition officer who has obtained a final judgment for payment of reporting services provided, to provide to the depo officer an address which can be used to effectuate the service of a summons by personal delivery.

Status: Passed by the Assembly and the Senate. Signed by the Governor and chaptered by the Secretary of State on July 13.

AB 2657 (Calderon)

Sponsor: CCRA

Summary: Would amend Government Code 69957(a). Would require ER transcribers preparing court transcripts to designate "inaudible" or "unintelligible" for any portions of recordings with no audible or discernible sounds.

Status: Passed by the Assembly and the Senate. Signed by the Governor and chaptered by the Secretary of State on July 24.



Toni Pulone, CSR

SB 1237 (Price)

Sponsor: Author, Senator Price

Summary: Would amend various sections of the Business & Professions Code and the Government Code. Would extend the sunset dates for various professional boards under the Department of Consumer Affairs and would specifically extend the sunset date for the Court Reporters Board to Jan. 1, 2017. Also, some Code sections affected would be renumbered.

Status: Passed out of the Senate; in the Assembly. Passed by the Assembly Committee on Business, Professions and Consumer Protection; re-referred to the Assembly Appropriations Committee.

If you're interested in following the progress of these or any other bills, go to www.leginfo.ca.gov and click on the "Bill Information" tab, then search for any bill by number or author. Once you reach the info page for a bill, you can click on "Subscribe," and provide your email 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.

Welcome New Members:

Abbott, Karyn
Abreu, Danielle
Adams, Rosalyn
Aguilar, Frances
Amador, Olga
Andreasen, Jennie
Asada, Cheryl
Baez, Karla
Bingham, Sarah
Brown, Wendy
Caravetta, Rosemary
Chenevert, Cassandra
Clark, Alice
Como, Barbara
Conklin, Yvette
Cook, Kimberlee
Cox Daniel, Mary
Crozier, Susan
Degenhardt, Jennifer
DeSilva, Deborah
Dokich, Traci
Donnels, Candi
Duke, Annette
Fericola, Ron
Fox, Mary
Gallardo, Sudny
Garcia, Cecilia
Garcia, Renee
Garcia, Kathy

Garcia, Mona
Gastelum, Jessica
Gastelum, Jessica
Geco, Sandy
George, Gina
Glover, Lynden
Gonzalez, Ana
Griffith, Cindy
Gutierrez, Gabriella
Hall, Nyla
Hansen, Nina
Herft, Denise
Hino-Spaan, Debbie
Holliday, Jean
Husdon, Kathleen
Hyatt, Sharon
Jimenez, Zaira
Johnston, Anita
Kass, Marilyn
Kaur, Tej
Kelly, Claire
Ketring, Debbie
King, Dixie
Knapp, Michelle
Knoll, Ann
Langley, Jill
Lastra, Eduwiges
Lee-Green, Kyung
Macy, Clare

Maier, Denise
Manzo-Vasquez, Deborah
McCusker, Sherri
McDonald, Melinda
McMillan, April
McNealy, Glenna
Michels, Bebe
Miller, Laurie
Mitchell, Sandra
Mitina, Nadezhda
Montealegre, Sarah
Morrow, Nancy
Murakami, Joanie
Murphy-Carlson, Cheree
Myong, Susan
Najera, Loretta
Napoli-Miller, Juliana
Norlemann, Tiana
Paisley, Susanne
Palacios, Kathi
Patron, Adriana
Paulson Rozok, Susan
Pierson, Melissa
Pobor, Susan
Ramos, Claudia
Ravenscroft, Carrie
Rich, Yvonne
Rochon, Greg
Rosate, Tricia

Rosenberg, Paige
Saito, Dorian
Salois, Betty
Sanchez, Jose
Saracione, Ingrid
Sarkisyan, Aida
Schommer, Athena
Schweitzer, Mark
Scott, Shanna
Shelburne, Kathleen
Shermish, Coleman
Simms, Laurelle
Simon, Cheryl
Siu, Cynthia
Somers, Sheri
Sommerhauser, Lisa
Stacey, Jason
Stough, Deborah
Thomas, Cynthia
Traube, Lorna
Usher, Nancy
Van Booven, Susan
Von Dorn, Eric
Wali, Melissa
Watkins, Janice
Werner, Lindsey
Whitehead, Stephanie
Windell, Cynthia



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May 14, 2012

Official and Official Pro Tempore Court Reporters
Presidents, County Court Reporter Associations
Court Reporter Supervisors
Court Administrators
California Superior Courts

To Whom This May Concern:

The fees set by statute that a licensee may charge for acting as official or official pro tempore reporters have not changed since the issuance of the Board's interpretation in its letter dated December 7, 1999. However, given the recent budgetary impact on courts and the increasing inquiries from licensees regarding current permissible fees for court reporters acting as official or official pro tempore reporters, the Board is issuing this letter to assist licensees and consumers. Please note the following sections of the Government Code:

§ 69950. Transcription fee

- (a) The fee for transcription for original ribbon or printed copy is eighty-five cents (\$0.85) for each 100 words, and for each copy purchased at the same time by the court, party, or other person purchasing the original, fifteen cents (\$0.15) for each 100 words.
- (b) The fee for a first copy to any court, party, or other person who does not simultaneously purchase the original shall be twenty cents (\$0.20) for each 100 words, and for each additional copy, purchased at the same time, fifteen cents (\$0.15) for each 100 words.

§ 69951. Transcription; daily copy service; fee

For transcription, in civil cases, the reporter may charge an additional 50 percent for special daily copy service.

§ 69952. Verbatim record; payment from county treasury; fees

- (a) The court may specifically direct the making of a verbatim record and payment therefor shall be from the county treasury on order of the court in the following cases:

- (1) Criminal matters.
- (2) Juvenile proceedings.
- (3) Proceedings to declare a minor free from custody.
- (4) Proceedings under the Lanterman-Petris-Short Act, (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code).
- (5) As otherwise provided by law.

(b) Except as otherwise authorized by law, the court shall not order to be transcribed and paid for out of the county treasury any matter or material except that reported by the reporter pursuant to Section 269 of the Code of Civil Procedure. When there is no official reporter in attendance and a reporter pro tempore is appointed, his or her reasonable expenses for traveling and detention shall be fixed and allowed by the court and paid in like manner. When the court orders a daily transcript, necessitating the services of two phonographic reporters, the reporting fee for each of the reporters and the transcript fee shall be proper charges against the county treasury, and the daily transcript shall be pursuant to Section 269 of the Code of Civil Procedure. When the daily transcript is prepared by a single reporter, an additional fee for technological services, as set by the court with the agreement of the reporter, may be imposed. However, the total of the fee for a single reporter and the fee for technological services shall be less than the total fee for two reporters.

§ 69953. Verbatim record not made at public expense; payment by parties

In any case where a verbatim record is not made at public expense pursuant to Section 69952 or other provisions of law, the cost of making any verbatim record shall be paid by the parties in equal proportion; and either party at his option may pay the whole. In either case, all amounts

so paid by the party to whom costs are awarded shall be taxed as costs in the case. The fees for transcripts and copies ordered by the parties shall be paid by the party ordering them. Except as provided in Section 69952, no reporter shall perform any service in a civil action other than transcriptions until his fee for it has been deposited with the clerk of the court or with the reporter.

§ 69953.5. Request for daily transcript requiring services of reporter; fee per day; distribution of fee

Notwithstanding any other provision of law, whenever a daily transcript is ordered in a civil case requiring the services of more than one phonographic reporter, the party requesting the daily transcript, in addition to any other required fee, shall pay a fee per day, or portion thereof, equal to the per diem rate for pro tempore reporters established by statute, local rule, or ordinance for the services of each additional reporter for the first day and each subsequent day the additional reporters are required. This fee shall be distributed to the court in which it was collected to offset the cost of the additional reporter.

§ 69954. Transcripts prepared with computer assistance; fees

- (a) Transcripts prepared by a reporter using computer assistance and delivered on a medium other than paper shall be compensated at the same rate set for paper transcripts, except the reporter may also charge an additional fee not to exceed the cost of the medium or any copies thereof.
- (b) The fee for a second copy of a transcript on appeal in computer-readable format ordered by or on behalf of a requesting party within 120 days of the filing or delivery of the original transcript shall be compensated at one-third the rate set forth for a second copy of a transcript as provided in Section 69950. A reporter may also charge an additional fee not to exceed the cost of the medium or any copies thereof.
- (c) The fee for a computer-readable transcript shall be paid by the requesting court, party, or person, unless the computer-readable transcript is requested by a party in lieu of a paper transcript required to be delivered to that party by the rules of court. In that event, the fee shall be chargeable as statute or rule provides for the paper transcript.
- (d) Any court, party, or person who has purchased a transcript may, without paying a further fee to the reporter, reproduce a copy or portion thereof as an exhibit pursuant to court order or rule, or for internal use, but shall not otherwise provide or sell a copy or copies to any other party or person.

Additionally, please note the following section of the Code of Civil Procedure:

§ 269. Superior courts; duties; preparation of record on appeal from felony conviction

- (a) An official reporter or official reporter pro tempore of the superior court shall take down in shorthand all testimony, objections made, rulings of the court, exceptions taken, arraignments, pleas, sentences, arguments of the attorneys to the jury, and statements and remarks made and oral instructions given by the judge or other judicial officer, in the following cases:
 - (1) In a civil case, on the order of the court or at the request of a party.
 - (2) In a felony case, on the order of the court or at the request of the prosecution, the defendant, or the attorney for the defendant.
 - (3) In a misdemeanor or infraction case, on the order of the court.
- (b) If a transcript is ordered by the court or requested by a party, or if a nonparty requests a transcript that the nonparty is entitled to receive, regardless of whether the nonparty was permitted to attend the proceeding to be transcribed, the official reporter or official reporter pro tempore shall, within a reasonable time after the trial of the case that the court designates, write the transcripts out, or the specific portions thereof as may be requested, in plain and legible longhand, or by typewriter, or other printing machine, and certify that the transcripts were correctly reported and transcribed, and when directed by the court, file the transcripts with the clerk of the court.
- (c) If a defendant is convicted of a felony, after a trial on the merits, the record on appeal shall be prepared immediately after the verdict or finding of guilt is announced unless the court determines that it is likely that no appeal from the decision will be made. The court's determination of a likelihood of appeal shall be based upon standards and rules adopted by the Judicial Council.

Please note that the law does not allow a court reporter to charge for expedited rates, typing charges, scopist fees, processing fees, or any other added expenses.

If the Court Reporters Board determines that a court reporter has charged more than the statutes allow, we may take disciplinary action against the court reporter's license in addition to requiring a refund to the consumer.

Sincerely,

YVONNE K. FENNER
Executive Officer

ASKED TO WORK IN COURT?

Stop searching the web for the court forms and formats you need. The DRA Reporter and Agency Court Resources Guide is an indexed, spiral-bound, and tabbed guide to court work. We have compiled the sample formats, folios and forms you need to comply with the codes, regulations and rules applicable to court work, including FAQs and tips for freelancers working in court, appeal transcript guidelines and samples, folio rates and court reporter user fees by county, as well as contact information for ex-officio court reporters in Alameda, Los Angeles, and San Francisco counties. Great resource for reporters and agencies!



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DRA Member price \$60
Non-Member price \$110

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Rich Alossi, RPR, CCRR, CSR, CLR

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Evernote is an indispensable cross-platform notes app with a number of features reporters can use to sync job information between laptop, desktop computer, phone and tablet. Simply create a new note for each job and enter the cost of parking, any billing information and notes to your scopist and have it appear on all your Internet-connected devices. Smartphone owners can "scan" the caption page, business cards and parking receipt so the information will be there in case the hard copies are lost. iPhone and Android users: The newest version adds a revamped audio note interface for attaching a basic audio backup using your phone as a recording device, which sometimes sounds better than standard audiosync mics. Evernote works with any Android, iPhone or BlackBerry in free and premium versions.



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Linda Nelson, CSR

TEXT IN THE CITY: *Arachno - Steno-Phobia* - continued from page 4

me. I started to become uneasy thinking that at any moment, Mr. Spider could be making his way towards the witness or attorneys or even worse, me! Beating down on the keys of my machine, I hoped to invite eye contact from the questioning attorney so that I could warn him. No such luck! Everyone at the table was engulfed in exhibits and not paying any attention to the dramatic events unfolding before my very eyes.

As I continued to write, I found myself mesmerized by this spider. What would he do? I shivered at the thought of it. As he took off from the edge of the table like an Olympic sprinter in the 100-yard dash, I realized that he was coming straight towards me. I gasped! I couldn't ask to go off the record because of a spider, could I? No...I decided to keep writing, all along hoping that someone,

ANYONE, would see this ugly beast making his way across the table and would come to my rescue.

As he ominously crawled over cell phones, pens, notepads and exhibits, he went completely unnoticed. I was shocked! Was I going crazy? All I kept thinking is, "Run, Forrest, run!" But I had to get the record at all costs so I stayed in my chair and continued to write away. As Mr. Spider disappeared out of my view because of my laptop, I was sure now someone would see him.

A split second later, there he was, appearing at the top of my laptop, raising up on his hind legs and hissing at me. Seriously, where did this spider come from, the Amazon? He continued on his way down the front of my screen, running in a zigzag pattern, left, then right, then left again. After reaching my keyboard, he sat for a moment looking straight at me. I was thinking that I had to get rid of this thing now or never so I could continue on...as my shaking hand reached for my pen to flick him off my keyboard and out of my life forever, I missed him and my pen went flying across the room. Everyone kind of paused and looked at me. I just smiled a half nervous smile, and then they all went on ignoring me and going about their task.

I sat there for what seemed an eternity, still writing and thinking to myself, "If this thing comes any closer, I'm outta here!" Sure enough, in what seemed to be a move from the movie "The Matrix," he ran across my keyboard and jumped right onto my steno machine! With the hair on the back of my neck now standing to attention, I decided I could no longer play the hero and I let out a loud ear-piercing scream and stopped the deposition in its tracks. I scrambled up out of my chair, and jumped back, hitting the wall in the process. In one sweeping movement, I reached down, grabbed my little notepad and flicked this hairy little stalker right off my machine. I immediately introduced him to my shoe, ending my isolated torment.

I don't think it's possible for a room to be any quieter than this one was. Everyone in the room stared at me in disbelief as if I were losing my mind. The attorney then said to me, "Ms. Reporter, if you need a break, all you have to do is ask." As I started to explain what had just happened, I figured it was useless. Obviously there was a complete lack of concern for my safety! Who would believe me that I'd been stalked for the past hour by a spider? I immediately sat down and said, "No. I'm good." And without missing a beat, we were on the record again.



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