

CCRA *online*

Issue 4 | April | 2009

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Join us for CCRA's 99th Annual Conference at the

Miramonte Resort and Spa
Indian Wells, CA
October 9-12, 2009

California Court Reporters Association
2009 CONVENTION

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CCRA Online Copy Deadlines

The deadline for ad and article copy for CCRA Online is the first of the month prior to the scheduled publication date. Articles, ad copy, changes of address, complaints of nondelivery and subscription requests should be directed to CCRA, 65 Enterprise, Aliso Viejo, CA 92656 or call (949) 715-4682. Advertising inquiries also should be directed to the Association office. Photographs accompanying articles should be RGB color JPEG files with a resolution no less than 120 ppi.

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CCRA MISSION STATEMENT

The mission of the California Court Reporters Association is to advance the profession of verbatim shorthand reporting by promoting professional reporting excellence through education, research, and the use of state-of-the-art technology; establishing and maintaining professional standards of practice; and advocating before legislative and regulatory bodies on issues which impact the judicial system and others served by the court reporting profession of California.

President's Message — “Ladies and Gentlemen, THIS...is American Idol!”

By Sheri Turner Gray, CSR 7350
CCRA President



Hello. My name is Sheri, and I am addicted to American Idol. Yes, it's true. But in my quest for recovery, I have tried to figure out exactly what it is that keeps me coming back week after week to watch the contestants, listen to the harsh criticism, and see the drama play out as amazingly talented and entertaining people are voted off. Is it my musical background that makes me mesmerized? Do I have a sadistic streak and love watching people suffer? Is it because I have strong opinions about the contestants I like and the ones I don't?



Then I realized that I relate to these contestants because I see the similarities between the challenges they go through on a weekly basis and what we go through as reporters every day in our jobs. You didn't know that we are just like Idol contestants, I'll bet!

Their competition is fierce. Our competition is fierce; if not from other reporters, from other methods of making a record. No room for slack or error on our part. Our realtime skills are noticed and commented upon for good or bad. Our transcripts are scrutinized and our costs and charges gone through with a fine-tooth comb. Sometimes comparing two reporters or reporting firms is like trying to compare apples and oranges, like Idol contestants with equally great skills but divergent styles.

Idol contestants are singing on stage in front of millions of TV viewers. We are on public performance every day, making a court or deposition record that might be analyzed on appeal or posted to the media for public view or streamed to the internet. Our transcript may be reviewed by attorneys at some future time in another case. Maybe we are doing captioning for more viewers than the number who even watch Idol in the first place. We are performing in some facet of the public eye each time we are writing on our machine. Talk about pressure!

Idol contestants must choose a song that will showcase their talents and then bring skill and perfection to their delivery every week. They practice and they perfect. We practice and perfect our skills, choosing equipment and software and briefs and a writing style that will benefit us and perfect our work. We constantly hone our skills and knowledge and our dictionary along the way. They put together a look and total package for each performance. We put together a total package of professionalism by the way we look and the way we act, along with our reporting skills.

We just hope that none of us is voted off! We want the economy to turn around and the legal industry to pick up. We pray that no reporters are laid off due to budget cuts, that none of us is replaced with electronic recording, and that the deposition record maintains its status as the valuable commodity that it is. CCRA is vigilant and active in securing these goals. We want all of us reporters to be out there working every day, doing what we do so well and making the difference that we make to the public and to the judicial system. As Randy Jackson would say, "Listen up! You've got to bring it to the table, Dawg, each and every time you step on that stage!"

That is what we do. And that is why all of you are my true Idols.



Shop at the CCRA Store!



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New Tax Law Affects Payment of 2009 Estimates

By Sandy Bunch VanderPol



For all California taxpayers, the percentage of estimated taxes that need to be paid in has changed:

Prior law indicated that you could pay in 4 equal installments (e.g. 25%)

New Law says that you must pay in the following percentages:

30% 1st & 2nd quarters

20% 3rd & 4th quarters

California 2009 Estimated Tax Changes

Taxpayers with California estimated tax payments of \$20,000 or more or a projected 2009 tax liability of \$80,000 or more are now required to submit their payments to the Franchise Tax Board electronically. This is for tax years beginning after January 1, 2009 and so the 4th quarter estimate of 2008 and extension payments for 2008 are exempt. Once you meet this threshold, all payments current and future must be submitted electronically even if you do not meet these minimum thresholds in the current year. Failure to submit electronically will subject you to a 1% penalty of the amount.

Payments can be made electronically using the web pay option on the Franchise Tax Board website at www.ftb.ca.gov under the "Individuals" tab, Pay Tax.

You can also pay by credit card; however, this will result in an additional charge of 2.5% of the amount. This is effective for all payments made after December 31, 2008.



Student Stimulus Package Right In Your Own Garage

By Gerie Bunch, SOS Committee Chair



Remember what it's like to be a starving student and in need. Well, I've recently gotten an email from a student needing an electric machine.

So I'm coming to you, our membership, to see if there are machines in your garages, closets, storage units, etc., that are in good condition that could be donated to students or schools. If so, you can contact me at gerie@psln.com and I can coordinate the match up of those old machines.

Also, do you have scraps of steno paper lying around? If so, why not donate it to a school. The students don't mind splicing and saving a few bucks.



Remove Spellcheck Errors

Q. I have a problem with the dictionary in Microsoft Word. My grandson managed to add a number of misspelled words to the spell-check. Can you tell me how I can remove the misspelled words? Thank you for your wonderful newsletter. I learn something new in every issue.

A. In Word, click Tools > Options > Spelling & Grammar tab > and the Dictionaries... button to the right of CUSTOM.DIC under “Custom Dictionary:” There is usually only one dictionary listed under “Custom Dictionary.”

Next, click the Edit button on the “Custom Dictionaries” screen. A warning will appear advising that when you edit a dictionary, the automatic spell-check function is disabled.

A new window will open that displays a list of all the words that have been added to your spell-check dictionary. You can either click one word at a time, followed by the Delete button, or you can select several words by holding down the CTRL key on your keyboard as you click to select additional words, then click the Delete button.

When you have removed all erant entries, save your changes by clicking click OK in each of the three windows that you opened.

Editing the custom dictionary in Word 2007 is a bit different. (Why Microsoft decided to rearrange everything in Word 2007 is beyond me.) Open Word 2007, then click the MS Office button located in the upper left-hand corner of the window. This will open a two-column menu.

In the lower right-hand corner of this menu are two buttons. Click the Word Options button, followed by Proofing in the left-hand column, which will display your proofing options on the right side of the window.

Click the Custom Dictionaries button. Unless you have created your own dictionaries, there will be one listed, so click that dictionary, then Edit Word. Highlight the misspelled words and delete them. To save your changes, click OK in each of the windows that you opened.

Note: After removing the misspelled words, to enable automatic spell checking again click Tools > Options > Spelling & Grammar and place a check mark next to “Check spelling as you type,” followed by OK.

Q. I took a nice picture of my garden that I would now like to use for my background. How can I do that?

A. There are two easy methods for establishing a photo as your Desktop background or wallpaper: Go to the folder where your photo is located and right-click the photo. From the menu that appears, select “Set as Desktop background.”

Another method is to use an image-viewer program such as the free Irfanview (www.irfanview.com). When viewing a photo in Irfanview, click Options > Set as wallpaper, then click either “Centered,” “Tiled” or “Stretched,” to display the picture.

Q. I use the TAB key to advance to the next field when I’m filling out online forms, but occasionally I get ahead of myself and need to go back. Is there a way to tab backwards without having to use the mouse?

A. Using the TAB key is the easiest way to move from

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one section to the next in a form. With your fingers already on the keyboard, it is faster to reach up with your left pinkie and press the TAB key than it is to take your hands off the keyboard, grab the mouse and move to the next field. To reverse direction, hold down the SHIFT key and tap the TAB key and you'll move back through each previous field.

Mr. Modem's DME (Don't Miss 'Em) Sites of the Month

20 Most Amazing Coincidences

There is an old saying that there is no such thing as a coincidence, but whether you believe in fate or not, it is hard to argue with the fact that sometimes extraordinary circumstances conspire with uncanny synchronicity. This site presents a highlight reel of happenstance that will challenge even the most skeptical of visitors. <http://tinyurl.com/2b8f2g>

Family Caregiving 101

If you're caring for a loved one who is ill or disabled, this

site was created with you in mind. It's a great place to find assistance, answers, new ideas and helpful advice for caregivers and individuals receiving care.

www.familycaregiving101.org

Vintage Toy Encyclopedia

Stores today are filled with high-tech gadgets that provide children with mind-numbing entertainment that does little to foster creativity or imagination. By comparison, the simpler toys of yesteryear seem quaint and outdated. "Where do I insert the batteries for Mr. Potatohead, Daddy, or is it wireless?" The toys in this virtual encyclopedia are divided into three main sections, "Action Figures," "Dolls," and "Toys and Collectibles," then listed alphabetically within each category for easy browsing.

www.toyNfo.com

For plain-English answers to your questions by email, plus great computing tips, subscribe to Mr. Modem's award-winning newsletter. Subscribe using Promo Code 1046 and receive one free month with your 6-month subscription (28 issues!) To view a sample issue or subscribe, visit www.MrModem.com



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Career Day

*By Suzanne Wasser, Student
College of Court Reporting*

Last year was not only my first year attending career day at my son's elementary school, but it was my first experience ever as a captioner/court reporter. It was so much fun and extremely rewarding.

This year I made presentations to six classrooms in three hours. I had to set up my realtime equipment, make a presentation, and then break down my realtime equipment for six different classrooms in half-hour segments. I had one 3rd grade classroom, two 4th grade classrooms, and three 5th grade classrooms. Last year I presented to a few kindergarten and first grade classrooms. They were the most fun of all. I thought that the older kids would be better because they would understand more, but the five- and six-year-olds were especially intrigued.

I did the same thing this year as I did last year. I paired up with a criminal attorney, and we conducted a mini-trial. We picked a judge from the kids who volunteered, and they sat in front of the classroom wearing a makeshift judge's robe. Then as I explained the job of a captioner/court reporter, the attorney had the teacher steal a student's backpack. After the teacher was busted for stealing the backpack, the attorney explained and read out loud the school laws stating why it was illegal to steal. The kids were roaring with laughter.

We divided the room into two sides. Each side had to come up with reasons why they thought the teacher was guilty or not guilty of stealing the backpack. The children were very excited and each child took turns stating their thoughts.

After both sides had a chance to say something, I read back all the comments they made. Talk about being grateful for all the times I read back in class. Gosh, I couldn't believe I was so nervous reading back to eight- to ten-year-olds. The kids loved hearing their names. They squealed and laughed when I read back what they said.

I turned my laptop towards the classroom. Some of the kids could see the words/steno/mistakes scrolling across the screen. After the trial, and the question/answer session, I let them come up and touch my machine and hit the keys as I was packing everything up. The looks on their faces were priceless.

I still get feedback from last year's career day where parents tell me how much their child enjoyed my presentation. I've had three little girls tell me they wanted to be court reporters when they grow up.

I was amazed that 100 percent of the students and most of the teachers had no idea about the field of captioning. There was a small percentage that knew about court reporting.

**I WOULD RECOMMEND VOLUNTEERING
FOR CAREER DAY TO ANY STUDENT OR REPORTER.**



**Advancing our profession
for over 100 years.** >>>



Transcript Tug-Of-War Lawmaker Targets Depo Providers Who Offer Rebates

By Cheryl Miller
The Recorder Staff Writer
www.callaw.com



**When is an iPod Nano a tool of unfair competition?
When a multistate deposition company can lure law firm business
with the promise of a free media player, but veteran court reporter
Stephanie Grossman cannot, the Palo Alto stenographer said.
“If I did that,” Grossman said, “I would lose my license.”**

Grossman and other licensed reporters say they’re losing business in a tough economy to competitors that, because of a loophole in state law, don’t have to abide by the same rules governing gift giving, document formatting, and professional conduct. The licensed reporters have found an ally in Assemblyman Ira Ruskin, D-Redwood City, who has introduced legislation that would force all shorthand operators, regardless of their corporate setup, to comply with the same standards of practice enforced by the California Court Reporters Board.

“This profession...is part of the legal system, and it needs to be governed by a proper ethics system,”

Ruskin said. “In an era where we’ve seen the ill effects of deregulation in many areas, the prudent thing to do is to close the loophole that’s led to the deregulation of this important industry.”

The conflict stems from significant technological and business-side changes that have reshaped the court reporting industry over the last few decades. Originally, reporting was largely the domain of regionally based mom-and-pop shops — with an emphasis on the mom, thanks to the women who dominated the profession. California law was established to oversee individual licensees and certified shorthand reporting corporations, the two dominant forms of operation.

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Transcript Tug-Of-War Lawmaker Targets Depo Providers Who Offer Rebates

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That business model eventually expanded to include large multistate firms that offered deposition services, often to complement a menu of other products geared to the legal industry. Some of those firms are not owned or run by licensed reporters; others are formed as partnerships. Under state law, neither type of operation is regulated by the Court Reporters Board.

So while licensed reporters are barred from giving clients gifts worth more than \$100 in a calendar year, unregulated firms have no such restrictions.

Many such firms buy ads in legal publications, including *The Recorder*, and send mailers to law firms offering perks like Montblanc pens, gift cards, cash rebates, and iPod shuffles for deposition bookings. Alabama-based Freedom Court Reporting, which has affiliates in seven California cities, has established a lucrative point system. Clients earn one point for every \$50 they spend, according to the company's Web site. Twenty points can be cashed in for gourmet cookies. Booking secretaries and paralegals racking up 350 points score trips to Miami Beach including airfare and four nights in a three-bedroom penthouse.

Freedom's owner, Mickey Turner, said her company has no attorney clients in California; its affiliates here work for traveling Alabama lawyers. It's unclear if the new legislation would affect Freedom's activities in the state. Three other firms did not respond to *The Recorder's* requests for comment. Grossman said her firm, Grossman & Cotter, recently lost a long-standing client to a reporting company that plied the law firm's paralegals with baseball tickets. She declined to name the firm. "Several of our reporters used to report there all the time!" she said. "And, yes, we've had to cut back. We've lost business because of this. It very definitely affects our income."

Licensed reporters have another complaint. They say they're bound by law to provide transcripts with standard-size print and margins. In an industry that pays reporters and charges clients by the transcript page, the rule is designed to protect both workers

and consumers. Licensees claim that some unregulated firms will take the standardized transcript produced by a licensed reporter and reformat it at another location and submit it to a client with wider margins, additional paragraphs, or other changes that increase the number of pages — and subsequently, the amount due.

Yvonne Fenner, executive director of the Court Reporters Board, said the agency started receiving a "flurry" of complaints about such practices three or four years ago. But when consumers and licensed reporters realized the board couldn't do anything, "people just stopped complaining." The board has not taken a position on Ruskin's legislation, but generally supports the notion of extending the state's rules to all shorthand operators, Fenner said.

Although Gov. Arnold Schwarzenegger has previously proposed eliminating the Court Reporters Board, the well-organized reporting lobby has pushed back his efforts in the Legislature. With their sizable numbers and court-employed members' ties to powerful labor unions, the reporters' lobby has also repelled efforts to replace some shorthand work with audio and video recording.

Now they're hoping to use that strength to enact Ruskin's Assembly Bill 1461. "We're not trying to restrict who can do business," said Sheri Turner Gray, president of the California Court Reporters Association. "We just want to make sure every entity abides by the same standards!" No hearing date has been set yet on the bill.

Reporter Cheryl Miller's e-mail address is cherylmiller@hmisivemedia.com.

Editor's note: As expected, there is opposition to this legislation from the firms engaging in these unfair practices. CCRA will keep you apprised of new developments.



Time to Give Back

By Kristi Garcia, CSR, RPR

Remember what it was like to be a student? Just the thought of talking to a working reporter was exciting to me. Well, it's time to reach out to those students.

We are looking for reporters to sponsor a student to attend the CCRA convention in Palm Springs this October. There are classes being designed exclusively for them, to benefit and inspire our future California CSRs. In a time when there is a so-called shortage of students and ER is knocking on our door, the time to act is NOW.

You can change the life of a future court reporter. Check with your local school or contact CCRA to

find a very deserving person to sponsor. If you already know someone, contact them personally. Find friends and pool your money if the total is overwhelming in these economics times. Remember, this is a write-off.

Also, as a sponsor, your name will be put in a drawing for a spa treatment to be used during the convention. Give back to the profession that has been so good to us!





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Court Officials Say Latest Cuts May Go Deep



By William Vickery

Administrative Director, Administrative Office of the Courts

California's court leaders have pleaded with lawmakers to spare the judicial system from the full brunt of \$100 million in planned budget cuts and millions of dollars more in cost overruns.

The first of many hearings was held the first week in April, a legislative review of the court's budget in the wake of the news that the state will not receive the hoped-for \$10 billion in general fund aid from the federal stimulus package. Without the \$10 billion trigger, the Legislature has agreed to levy an income tax surcharge and to make deep cuts in programs ranging from social services to court operations. California's courts lose \$100 million under the plan, plus another \$71 million that would have provided initial funding for another 100 judgeships. How these cuts, combined with increased costs of doing business, will affect each court will be different in each jurisdiction depending on trial court reserves and whether they already calculated the costs of employee contracts when they signed multi-year agreements.

Some courts are already feeling the pinch. Alameda County Superior Court workers have already been told that they will have to take two-week unpaid furloughs this year. Many counties throughout the state are contemplating how to absorb the cuts, including voluntary furlough programs and mandatory furlough programs.

Once again, the Legislative Analyst's Office has proposed implementation of digital recording and a phase-out of court reporters over a period of time, the same proposal as the last two years. CCRA's lobbyist, Jim Cassie, is hard at work at the capitol to educate our legislative leaders about digital recording and the court reporting industry. We are hopeful that the proposal will be rejected outright as it has in the past. But if it isn't, we are prepared to once again go to the legislature.

Cal-e-licious

By Gerie Bunch



This is my new favorite dessert and it's so easy. Enjoy!

Dream Date Dessert

Credit given to the Great American Bed & Breakfast Cook Book

Ingredients:

- 12 dates (pitted), 4 cut in half
- 1 crescent dinner roll package
- 1 cube butter
- 2 Tbls. Brown sugar
- 2 Tbls. Honey

1/2 c chopped walnuts or pecans.



Preheat oven 400 degrees. Melt butter in square 8x8 pan, mix in honey, brown sugar and nuts. Roll one and a half dates in each crescent roll and place in melted butter mixture.

Cook for 15-18 minutes until golden brown. Let stand 3 minutes and invert onto serving dish.

This is so yummy and elegant as well. Goes well with Port too.

One Word or Two

By Margie Wakeman Wells

Choose the correct form of word in parentheses.

1. I intend to do this (everyday/every day) this week.
2. She does not need (anymore/any more) to do.
3. I cannot see him (anyway/any way).
4. We were (almost/all most) happy to do it for her.
5. He did not see her for (awhile/a while) after that.
6. It was not feasible from (thereon/there on).
7. He was placed (overall/over all) other employees.
8. It is (altogether/all together) too difficult.
9. It has become an (everyday/every day) chore for him.
10. I have the (overall/over all) responsibility.
11. There is not (anyway/any way) to complete it.
12. He does not intend to participate (anymore/any more).

ANSWER KEY

1. **every day**
2. **any more**
3. **anyway**
4. **all most**
5. **a while**
6. **there on**
7. **over all**
8. **altogether**
9. **everyday**
10. **overall**
11. **any way**
12. **anymore**

Explanation

almost
all most

adverb: close to, nearly
“everyone very” — a pronoun, *all*, with an adverb, *most*, that will be followed by an adjective

altogether
all together

adverb: totally, completely, entirely
“everyone or everything in the same place,” *all* in a group — a pronoun, *all*, and an adjective, *together*

anymore
any more

adverb: from this point forward, no longer
anything left, anything additional -- an adjective, *any*, modifying a pronoun, *more*

anyway
any way

adverb: in any case, no matter what
by any method, by any means — an adjective, *any*, modifying the noun, *way*

awhile
a while

adverb: an indefinite period of time
noun: an indefinite period of time; correct form as object of preposition or with *ago* and *back*;
can always be correct as two words (Why bother to ever choose one word?)

everyday
every day

adjective (used only directly in front of a noun): ordinary, routine, usual, customary
each individual day, each single day — an adjective, *every*, modifying a noun, *day*

overall
over all

complete, thorough, comprehensive
prepositional phrase: in charge of everybody

thereon
there on

adverb: on that, on that thing
both adverbs: from that point forward





Save the Date!

Join us for CCRA's 99th Annual Conference at the

Miramonte Resort and Spa
Indian Wells, CA
October 9-12, 2009

- Take a "Mini-vacation"
- Bring the Family
- Earn CEUs
- Network
- Great Vendors
- Relax
- Beautiful Resort
- LOW PRICES!



Conference Highlights

- | | |
|----------------------|--|
| Friday, October 9 | CCRA Golf Tournament (scramble format) at the Indian Wells Golf Resort, home of the "The LG Skins Game." |
| Friday, October 9 | Evening Welcome Reception on the Piazza Terrace overlooking the resort. |
| Saturday, October 10 | Cocktail Party and Barbeque by the pool with live entertainment followed by a reception in the Presidential Suite. |
| All weekend | Spa, Relax and Rejuvenate! |



Advancing our profession
for over 100 years. >>>

Please contact the CCRA office for more information.
(949) 715-4682 • www.cal-ccra.org • info@cal-ccra.org

Legislation Update

By Sandy Bunch VanderPol, CSR #3032

AB 5 (Evans [D]) Civil Discovery: Electronic Discovery Act

Status: 03/12/2009—In Senate. Read first time. To Com. on RLS. for assignment.
Current Location: 03/12/2009—S RLS

Summary: The Civil Discovery Act permits a party to a civil action to obtain discovery, as specified, by inspecting documents, tangible things, and land or other property in the possession of any other party to the action. Existing law requires the party to whom an inspection demand has been directed to respond separately to each item or category of item by any of certain responses, including a statement that the party will comply with the particular demand for inspection by the date set for inspection pursuant to a specified provision. This bill would establish procedures for a person to obtain discovery of electronically stored information, as defined, in addition to documents, tangible things, and land or other property, in the possession of any other party to the action. This bill would permit discovery by the means of copying, testing, or sampling, in addition to inspection, of documents, tangible things, land or other property, or electronically stored information. This bill contains other related provisions and other existing laws.

AB 48 (Portantino [D]) Private Postsecondary Education: California Private. Postsecondary Education Act of 2009

Status: 04/02/2009—Read second time and amended.
Current Location: 04/02/2009—A B. & P.

Summary: This bill would express the intent of the Legislature to enact legislation to establish a Bureau for Private Postsecondary Education and to encourage the Department of Consumer Affairs to receive and respond to student complaints and provide information to students and prospective students of private postsecondary educational institutions, until a

Bureau for Private Postsecondary Education is established. The bill would continue the existence of the Private Postsecondary and Vocational Education Administration Fund under the administration of the Department of Consumer Affairs and would appropriate \$1,000,000 from that fund to the department for the above purposes.

AB 170 (Mendoza [D]) Court Reporters: Rough Draft Transcript

Status: 03/23/2009—In Senate. Read first time. To Com. on RLS. for assignment.
Current Location: 03/23/2009—S RLS

Summary: Existing law provides that the report of the official reporter or official reporter pro tempore of any court, as specified, when transcribed and certified as being a correct transcript of the testimony and proceedings in a case, is prima facie evidence of that testimony and proceedings. Existing law specifically provides that the report, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. Existing law also provides that the rough draft transcript may not be cited or used to rebut or contradict the official certified transcript and that the production of a rough draft transcript shall not be required. This bill would provide, until January 1, 2017, that the instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. The bill also would prohibit the citation or use of the instant visual display of the testimony or proceedings, or both, to rebut or contradict the official certified transcript of the proceedings.

AB 176 (Silva [R]) Maintenance of the Codes

Status: 03/23/2009—In Senate. Read first time. To Com. on RLS. for assignment.
Current Location: 03/23/2009—S RLS

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Legislation Update

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Summary: This bill would provide for minor changes to Business & Professions Code Section 8027, as relates to court reporting schools, among other things. This bill is proposed by the Law Revision Commission.

AB 250 (Miller [R]) Criminal Procedure: Trials: Timing

Status: 03/04/2009—Referred to Com. on PUB. S.

Current Location: 03/04/2009-A PUB. S

Summary: Existing law requires that a defendant be brought to trial within 60 days of arraignment in a felony case, as specified. Under existing law, the case must be dismissed if the defendant did not waive that time limit or consent to an extension of time, as specified, and the case is not brought to trial within the time limit. Under existing law, the defendant may withdraw his or her waiver of time and then the case is required to be brought to trial within 60 days of the withdrawal of the waiver. This bill would require the withdrawal of the waiver to be done in open court, as specified.

AB 484 (Eng [D]) Franchise Tax Board: Professional or Occupational Licenses

Status: 04/02/2009—From committee chair, with author's amendments: Amend, and re-refer to Com. on B. & P. Read second time and amended.

Current Location: 04/02/2009-A B. & P.

Calendar Events: 04/14/09 9 a.m. — Room 447 ASM BUSINESS AND PROFESSIONS

Summary: The bill would require the Franchise Tax Board, if an individual licensee fails to pay taxes for which a notice of state tax lien has been recorded, as specified, to send a preliminary notice of suspension to the licensee (including a CSR licensee). The bill would provide that the license of a licensee who fails to satisfy the unpaid taxes by a certain date

shall be automatically suspended, except as specified, would require the Franchise Tax Board to mail a notice of suspension to the applicable state governmental licensing entity and to the licensee, and would provide that the suspension be canceled upon compliance with the tax obligation. The bill would require the Franchise Tax Board to meet certain requirements and would make related changes. The bill would authorize a state governmental licensing entity, as specified, to impose a fee on a licensee with a suspended license in an amount necessary to cover its administrative costs. The bill would make implementation of its provisions contingent upon appropriation of funds for that purpose in the annual Budget Act.

AB 493 (Tran [R]) Employment and Benefits Appeals Board

Status: 04/02/2009—From committee chair, with author's amendments: Amend, and re-refer to Com. on INS. Read second time and amended.

Current Location: 04/02/2009-A INS.

Calendar Events: 04/22/09 9 a.m. — Room 437 ASM INSURANCE

Summary: This bill would affect the workers' compensation reporters. This bill would abolish the Unemployment Insurance Appeals Board, the California Occupational Safety and Health Appeals Board, and the Workers' Compensation Appeals Board and transfer their duties to the Employment and Benefits Appeals Board, which this bill would create in the Labor and Workforce Development Agency. The bill would make conforming changes to existing law.

AB 996 (Anderson [R]) Courts: Continuous Hours of Operation

Status: 03/26/2009—Referred to Com. on JUD.

Current Location: 03/26/2009-A JUD

Calendar Events: 04/14/09 8 a.m. — Room 4202 ASM JUDICIARY

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Legislation Update

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Summary: Existing law requires all offices of every state agency to be kept open for the transaction of business from 8 a.m. until 5 p.m. of each day from Monday to Friday, inclusive, other than legal holidays, but provides that any state agency or division, or branch or office thereof, may be kept open for the transaction of business on other hours and on other days. This bill would authorize the Chief Justice of the Supreme Court, the presiding justice of a court of appeal, or the presiding judge of a superior court to order the court to operate on a continuous and ongoing basis, 24 hours per day, 7 days per week.

AB 1040 (Strickland, Audra [R]) Appeals: Notice: Class Action Settlements

Status: 03/26/2009—Referred to Com. on JUD.

Current Location: 03/26/2009-A JUD

Summary: Existing law provides that an appeal is to the court of appeal, other than in a limited civil case, and specifies certain judgments and orders from which an appeal may be taken. This bill would require the appellant, upon filing a notice of appeal, to state if the appeal is from a lower court's approval of a class action settlement. If so, then the appeal shall be entitled to expedited briefing and preference in setting the date for oral argument within 120 days after the notice of appeal has been filed.

AB 1168 (Carter [D]) Professions and Vocations

Status: 03/02/2009-Read first time.

Current Location: 02/27/2009-A PRINT

Summary: Existing law provides for the licensure and regulation of various professions and vocations by boards and bureaus within the Department of Consumer Affairs, and places the

department under the control of the Director of Consumer Affairs. Existing law authorizes the director to request specified reports from these boards. This bill would make nonsubstantive, technical changes to that provision. (Could be a spot bill — watch)

AB 1338 (Anderson [R]) Arraignment Courts

Status: 03/31/2009—Referred to Com. on PUB. S.

Current Location: 03/31/2009-A PUB. S.

Summary: Existing law provides, when a criminal complaint is filed, for the arraignment of the defendant on those charges before the court in which the complaint is filed, as specified. This bill would authorize the presiding judge of the superior court, or a judge designated by the presiding judge, together with the district attorney and the public defender, to establish and conduct an arraignment court program. The bill would authorize the presiding judge of the superior court to establish extended hours for the operation of an arraignment court program, and would require the proceeds of any pecuniary orders issued during those extended hours to be distributed by the court among the participating prosecutorial, defense, probation, and arresting agencies.

AB 1461 (Ruskin [D]) Shorthand Reporting

Status: 04/02/2009—Referred to Com. on B. & P.

Current Location: 04/02/2009-A B. & P.

Summary: Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California and makes a violation of these provisions a crime. Existing law prohibits a shorthand reporting corporation, as defined, from doing or failing to do any act that constitutes unprofessional conduct under any statute, rule or regulation pertaining to shorthand reporters or

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shorthand reporting. This bill would additionally prohibit a firm, partnership, sole proprietorship, or other business entity providing or arranging for shorthand reporting services from doing or failing to do any act that constitutes unprofessional conduct under any statute, rule or regulation pertaining to shorthand reporters or shorthand reporting. By expanding the scope of a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

**AB 1564 (Committee on Insurance)
Workers' Compensation.**

Status: 04/02/2009—Referred to Coms. on INS. and P.E.,R. & S.S.

Current Location: 04/02/2009-A INS
Calendar Events: 04/22/09 9 a.m. —
Room 437 ASM INSURANCE

Summary: Existing law requires all oral testimony, objections, and rulings at all hearings and investigations before the appeals board or a workers' compensation judge to be taken down in shorthand by a competent phonographic reporter. This bill would, instead, require all oral testimony, objections, and rulings to be recorded on a permanent accessible record by a competent hearing reporter. This bill includes other topics not related to court reporting.

SB 377 (Corbett [D]) Courts: Judgeships

Status: 03/26/2009—Set for hearing April 14.

Current Location: 03/12/2009-S JUD
Calendar Events: 04/14/09 1 p.m. —
Room 112 SEN JUDICIARY

Summary: Existing law specifies the number of judges for the superior court of each county and for each division of each district of the court of appeal. This bill would, upon the Legislature's appropriation in the Budget Act of moneys expressly identified for the purpose of initially funding the costs of additional new judges, authorize 50 additional judges, to be allocated to the various superior courts pursuant to uniform criteria approved by the Judicial Council.

SB 489 (Liu [D]) Private Postsecondary Education: Private Postsecondary and Vocational Education Reform and Student Consumer Protection Act of 2009

Status: 04/01/2009—From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS.

Current Location: 04/01/2009-S RLS

Summary: This bill would enact the Private Postsecondary and Vocational Education Reform and Student Consumer Protection Act of 2009, which would express the intent of the Legislature to, among other things, provide for the protection, education, and welfare of California's citizens, postsecondary educational institutions, and students, as specified. The bill would require the California Postsecondary Education Commission to establish a Bureau for Private Postsecondary Education to function as the statewide private postsecondary and vocational educational licensing and enforcement agency, in accordance with the act. The bill would require the commission, working through its executive director, to fulfill specified functions and responsibilities under the act. The bill would require each private postsecondary education institution desiring to operate in this state to apply to the bureau for licensure. The bill would establish procedures and standards for application and bureau licensure. The bill would authorize the commission to impose a

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Legislation Update

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school licensure fee on each institution making application to the bureau, in accordance with an unspecified fee schedule, and would require the costs of implementing the act to be covered by fee revenues. The bill would require the Legislative Analyst's Office, by January 1, 2013, to review the effectiveness of the bureau in implementing the act and submit a report of its findings to the commission, the Legislature, and the Governor. The bill would provide that a private postsecondary institution approved under the former Private Postsecondary and Vocational Education Reform Act of 1989 as of June 30, 2007, shall, at a minimum, be recognized as an approved institution through the reapproval period that the institution had as of June 30, 2007, plus 2 additional years beyond that date.

SB 544 (Committee on Judiciary) Civil Law: Omnibus Bill

Status: 04/02/2009-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on RLS.

Current Location: 04/02/2009-S RLS.

Summary: Existing law, the Civil Code, is composed of 4 divisions relating to persons, property, obligations, and general provisions relating to persons, property, and obligations. This bill would declare the intent of the Legislature to enact technical and noncontroversial statutory changes relating to civil law.

SB 638 (Negrete McLeod [D]) Regulatory Boards: Operations

Status: 03/27/2009-Set for hearing April 20.

Current Location: 03/19/2009-S B., P. & E.D.

Calendar Events: 04/20/09 2 p.m. or upon adjournment of session - Room 3191 SEN BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

Summary: Existing law creates various regulatory boards, as defined, within the Department of Consumer Affairs, with board members serving specified terms of office. Existing law generally makes the regulatory boards inoperative and repealed on specified dates, unless those dates are deleted or extended by subsequent legislation, and subjects these boards that are scheduled to become inoperative and repealed as well as other boards in state government, as specified, to review by the Joint Committee on Boards, Commissions, and Consumer Protection. Under existing law, that committee, following a specified procedure, recommends whether the board should be continued or its functions modified. The bill would authorize the appropriate policy committees of the Legislature to review the boards, bureaus, or entities (including the Court Reporters Board) that are scheduled to have their board membership or bureau chief so terminated or reviewed, as specified, and would authorize the appropriate policy committees of the Legislature to investigate their operations and to hold specified public hearings. The bill would require a board, bureau, or entity, if their annual report contains certain information, to post it on its Internet Web site. The bill would make other conforming changes.

For information concerning this report or the information contained herein, you may contact California Court Reporters Association, Attn. Sandy Bunch VanderPol, CSR #3032, at 65 Enterprise, Aliso Viejo, California 92656, (949) 715-4682 or by e-mail at RealtimeCSR@calweb.com.

