

CCRA *online*

Volume 11 | Issue 3



Spring is coming...

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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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The Electronic Magazine of
the California Court Reporters Association

CCRA Online Committee

Lesia J. Mervin
Debby Steinman
Connie Parchman, Editor
3275 Royalton Court
Pleasanton, CA 94588
Tel: (510) 853-5260
parchman1@aol.com

Main Office

CCRA
65 Enterprise
Aliso Viejo, CA 92656
Tel: (949) 715-4682
Fax: (949) 715-6931
Email: staff@cal-ccra.org

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CCRA OFFICERS

President

Debby Steinman
debby.steinman@cal-ccra.org

President-Elect/

Vice President Freelance

Early Langley
early.langley@cal-ccra.org

Vice President Officials

Kristi Garcia
kegarcya@comcast.net

Secretary-Treasurer

Therese Claussen
TKClau@aol.com

Past President

Carolyn Dasher
carolyn.dasher@cal-ccra.org

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 — Are You Looking for a “Me” Association or an “Us” Association?

By Debby Steinman, CSR, CRR, RDR, CMRS, CPE
CCRA President



What's in it for you? What kind of an association should CCRA be?

Consider these scenarios:
Imagine an association where everyone passionately, whole-heartedly and recklessly calls the shots; there's no master plan.

“Gee, okay, let those legislators do what they want. Who cares? They'll never get rid of us. Hey, nobody can do what we do.”

Consider the member who just complains and says:

“You ought to do something.”

“Can we count on your help?”

“No, I don't want to do anything, but YOU really should do something.”

How about an association that doesn't consider the whole picture but buries its head in the sand?

“Legislation? What legislation? Who cares?”

How about an association where people say:

“Financially, I don't donate to the association, but I'd sure like to know who does.”

“Okay. If you join now, you'll know who gives what and in what detail.”

How about the person who says:

“Hey, I'm not a member, but I don't mind riding the backs of those who are.”

“No problem. The members don't mind. They'll take care of you. Just hitch a ride.”

How about this:

“When I'm attending a seminar, can my car get a wash and a wax?”

“Sure, why not? Not only that, but an oil change and a tune-up too.”

Consider this scenario:

If I join, how about tickets to the Super Bowl?

“Well, that's asking too much.”

“I'm serious. If I'm going to join, I want tickets to the Super Bowl.”

“All right. You join now, and we'll get you there.”

And this one:

“I'd join but I'd like a new car — not just a car, but a BMW.”

“Okay. Look in your garage.”

The Me/Association, where it's all about you. Do you recognize yourself or anybody you know in the above scenarios?

Hopefully you're saying, “It's not all about me, it's not about

my agenda. I need to think of my profession and my association.”

This association, your association, is all about us. It's about our agenda, not my agenda, not your agenda, but our agenda. We're a team working together for our profession. It takes time. It takes effort. It takes working together. It takes constantly being informed and circumspect.

What really matters? What really matters is our relationship with each other, how we can promote our profession, how we can support each other, and how we can be the best method of guarding the record.

For us to survive, we need to forget the “it's-all-about-me attitude,” and we all need to participate in this together. It's a full-time job. If you're not interested in serving on the board or being on a committee, you can still support CCRA with your donations. When many of us help a little, big things get accomplished.

If you'd like to serve but don't know what to do, we have different committees, and I'm sure one of them will pique your interest.

Today, let's consider just four of the committees:

The Public Relations committee promotes and improves the image of the court reporting profession and verbatim shorthand reporters.

The Technology Committee keeps abreast of the latest developments of CAT and other methods used to preserve a verbatim record.

The Continuing Education committee seeks to raise the educational and professional qualifications of the membership, conducts seminars, and helps conduct the NCRA exams, along with our speed contest.

The SOS — Support our Students — committee supports students, has a mentoring program, talks to students at their schools, sponsors a scholarship program, and many other things.

And, of course, our Membership committee promotes membership.

If you have an interest in getting involved but don't know how and want to start out slowly, e-mail me at debby.steinman@ccra-cal.org or dsteinmancsr@cox.net and I'll help get you started.

If you're not a member, it's not too late. You can sign up here. [CLICK HERE](#)





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Therese Claussen

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District A
Pam Katros
pam.katros@cal-ccra.org

District D
Christine Taylor
christine.taylor@cal-ccra.org

District B
Kelly Roemer
kroemer@aikenwelch.com

District E – (At Large)
Brooke Ryan
burgundy.ryan@sbcglobal.net

District C
Kim Thayer
kim.thayer@cal-ccra.org

District F – (At Large)
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wendy.arlen@cal-ccra.org

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Important Tax and Legal Information — Implications of Incentives Offered in Exchange for Business



Dear CCRA or DRA Member:

Both of California's court reporting trade associations representing deposition reporters want to make you aware of some **important tax and legal information for you and your clients.**

As you may know, many court reporting firms have been promising valuable incentives to law firm secretaries and assistants in exchange for those secretaries and assistants booking depositions with the firm. CCRA and DRA retained the law firm of Hanson Bridgett to review the tax implications of these incentives.

According to the Hanson Bridgett analysis, your clients should be aware that **offers of such incentives raise potentially serious tax consequences for law firms and their employees.** As Hanson Bridgett writes:

Given that the incentives provided by Reporting Firms in exchange for business are payments for services rather than gifts, the [Internal Revenue Code] requires the recipients of those payments to treat the value of the incentives as gross income. This means that recipients must report the value of the incentives they receive as income on their tax returns. Failure to do so could result in the assessment of additional taxes, interest and penalties by the Internal Revenue Service.

A law firm having a general policy in place may not be enough to avoid tax questions, according to the memo:

Where law firms have policies in place prohibiting employees from accepting incentives, serious tax issues may still arise to the extent these policies are not enforced.

Moreover, the memo details that there are serious tax and IRS issues as well for the court reporting firms offering these incentives. The memo can be found by [clicking here.](#)

The Hanson Bridgett memo explaining the tax implications of such incentives offered in exchange for business comes on the heels of the California Court Reporters Board citing and fining U.S. Legal for violating the Board's regulations on so-called gift giving. www.courtreportersboard.ca.gov/lawsregs/cite-fine.pdf

Our organizations have long believed that for the market to promote high quality transcripts at reasonable prices, quality and price — not goodies — must be the main reason to select deposition services. Certainly, it is difficult to imagine selecting other licensed professionals (lawyers, doctors) on the basis of such incentives, and for good reason: incentives distort the market away from rewarding quality reporting and, by doing so, hurt the interests of justice.

You are free to provide the Hanson Bridgett memo to your clients if, in your judgment, you feel your clients would be interested in or benefit from it.

Debby Steinman
PRESIDENT, CCRA

Lisa Michaels
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A Reporter's Recipe for Success

By Erin Robinson

A brand-new court reporter fresh out of the CSR exam asked me, "What three things can I do to create a stellar career for myself?" I know exactly what my response would be: Number one, I would say you need to be open to providing realtime to attorneys; number two, join your court reporting associations, such as NCRA and CCRA, read the journals they offer, and take any courses or exams they administer; and, number three, if you're interested in a college degree, look into getting one.

I expect that young court reporter would politely nod, walk away and quickly forget all of my valuable advice! He or she may think, "I just finished court reporting school. When am I going to find time to go back to college?" Or perhaps, "I'm too afraid of realtime. My writing is nowhere near good enough. Those attorneys will eat me alive!" And maybe even, "I've jumped through the hoops and taken all the exams I will ever want to take. Why bother taking the CRR or the RMR? I can work without them."

I know I am suggesting what some might think is impossible. Most new reporters want to just get out there and work. But I believe that these three components are what have shaped my career and made it successful.

"It's 4:45. I have just received the dreaded phone call from our office manager giving out tomorrow's job assignments. I have to provide realtime tomorrow! Immediately, I feel sick to my stomach. Fear, panic and desperation grab hold of my body. How am I going to sleep tonight? I am so nervous. I want to crawl into bed and die!"

Has anyone felt this way when given a realtime assignment? I have been a realtime reporter for over ten years, and still every time I receive this phone call, my stomach ties itself in knots — the stress of performance anxiety, having to troubleshoot because your attorney client has a computer rivaling the age of dinosaurs, fear of complaints by the attorney because you've made a mistake.

The reasonable question to ask is, why would you agree to provide realtime? You do it because realtime is oftentimes the reason that you'll be chosen for complex litigation cases that have multiple transcript orders per day. Realtime also cuts down on your editing time. Your jobs are practically perfect at the end of the day. So it may seem like you are doing more work, but you are actually doing less!

The extra pay doesn't hurt either. And for the record, I've never had an attorney criticize my realtime; not because it's perfect, but because they know what a difficult skill is being provided and they appreciate it immensely.

Your realtime skill is what will distinguish you as a professional in the field of court reporting.

Working as a court reporter in the age of information, continuing education is a must. Technology is advancing faster than ever before, and as reporters, we need to stay abreast of new services we can offer our clients.

A great way to achieve this is to join NCRA and CCRA, associations that give us the newest information about our profession. Anytime NCRA or CCRA offer credits for software tutorials or realtime workshops, we should take advantage. What better way to protect our profession than to hone our skills!

With continual threats to cut funding to our CSR board and threats to cut funding for official reporters in courts, belonging to organizations, even getting involved in those organizations, helps you understand better the value of our advocates and the struggles they encounter to keep our profession safe.

Taking exams through NCRA is also a self-esteem booster and looks great on business cards. Some courthouses in California even offer up to a 7 percent increase in income if you have attained a CRR license.

College also counts as continuing education. Ours is a profession that does not stress college degrees, but with online learning, nowadays it is so easy to obtain one. For instance, Humphreys College in Stockton offers an online B.S. in Court Reporting, and they will accept your court reporting experience as credit towards your degree. College tuition counts as a write-off on our taxes, and college courses even count towards NCRA continuing education credits.

The bottom line is we need to keep our tools razor-sharp if we are going to stay ahead. Why make our jobs harder by becoming complacent? Like a professional athlete who must challenge his body, give it the sustenance it needs to perform at the top of his game, we must also approach our careers with passion, hunger for knowledge, and continually challenge ourselves to achieve more.



Freelancers, We're Covering You!



At our Centennial Convention in October of 2010, you wanted us to pursue continuing education unit requirements in California. We have. SB 671 introduced February 18, 2010, by Senator Curren Price, would statutorily require the California Court Reporters Board to establish continuing education requirements for the renewal of a shorthand reporter's certificate.

At our Centennial Convention in October of 2010, you wanted us to pursue unethical gift-giving. We have. *"Dollars for Depos: A Risky Business"* written by Early Langley, CCRA president-elect, chair of the Deposition Advisory Committee, was published in the San Francisco Daily Journal in the September 2010 issue. The article was subsequently reprinted in NCRA's Journal of Court Reporting in the January 2011 issue. It is the first of its kind to capture an untargeted audience: The entire legal community. And lawyers listened. Attorney Jed Peace Friedland wrote: *"After reading your article, 'Dollars for Depos: A Risky Business,' which appeared in the San Francisco Daily Journal, I'd like to commend you. It mirrors my own sentiments. I've been on a rant about this subject in private discussions with numerous attorneys who consistently utilize poor quality court*

reporters either because they are blinded by a treasure trove of perceived 'freebies' or because someone harbors an undisclosed addiction to... the fleeting taste of Dom Perignon. If they check their transcripts and bills closely, they'll certainly think again before offhandedly booking court reporting services for such self-serving reasons."

What's been the other impact of that article? NCRA's Ethics First Committee is pursuing the same audience on a nationwide scale and CCRA's Early Langley is on the task force.

What's more? A significant collaborative alliance of CCRA and DRA produced a legal opinion on the taxation of incentives given by court reporting firms from the prestigious law firm of Hanson Bridgett. The result: It could potentially change the way law firms book depositions. And the IRS's radar screen is up.

Not enough? Stay tuned. Our Online magazine is about to meet the Brighter Side of a Freelancer's Life.

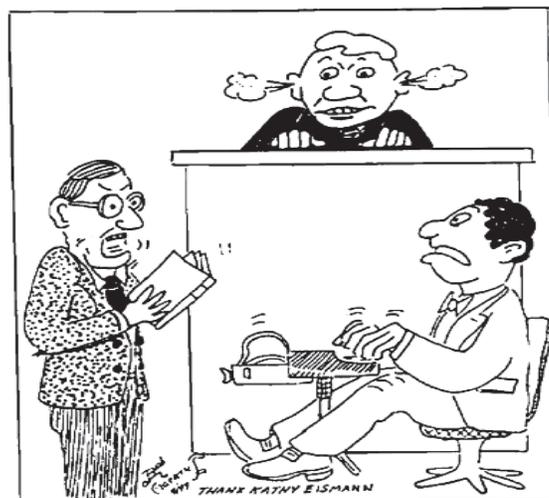
Want to be involved? We'd love to have you aboard! Join us. We are one association representing the entire court reporting profession for the last 100 years.



CSR Cartoons



If there's another outburst like that I'll order the courtroom cleared.



Counselor, if you don't quit reading so fast I'll - I'll have my court reporter spank you.

The Words *Too* and *Also*

By Margie Wakeman-Wells

The words *too* and *also* generally do not need commas with the exception of *also* at the beginning of the sentence.

At the end of the sentence

Historically *too* and *also* had commas before them at the end of the sentence. Since the words are just plain adverbs, there was never a need to use those commas, and they have been dropped.

I went with him too.
She needed another copy of it also.
He is going to work for the company too.

In the middle of the sentence

In the middle of the sentence, these two words are simple adverbs, and there is still no need for commas.

He too needed the exam.
The contract also needs to be read.
They intend also to donate to the church.

At the beginning of the sentence

Though *too* would rarely be used at the beginning of a sentence, if it were, it would not take a comma after it.

Also, on the other hand, when it occurs at the beginning of a sentence, is a conjunctive adverb of more than one syllable and needs a comma.

Also, we will take a look at his health.

Just a note about the words as *well*. They do not take commas at the end of the sentence.

I went to the concert as well.



Due to the scathing report from a long-anticipated audit of the AOC, Assembly Majority Leader Charles Calderon, D-Montebello, has introduced AB 1208 known as the “Trial Court Rights Act.”

The following paragraph is taken from the proposed bill and explains the action sought: *“The bill would provide that each trial court of this state is an independent constitutional and statutory court with the independent right and duty to manage its administrative and financial affairs in accordance with its own policies as provided by its trial court management if the court is in reasonable compliance with accounting, audit, and budgetary standards established by law. The bill would provide that each trial court shall be independently empowered with enumerated powers. The bill would provide that, except as otherwise provided by law, all funds allocated for trial court operations, once appropriated, shall be fully allocated among the trial courts, and that no deductions shall take place without the consent of the affected courts.”*

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Google Transforms Jury Selection Process

By Lesia Mervin

A trip to the courthouse for jury duty isn't quite what it used to be. According to a post on ABAJournal.com and an article in the New York Times, it's being reported that some lawyers are surreptitiously searching sites to uncover the personal details of potential jurors. A juror's name is called, and within seconds the lawyer can Google the potential juror's name, check social networking sites such as Facebook, and have unabashed looks into a potential juror's private life, including ascertaining how the juror would potentially side on particular issues.

"Online vetting is redefining the jury selection process, turning the question and answer session known as 'voir dire' into 'voir Google,'" said the New York Times.

A quick Google of your own name might turn up surprising results, as it has for me personally, including YouTube videos, Web sites on which you have posted comments, and social networking

status updates, all information which an attorney could use in deciding whether you are the appropriate juror to hear the case.

In my case, when I Googled my name. I found a ridiculous video from a birthday party years ago where I am "riding the bull." My husband had posted it on a social networking site years ago. There it was for the world to see. I had no idea it was out there on the Web.

Then I imagined a lawyer sitting in a courtroom somewhere watching this video while trying to decide if I was the appropriate juror for their case. I decided maybe, just maybe, it would be enough to get me out of jury duty. So there it stays. (But, of course, I would never intentionally try to get out of jury duty!)

What would you find if you Googled your name?
Have a funny Google story to share? Drop me a line at realtimecsr@comcast.net



LogMeIn

By Jerry Kelley, Official Court Reporter
U.S. District Court, U.S. Courthouse
7940 Preston Road, Plano, Texas 75024
214-872-4829

This morning, I installed LogMeIn on my computer in the courtroom. By using the user name and password I supplied her, my scope editor was able to access the text and synchronized audio (audiosync) from my computer in the courtroom remotely by using her computer in her home office. The free version does not support audio access.

This afternoon, from her home, she will be editing on my computer in my courtroom as I write realtime. By using CaseviewNET, all realtime receive computers in the courtroom will have errors corrected in realtime.

There are lots of options in LogMeIn. My hope is that one of them will allow my proofreader to log on at the same time and follow my scope editor. At the end of the day, I will simply have to check the places they mark for me, make those corrections, and have a final transcript ready for sale and filing before I leave the courtroom.

Briefs Online

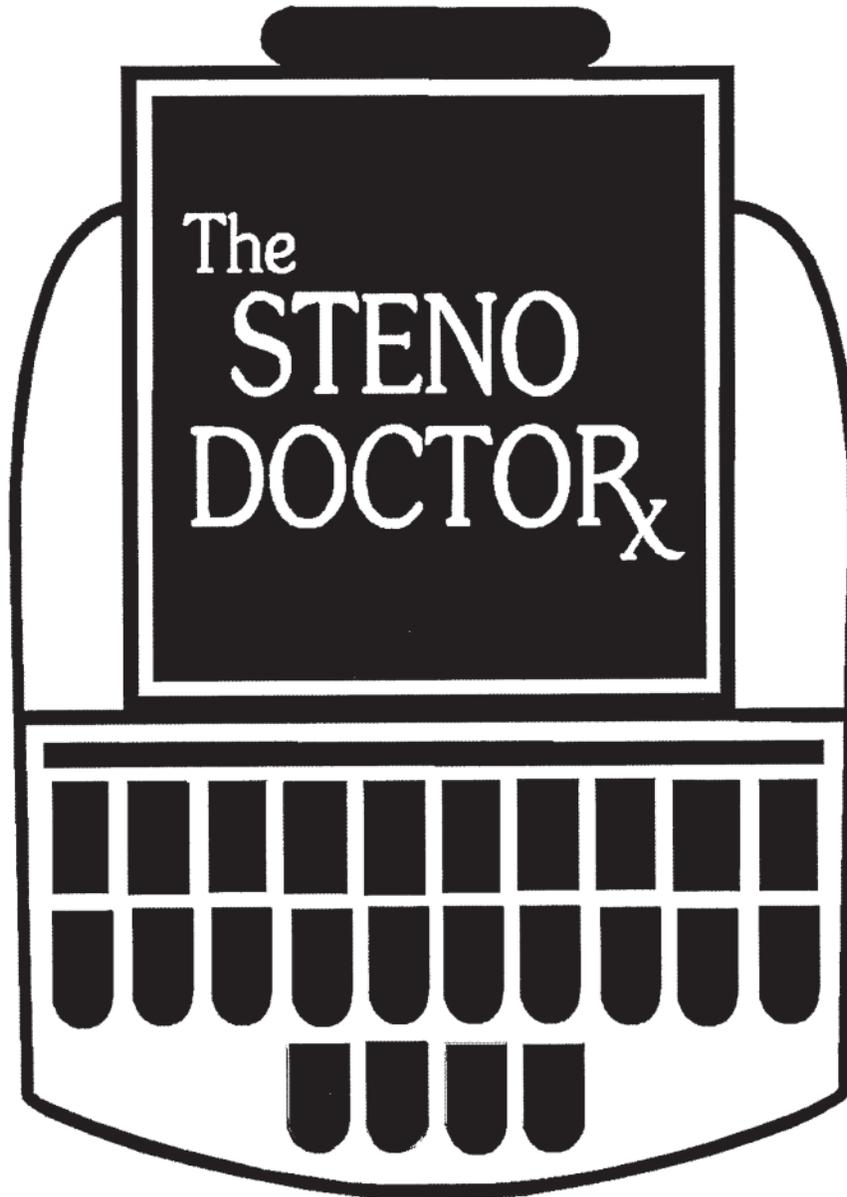
Looking for a quick brief for those hard-to-write words or common phrases? If you have a word or phrase that you would like a brief form for, let me know, and I will publish your requested brief in the next CCRA Online. If you have briefs that you would like to share with our members, please send them to Doreen Perkins, CortRepr1@aol.com or 1100 Van Ness, Dept. 50, Fresno, CA 93724-0002

Some of these briefs you have been given before. I have received a number of emails lately requesting briefs for the testimony of cell phone experts. I hope that you find these helpful. You may not use all of the briefs, but it will be a good reference when you are transcribing. If you have any others that you would like to share, please send them to me.

AB-tech	BA*BG	Modem	M-M
ACT Telecommunications	F-GSZ	Motorola	MOL
Air Touch	R-FP	MTSO	STOM
Antenna	TAEPB or TA*EPB	Mobile Telephone	
Antennas	TAEPBS or TA*EPBS	Switching Office	STOM/STOM
AT&T	TA*T	Network	N-RK
Broadband	BR-ND	Nextel	NOL
Cell	KREL	Nokia	NAO*E
Cell phone	KR-F or SLOEPB or KR-P	NTIA	N-F
Cell phones	KR-FS or SLOEPBZ or KR-PS	National Telecommunications &	
Cell phone tower	KR-FT or SLOENT or KR-PT	Information Administration	NEGS or N-F/N-F
Cell phone towers	KR-FTS or SLOENTS or KR-PTS	PacTel	PA*L
Cell tower	KR-T or KRELT	PCS	P-F
Cell towers	KR-TS or KRELTS	Personal Communication	
Cellular	SHRER	Service	PAOUFRS or P-F/P-F
Cellular call	SHRAUL	Ping	P*IPBG
Cellular One	SAOUN	Pinged	P*IPBGD
Cellular phone	SHRERP	Pings	P*IPBGS
Cingular	KRAOUR	Pinging	P*IPBG/G
Communication	KPH-GS	Rebel	R*L
ConTel	KOL	Samsung	S-NG
CPD Wireless	KR*S	Satellite	S-T
Cricket	KR-T	Sector	STEBG
Destination	STPHAIGS	Sectorized	STEBGD
Device	DWAOEUS	Sectorization	STEBGS
Digital	DA*L	SIM	SIF
Dual-band phones	D-NS	Subscribe Identity Module	SAOEUL or SIF/SIF
Ericsson	RIN	SIM Card	SKARD
FCC	FEF	Telecommunications	TKPH-GSZ
Federal Communication		Text message	T-M or TPHEFP
Commission	FOUGS or FEF/FEF	Text messaging	T-MG or TPHEFPG
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Use Caution Renaming Files

Q. I have about 60 installation files that I have saved from programs downloaded over time. Many of these files do not reveal what program they're associated with so I'm not sure what file to select if I need to reinstall something. For example, the install file for Avast Antivirus is setupeng.exe. If I change the name of the file to setupeng_avast.exe, will it still function properly?

A. For any UFOs (Unidentified File Objects), first try right-clicking a file, select Properties and see if there is any information that identifies the program. There often is.

If you're feeling frisky, you might want to double-click an install (.exe) file to start its installation. When you get to a point where the program is identified, cancel the installation.

Beyond that, it is fine to rename a file in the manner you describe, as long as you retain the same file extension. In other words, if the file is named setupeng.exe, you can change it to aardvark.exe or cherriesjubilee.exe and it will function as intended. Aardvarks and flaming desserts notwithstanding, I'd suggest renaming it with something more descriptive, such as avast_install.exe or avast_version 4.8.exe or avast_MAR2011.exe, to include the date.

Q. I have a Gmail address, but I also have Outlook Express on my computer and I'm just not sure which is which or what I should be using for what. I'm sorry if this is too basic, but I just can't figure it out, so any help would be appreciated, Mr. M.

A. I'll be happy to help you sort this out. Gmail is Web-based mail, so you don't need an email program to send and receive Gmail. Instead, you use your Web browser (such as Internet Explorer or Firefox). Using your browser, you would go to the Gmail Web site at www.gmail.com, log in, then send and receive messages from that location.

Outlook, Outlook Express, Eudora, and Thunderbird are all email programs (called client software) that are primarily used with what is called POP email. Mail you receive from others is sent to your Internet Service Provider's mail server. Your client software, which resides on your computer, is then used to connect to the server and retrieve your mail. When you send mail using any of these programs, it routes from your email program to your ISP's SMTP (outgoing mail) server. Incoming mail uses a POP mail server.

For the sake of completeness, and because I'm sure you're just dying to know, SMTP stands for Simple Mail Transfer Protocol; POP stands for Post Office Protocol; TMIYGMAH stands for Too Much Information; You're Giving Me a Headache.

Q. I received a message from Yahoo! Mail telling me that I'm running out of storage space and that I need to provide my username and password so they can increase my capacity. You've warned us about anybody that asks for our passwords, so I'm suspicious. Is this for real or what? Thanks for your help, Mr. M.

A. Your suspicion is warranted. Good job! Never provide your password or any other personal or

continued on Page 15

(continued from Page 14)

account information when requested to do so by email in that manner. No legitimate organization or service will EVER ask you for that information. Just delete the message you received and don't give it a second thought.

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

Airport Sleeping

Seasoned travelers know all too well that long security lines, flight cancellations and delays are common these days. If you find yourself stranded at an airport, visit this site which lists the best and worst airports, and their respective facilities for snoozers. The site also has tips for sleeping safely and comfortably when you're grounded at the terminal.

www.sleepinginairports.net

Eat Your Veggies!

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Glossary of Legislative Terms (A, B, & C)

Over the next few issues, we're going to bring you a Legislative Glossary in installments. As we gear up for yet another legislative battle to protect our profession, we thought this may be helpful to all of us. Here are A, B & C.

A

Across the Desk

The official act of introducing a bill or resolution. The measure is given to the Chief Clerk or his or her representative at the Assembly Desk in the Assembly Chamber or to the Secretary of the Senate or his or her representative in the Senate Chamber. The measure then receives a number and becomes a public document available from the bill room (or at www.leginfo.ca.gov). Each proposed amendment to a measure also must be put across the desk in the Assembly or Senate in order to be considered for adoption.

Act

A bill passed by the Legislature and enacted into law.

Adjournment

Termination of a meeting, occurring at the close of each legislative day upon the completion of business, with the hour and day of the next meeting being set prior to adjournment.

Adjournment Sine Die

Final adjournment of the Legislature; regular sessions of the Legislature, and any special session not previously adjourned, are adjourned sine die at midnight on November 30 of each even-numbered year.

Adoption

Approval or acceptance; usually applied to amendments, resolutions, or motions.

Amendment

Proposal to change the text of a bill after it has been introduced. Amendments must be submitted to the Legislative Counsel for drafting or approval.

Author's amendments — Amendments proposed by the bill's author. Author's amendments to a bill may be adopted on the floor prior to the Committee hearing on the bill with the Committee chair's approval.

Hostile amendments — Amendments proposed by another member and opposed by the author in a Committee hearing or during Assembly or Senate floor consideration.

Analysis of the Budget Bill

The Legislative Analyst's comprehensive examination of the Governor's budget, available to legislators and the public about six weeks after the Governor submits the budget to the Legislature.

Appropriation

The amount of money made available for expenditure by a specific entity for a specific purpose, from the General Fund or other designated state fund or account.

Appropriations Limit

A limitation in the California Constitution on the maximum amount of tax proceeds that state or local government may appropriate in a fiscal year. The limit is based on 1986-87 fiscal year appropriations, and is adjusted annually.

Approved by the Governor

Signature of the Governor on a bill passed by the Legislature.

Archives

Refers to both location and contents of public records kept by the Secretary of State, including copies of all measures considered at each session, journals, Committee reports, and documents of historic value.

Assembly

The house of the California Legislature consisting of 80 members, elected from districts determined on the basis of population. Two Assembly districts are situated within each Senate district.

Assistant Chief Clerk

Performs the duties of the Chief Clerk of the Assembly in his or her absence.

Author

Member of the Legislature who introduces a legislative measure.

B

BCP (Budget Change Proposal)

A document prepared by a state agency, and submitted to the Department of Finance, to propose and document budget changes to support operations of the agency in the next fiscal year; used in preparing the Governor's budget.

Bicameral

Refers to a legislature consisting of two houses (see Unicameral).

Bill

A proposed law, introduced during a session for consideration by the Legislature, and identified numerically in order of presentation; also, a reference that may include joint and concurrent resolutions and constitutional amendments.

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Glossary of Legislative Terms (A, B, & C)

(continued from Page 17)

Bill Analysis

A document prepared by Committee and/or floor analysis staff prior to hearing the bill in that Committee or on the floor of the Assembly or Senate. It explains how a bill would change current law and sometimes identifies major interest groups in support or opposition.

Blue Pencil

The California Constitution grants the Governor "line item veto" authority to reduce or eliminate any item of appropriation in any bill including the Budget Bill. Years ago the Governor used an editor's blue pencil for the task.

Bond Bill (general obligation bonds)

A bill authorizing the sale of state general obligation bonds to finance specified projects or activities. Subsequent to enactment, a general obligation bond bill must be approved by the voters.

Budget

Proposed expenditure of state moneys for the next fiscal year, presented by the Governor in January of each year for consideration by the Legislature; compiled by the Department of Finance, in conjunction with state agency and department heads.

Budget Act

The Budget Bill after it has been enacted into law.

Budget Bill

The bill setting forth the spending proposal for the next fiscal year, containing the budget submitted to the Legislature by the Governor.

Budget Change Proposal See BCP.

Budget Year

The fiscal year addressed by a proposed budget, beginning July 1 and ending June 30.

C

COLA

Cost-of-living adjustment.

Cal-SPAN (The California Channel)

The cable television channel that televises Assembly and Senate proceedings.

Call of the House

On motion from the floor to place a call of the house, the presiding officer directs the Sergeant-at-Arms to lock the

chambers(2) Any group of legislators who coalesce formally because of their ../common/ interest in specific issues.

Chair

The current presiding officer, usually in the context of a Committee hearing.

Call the Absentees

Order by the presiding officer directing the reading clerk to call the names of Members who have not responded to the roll call and bring in the absent Members (by arrest, if necessary) to vote on a measure under consideration. Action is not taken on an item under call until the call is lifted, at which time it must be immediately voted on.

Capital Outlay

Generally, expenditures to acquire or construct real property.

Capitol Press Corps

Those members of the press who cover events in the Capitol.

Casting Vote

The deciding vote the Lieutenant Governor may cast in the case of a tie vote in the Senate.

Caucus

(1) A closed meeting of legislators of one's own party.

(2) Any group of legislators who coalesce formally because of their ../common/ interest in specific issues.

Chair

The current presiding officer, usually in the context of a Committee hearing.

Chamber

The Assembly or Senate location where floor sessions are held.

Chapter

When a bill has been passed by the Legislature and enacted into law, the Secretary of State assigns the bill a "chapter number" such as "Chapter 123, Statutes of 1992," which is subsequently used to refer to the measure in place of the bill number.

Chapter Out

When, during a calendar year, two or more bills amend the same section of law and more than one of those bills becomes law, the bill enacted last (and therefore given a higher chapter number) becomes law and prevails over the bill or bills previously enacted (see Double Joint).

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Glossary of Legislative Terms (A, B, & C)

(continued from Page 18)

Check-in Session

Certain weekdays when legislators do not meet in formal legislative sessions, they are required to “check in” with the Chief Clerk of the Assembly or Secretary of the Senate. Mondays and Thursdays are ordinarily floor session days. Check-in days are typically Tuesdays and Wednesdays.

Chief Clerk

An Assembly employee elected by Assembly Members at the beginning of every two-year session to serve as principal parliamentarian and record keeper of the Assembly. Responsible for all Assembly daily and weekly publications.

Coauthor

A member of either house whose name is added to a bill as a coauthor by amending the bill, usually indicating support for the proposal.

Codes

Bound volumes of law organized by subject matter. The code sections to be added, amended, or repealed by a bill are identified in the title of the bill.

Committee of the Whole

The Assembly or Senate meeting as a Committee for the purpose of receiving information.

Companion Bill

An identical bill introduced in the other house. This procedure is far more common in Congress than in the California Legislature.

Concurrence

The approval by the house of origin of a bill as amended in the other house. If the author is unwilling to move the bill as amended by the other house, the author requests “nonconcurrence” in the bill and asks for the formation of a conference Committee.

Concurrent Resolution

A measure introduced in one house that, if approved, must be sent to the other house for approval. The Governor's signature is not required. These measures usually involve the internal business of the Legislature.

Conferees

Members of a conference Committee.

Conference Committee

Usually composed of three legislators (two voting in the majority on the disputed issue, one voting in the minority) from each house, a conference Committee meets in public

session to forge one version of a bill when the house of origin has refused to concur in amendments to the bill adopted by the other house. For the bill to pass, the conference Committee version must be approved by both Assembly and Senate. Assembly conferees are chosen by the Speaker; Senate conferees are chosen by the Senate Committee on Rules.

Confirm

The process whereby one or both houses approve the Governor's appointments to executive offices, departments, boards, and commissions.

Consent Calendar

File containing bills that received no dissenting votes in Committee.

Constituent

A person who resides within the district represented by a legislator.

Constitutional Amendment

A resolution proposing a change to the California Constitution. It may be presented by the Legislature or by initiative, and is adopted upon voter approval at a statewide election.

Consultant

Ordinarily, a professional staff person who works for a legislative Committee.

Contingent Effect

Section in a bill indicating that it is to become operative only upon the enactment of another measure (to be distinguished from double jointing).

Contingent Funds

The funds from which moneys are appropriated by the respective houses for their operating expenses.

Convene

To assemble a meeting. Each house of the Legislature usually convenes twice a week.



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Vocabulary Quiz

By Debby Steinman

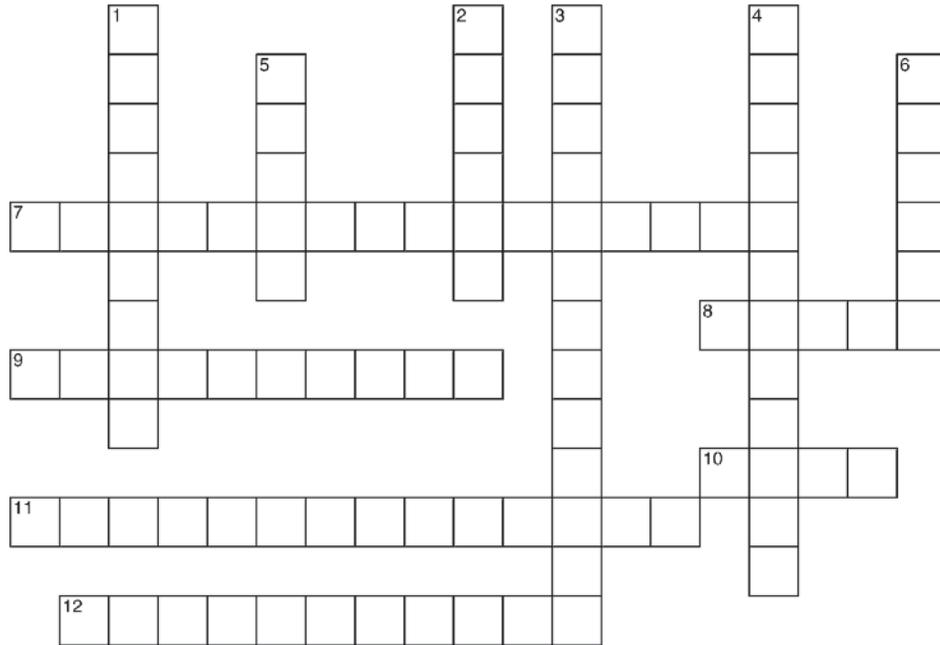
1. **meme: noun**
 - a. an idea that catches on
 - b. an impersonator
 - c. a name
 - d. a funny story
2. **raconteur: noun**
 - a. a person who studies raccoons
 - b. a person who excels in telling anecdotes
 - c. a person who excels in pulling pranks
 - d. a person who writes speeches
3. **Nemesis: noun**
 - a. a daydream
 - b. something hated
 - c. cause of success
 - d. cause of a downfall
4. **Duplicity: noun**
 - a. candor
 - b. reproduction
 - c. deceitfulness
 - d. faithlessness
5. **Perfidious: adj.**
 - a. dysfunctional
 - b. disloyal
 - c. trustworthy
 - d. hateful
6. **Immolate: trans verb**
 - a. to imitate
 - b. to strive to equal or excel
 - c. to offer in sacrifice
 - d. to hint
7. **Screed: noun**
 - a. a short story
 - b. a lengthy discourse
 - c. an octopus
 - d. religious belief
8. **plenipotentiary: noun**
 - a. someone with potential
 - b. someone lacking ambition
 - c. a neophyte police officer
 - d. someone having full power
9. **prodigal: adj.**
 - a. wasteful
 - b. precocious
 - c. genius
 - d. offspring
10. **plenary: adj.**
 - a. intelligent
 - b. young
 - c. complete
 - d. hoary

Answers:

1. **meme: (a) noun** — an idea, behavior, style, or usage that spreads from person to person within a culture
2. **raconteur: (b) noun** — a person who excels in telling anecdotes
3. **Nemesis: (d) noun** — a cause of someone's or something's downfall
4. **Duplicity: (c) noun** — deceitfulness of thought, speech or action, especially the belying of one's true intentions by deceptive words or action
5. **Perfidious: (b) adj.** — the quality or state of being faithless or disloyal
6. **Immolate: (c) trans verb** — to kill or offer in sacrifice
7. **Screed: noun (b)** — lengthy discourse, an informal piece of writing
8. **plenipotentiary: (d) noun** — someone invested with full power
9. **prodigal: (a) adj** — characterized by profuse or wasteful expenditure; lavish
10. **plenary: (c) adj.** — complete in every respect, absolute, unqualified

Punctuation Crossword Puzzle

Punctuation



www.CrosswordWeaver.com

ACROSS

- 7 Punctuation at the end of a sentence used to add emphasis (2 wds.)
- 8 Symbol used to introduce an example, list, or quotation; to separate chapter and verse of scripture or hour and minute of time, etc.
- 9 Symbol used to show possession or to represent missing letters
- 10 Symbol often used to insert an interjectory statement or phrase into a sentence; not used very much in formal writing
- 11 Symbols used to set apart a quotation, title, or peculiar remarks of another (2 wds.)
- 12 Symbols used to enclose words or figures that clarify the preceding phrase

DOWN

- 1 Symbol used to separate two independent clauses in the same sentence or to separate a series of phrases already containing commas.
- 2 Punctuation used to end a normal sentence
- 3 Punctuation used to show words omitted from a quotation or to represent dialogue that trails off (2 wds.)
- 4 Punctuation at the end of a sentence that is a question (2 wds.)
- 5 Symbol used to separate words or phrases in a series, to set a long introduction apart from the rest of the sentence, to set apart an aside, after a conjunction to separate to independent clauses, etc.
- 6 Symbol used to join certain compound words or a word that gets split between the end of one line and the beginning of the next

ANSWER KEY ON PAGE 23

Punctuation Crossword Puzzle

Answer Key from Page 22

Punctuation

Solution:



Cal-e-licious

By Gerie Bunch

STRAWBERRY CHEESECAKE

Ingredients:

1 pkg. of graham crackers
 ½ c. mixed gourmet nuts
 1 cube butter, melted

1 8oz. cream cheese
 2 lg. eggs
 ¾ c. sugar
 1 pkg. 16 oz. frozen strawberries, diced
 Or 2 c. fresh strawberries, diced
 1 c. sour cream
 ¼ tsp. salt

Preheat oven 350. Put broken graham crackers & nuts in food processor; process until course meal forms. Add melted butter; press into a 10" pie pan. Set aside.

In cleaned food processor, combine, cream cheese, eggs, sugar, salt, and a hand full of berries. Blend until smooth. Fold remaining berries into sour cream and then fold into the cream cheese mixture. Pour into prepared crust and bake for 1 ½ hrs.



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CCRA is pleased to announce the release of the CCRA 2011 Compendiums. These publications (Freelance or Official) are invaluable to court reporters throughout California.

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CCRA's 2011 Freelance Compendium includes the restructuring and revised Federal Rules as relates to depositions. In 2009, the Federal Judicial Rulemaking Committee reorganized and revised these Federal Rules. In addition, there are minor updates to the Code of Civil Procedure. Also included in this year's Freelance

Compendium are the Court Reporters Board Backup Audio Media Guidelines (aka AudioSync).

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Legislation Update

By Sandy Bunch VanderPol, CSR #3032

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.

AB 73

(Feuer [D]) Dependency Proceedings: Public Access.

Status: 01/03/2011-Read first time.

Current Location: 12/21/2010-A PRINT

Summary: Existing law provides that the public shall not be admitted to a juvenile court hearing in a dependency proceeding, unless requested by a parent or guardian and consented to or requested by the minor concerning whom the petition has been filed. Existing law permits the judge or referee to admit those persons as he or she deems to have a direct and legitimate interest in the particular case or the work of the court. This bill would express the intent of the Legislature to enact legislation to provide that juvenile court hearings in juvenile dependency cases shall be presumptively open to the public, unless the court finds that admitting the public would not be in a child's best interest. The bill would also include a statement of legislative findings and declarations.

AB 126

(Davis [D]) Courts: Judicial Appointments.

Status: 01/27/2011-Referred to Com. on JUD.

Current Location: 01/27/2011-A JUD.

Summary: This bill would require the Governor to collect and release, on a continuous basis by posting on his or her official Internet Web site, the names of all persons who have been provided judicial application materials or related documentation on one or more judicial applicants by the Governor or his or her representatives to assist in the decision whether to submit an application to the State Bar for evaluation or whether the applicant should be

appointed after he or she has been evaluated by the State Bar, other than employees of the Governor. The bill also would require each member of the designated agency of the State Bar responsible for evaluation of judicial candidates to complete a minimum of 2 hours of training in the areas of fairness and bias in the judicial appointments process on an annual basis. The bill would revise the provision requiring the Governor, the designated agency, and the Administrative Office of the Courts to collect and release specified demographic data annually, as described above, to specifically require that the information be for the prior calendar year. The bill would also require, with respect to the collection and release of demographic data, the State Bar and the Administrative Office of the Courts to use the ethnic and racial categories designated and used by the Governor in the March 1, 2008, report.

AB 141

(Fuentes [D]) Jurors: Electronic Communications.

Status: 02/03/2011-Referred to Com. on JUD.

Current Location: 02/03/2011-A JUD.

Summary: Existing law requires the court in a jury trial to admonish the jury that it is their duty not to converse with, or permit themselves to be addressed by, any other person on any subject of the trial. The court is required to provide the admonishment in a civil proceeding when the jurors are permitted to separate during the trial, and when the case is submitted to the jury, and, in a criminal proceeding, after the jury has been sworn and before the people's opening address, at each adjournment of the court, and when the jurors are permitted by the court to separate after the case is submitted to the jury. An officer having the jury under his or her charge shall not permit any communication to be made to them, or make any himself or herself, as specified. This bill would expand those admonishments to include the conduct of research or dissemination of information on any subject of the trial. The bill would require the court, when admonishing the jury against conversation, research, or dissemination of information pursuant to these provisions, to clearly explain, as part of the admonishment, that the

continued on Page 27

Legislation Update

(continued from Page 26)

prohibition applies to all forms of electronic and wireless communication. The bill would require the officer in charge of a jury to prevent any form of electronic or wireless communication. This bill contains other related provisions and other existing laws.

AB 142

(Fuentes [D]) Criminal Procedure: Pleas.

Status: 02/03/2011-Referred to Com. on PUB. S.

Current Location: 02/03/2011-A PUB. S.

Summary: This bill would make the willful disobedience by a juror of a court admonishment related to the prohibition on any form of communication or research about the case, including all forms of electronic or wireless communication or research, punishable as either a civil or criminal contempt of court pursuant to those provisions. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

AB 201

(Butler [D]) Veterans Courts.

Status: 02/10/2011-Referred to Com. on PUB. S.

Current Location: 02/10/2011-A PUB. S.

Summary: Existing law provides for the diversion of specified criminal offenders in alternate sentencing and treatment programs. This bill would authorize superior courts to develop and implement veterans courts for eligible veterans of the United States military with the objective of, among other things, creation of a dedicated calendar or a locally developed collaborative court-supervised veterans mental health program or system that leads to the placement of as many mentally ill offenders who are veterans of the United States military, including those with posttraumatic stress disorder, traumatic brain injury, military sexual trauma, substance abuse, or any mental health problem stemming from military service, in community treatment as is feasible and consistent with public safety. The bill would provide that county participation is voluntary. The bill would

declare the intent of the Legislature that, where there are statutory requirements for certain education or counseling programs to be included in the terms of probation, the components of those counseling terms would be required to be incorporated into the treatment programs that are designed to treat the underlying psychological disorders rather than requiring them in lieu of the psychological treatments.

AB 214

(Davis [D]) Professional Photocopiers.

Status: 02/10/2011-Referred to Com. on B., P. & C.P.

Current Location: 01/31/2011-A PRINT

Summary: Existing law provides for regulation of professional photocopiers, including a requirement for issuance of an identification card by the county clerk. This bill would require the identification card for an employee of a professional photocopier or a partnership or corporation to contain a photograph of the employee. By imposing additional duties on county clerks, 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

AB 295

(Lowenthal, Bonnie [D]) California Case Management System.

Status: 02/10/2011-From printer.

May be heard in committee March 12.

Current Location: 02/09/2011-A PRINT

Summary: Existing law requires the Judicial Council to provide an annual status report to the chairpersons of the budget committee in each house of the Legislature and the Joint Legislative Budget Committee regarding the California Case

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Legislation Update

(continued from Page 27)

Management System and Court Accounting and Reporting System, as specified. Existing law requires the Administrative Office of the Courts to annually provide to those chairpersons copies of any independent project oversight report for the California Case Management System. This bill would make technical, nonsubstantive changes to these provisions.

AB 536

(Ma [D]) Department of Consumer Affairs.

Status: 02/17/2011-From printer.

May be heard in committee March 19.

Current Location: 02/16/2011-A PRINT

Summary: Existing law creates the Department of Consumer Affairs and establishes the department's composition, and specifies that the purpose of the boards, bureaus, and commissions within the department is protection of the public. This bill would make a nonsubstantive, technical change to the provision specifying that purpose.

AB 803

(Wagner [R]) Electronic Court Reporting.

Status: 02/18/2011-From printer.

May be heard in committee March 20.

Current Location: 02/17/2011-A PRINT

Summary: Existing law authorizes a court to use electronic recording equipment in a limited civil case, a misdemeanor or infraction case, or for the internal purpose of monitoring judicial officer performance. Existing law requires a court to obtain advance approval from the Judicial Council prior to purchasing equipment. Existing law also requires each superior court to report semiannually to the Judicial Council, and the Judicial Council to report semiannually to the Legislature, regarding all purchases and leases of electronic recording equipment that will be used to record superior court proceedings. This bill would instead require the Judicial Council, by July 1, 2012, to implement electronic court reporting in 20% of all superior court courtrooms and to implement electronic reporting in

at least an additional 20% of all superior court courtrooms, annually thereafter. This bill would also require the Judicial Council to report to the Governor and the Legislature on the efforts undertaken to implement electronic court reporting, as provided, by January 1, 2014. The provisions of the bill would not apply to felony cases.

AB 973

(Campos [D]) Trial Courts: Budget Process: Public Meeting.

Status: 02/20/2011-From printer.

May be heard in committee March 22.

Current Location: 02/18/2011-A PRINT

Summary: Existing law authorizes the Judicial Council, as part of its trial court budget process, to seek input from groups and individuals as it deems appropriate, including, but not limited to, advisory committees and the Administrative Director of the Courts. The trial court budget process may include other considerations, including the receipt of budget requests from the trial courts. This bill would require the presiding judge of the trial court, or his or her designee, before a trial court submits its budget request to the Judicial Council, to hold a public hearing on the trial court's proposed budget request, as specified. The bill would provide for notification of dates and locations at which the proposed budget request may be inspected by the public and the date, time, and location of the public hearing on the proposed budget request. The bill also would require a public meeting and public hearing if the trial court proposes to implement a change in service, as defined, and would require the presiding judge of the trial court, or his or her designee, to provide public notice of the public meeting and public hearing.

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Legislation Update

(continued from Page 28)

AB 990

(Allen [D]) Court Transcripts.

Status: 02/20/2011-From printer.

May be heard in committee March 22.

Current Location: 02/18/2011-A PRINT

Summary: Existing law authorizes a court, party, or person who has purchased a transcript to reproduce a copy or portion thereof as an exhibit, pursuant to court order or rule, or for internal use, without paying a further fee to the reporter, but prohibits otherwise providing or selling a copy or copies to any other party or person. This bill would additionally prohibit distributing, publishing, or emailing a copy or copies of the transcript to any other party or person. The bill also would prohibit a court, party, or person that does not purchase a transcript, but, pursuant to a specified rule of court, requests another party to lend it that party's copy of the transcript or is temporarily in possession of the transcript, from distributing, publishing, emailing, selling, or reproducing a copy or portion thereof without paying a fee to the reporter. The bill would provide that a transcript loaned pursuant to that rule of court may be used only to submit an appellate brief, as specified.

AB 1003

(Smyth [R]) Professional and Vocational Licenses.

Status: 02/20/2011-From printer.

May be heard in committee March 22.

Current Location: 02/18/2011-A PRINT

Summary: Under existing law, boards within the Department of Consumer Affairs are responsible for the licensure and regulation of various professions and vocations. Existing law also provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. This bill would declare the intent of the Legislature to enact legislation that would require that all professional and vocational licenses currently issued by the Department of Consumer Affairs and its affiliate boards, and specified licenses issued by the State Department of Public Health, be issued from one central location and that the current regulatory,

oversight, and enforcement authority with respect to holders of those licenses remain with those boards and the department currently performing those functions.

AB 1096

(Harkey [R]) Courts: Official Reporters.

Status: 02/20/2011-From printer.

May be heard in committee March 22.

Current Location: 02/18/2011-A PRINT

Summary: Existing law authorizes a superior court to appoint as many official reporters as are deemed required and prohibits a person from being appointed to that position unless he or she is licensed by the Court Reporters Board of California. Under existing law, a court may order, in specified cases, that the proceedings be electronically recorded if an official reporter is unavailable. This bill would express the Legislature's intent to require that all court proceedings be automated.

AB 1208

(Calderon, Charles [D]) Trial Courts: Administration.

Status: 02/20/2011-From printer.

May be heard in committee March 22.

Current Location: 02/18/2011-A PRINT

Summary: The bill would provide that each trial court shall be independently empowered with enumerated powers. The bill would provide that, except as otherwise provided by law, all funds allocated for trial court operations, once appropriated, shall be fully allocated among the trial courts, and that no deductions shall take place without the consent of the affected courts. The bill would authorize each trial court to move funds, once budgeted and allocated, between functions or line items or programs as directed by that court's trial court management. The bill would require the trial court management's written consent to impose, implement, or share any case or accounting information system, or to contribute any portion of the trial court's budget to a statewide information

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system, or to undertake the construction of a court facility in that county. The bill would require the Judicial Council to consider, and revise or adopt, rules and policies consistent with these provisions.

SB 221
(Simitian [D]) Small Claims Court: Jurisdiction.
Status: 02/17/2011-Referred to Com. on JUD.
Current Location: 02/17/2011-S JUD.

Summary: Existing law specifies that the jurisdiction of the small claims court includes various actions in which the demand does not exceed \$7,500, with specified exceptions. This bill would increase the jurisdiction of the small claims court by increasing that amount to \$10,000. The bill would also make a technical change by deleting a duplicate code section that contains identical provisions.

SB 222
(Alquist [D]) Health Plans: Joint Ventures.
Status: 02/17/2011-Referred to Com. on HEALTH.
Current Location: 02/17/2011-S HEALTH

Summary: Existing law creates various health benefits programs, including the Medi-Cal program, administered by the State Department of Health Care Services, and the County Medical Services Program. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, administered by the Department of Managed Health Care, provides for the licensure and regulation of health care service plans. This bill would authorize a county board of supervisors, a county special commission, or a county health authority that governs, owns, or operates a local initiative health plan or county-organized health system, as specified, or the County Medical Services Program governing board, to form joint ventures for the joint or coordinated offering of health plans to individuals and groups. The bill would require all joint ventures established pursuant to the above provisions to meet all of the requirements of the Knox-Keene Health Care Service Plan Act of 1975.

SB 227
(Wyland [R]) Business and Professions: Licensure.
Status: 02/17/2011-Referred to Com. on RLS.
Current Location: 02/17/2011-S RLS.

Summary: Existing law, under the Business and Professions Code, provides for the regulation and licensure of various professionals. Existing law provides that the term "licentiate," as used in the Business and Professions Code, refers to any person authorized by a license, certificate, registration, or other means to engage in a business or profession regulated by that code and as specified. This bill would make technical, nonsubstantive changes to that provision.

SB 326
(Yee [D]) Court Records: Public Access.
Status: 02/15/2011-From printer.
May be acted upon on or after March 17.
Current Location: 02/14/2011-S PRINT

Summary: Existing law requires the Judicial Council to adopt rules of court to establish the standards and guidelines for the creation, maintenance, reproduction, and preservation of court records, and requires that these standards and guidelines reflect industry standards for each medium used, ensure the accuracy and preserve the integrity of the records, and ensure that the public can access and reproduce the records. Specifically, unless access is otherwise restricted by law, court records created, maintained, preserved, or reproduced under specified provisions are required to be made reasonably accessible to all members of the public for viewing and duplication, and electronic court records must be viewable at the court, whether or not they are accessible remotely. Additionally, rules of court require courts to provide public access to electronic records, as specified. This bill would require the Judicial Council to adopt a rule of court to require courts to provide public access to court records, as defined. The bill would require the rule to provide for newly filed or lodged court records to be made available for public inspection at the courthouse no later than the end of the day on which those records are received by the court.

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SB 405

(Corbett [D]) Judgeships.

Status: 02/17/2011-From printer.

May be acted upon on or after March 19.

Current Location: 02/16/2011-S PRINT

Summary: This bill would ratify the authority of the Judicial Council to convert 10 subordinate judicial officer positions to judgeships in the 2011-12 fiscal year where the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer, pursuant to these provisions.

SB 671

(Price [D]) Shorthand Reporters:

Continuing Education Requirements.

Status: 02/20/2011-From printer.

May be acted upon on or after March 22.

Current Location: 02/18/2011-S PRINT

Summary: Existing law provides for the certification and regulation of shorthand reporters by the Court Reporters Board of California in the Department of Consumer Affairs, and provides for the regulation of shorthand reporting schools by the board. Existing law provides for the renewal of a shorthand reporter's certificate if specified requirements are met. This bill would require the board to establish, on or before July 1, 2012, minimum approved continuing education requirements for renewal of a shorthand reporter's certificate, with certain exceptions, and would require the board to establish a procedure for approving providers of continuing education courses, as specified.

SB 848

(Emmerson [R]) Court of Appeal Districts.

Status: 02/19/2011-From printer.

May be acted upon on or after March 21.

Current Location: 02/18/2011-S PRINT

Summary: The California Constitution requires the Legislature to divide the state into districts, each

containing a court of appeal with one or more divisions. Under existing statutory law, the state is divided into 6 court of appeal districts. The 4th Appellate District consists of the Counties of Inyo, San Bernardino, Riverside, Orange, San Diego, and Imperial, which consists of 3 divisions. One division consists of 10 judges and holds its regular session in San Diego, a 2nd division consists of 7 judges and holds its regular sessions in the San Bernardino/Riverside area, and a 3rd division consists of 8 judges and holds its regular sessions in Orange County. This bill would reorganize the court of appeal districts into 7 districts by removing the Counties of San Bernardino, Inyo, and Riverside from the 4th Appellate District and creating a 7th Appellate District consisting of those districts. The 7th Appellate District would consist of one division of 7 judges and would hold its regular sessions in the San Bernardino/Riverside area, and the 4th Appellate District would thereafter consist of 2 divisions that hold regular sessions in the Counties of San Diego and Orange. Existing law provides that upon the creation of a new court of appeal district or division, the Governor shall appoint judges to serve on that court, and specifies the procedures to be followed for the election of the judges. This bill would specify that those provisions would not apply to the creation of the 7th Appellate District, and that the existing justices of the division of the 4th Appellate District that would be reorganized as the 7th Appellate District would serve as the judges of the new district. The bill would specify that the terms of office of those judges would not be affected by the reorganization, and would also specify that no action by the Commission on Judicial Appointments would be necessary. The bill would specify that the judge serving as the currently presiding judge in the division of the 4th Appellate District that would create the new court of appeal district would serve as the administrative presiding judge of the new district.

