

Arizona Notes

Arizona Court Reporters Association

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In this issue...

President's Message	3
The Code, Our Compliance	4
Ask ACRA	6
Dear Nancy	7
What's the Difference	8
Ask Mr. Modem	9
Mr. Modem Sites	10
The Art of Fundraising	10
ACRA Nominating Committee	12
Thank You	13
2010 DSA Winner	15

Advertisers

Legal Video Specialists	2
ACRA Insurance Provider.....	6, 18
K-Video	8
Forensic Video Deposition.....	11
Audio Visual Associates	14
VideoDep, Inc.	17

Annual Convention – What You Missed!

By Karen Kahle, *President Elect, Editor*

For those of you who weren't able to attend the Annual Convention, you missed some great presentations. Our newly appointed President Doreen Borgmann did a great job lining up the speakers and keeping us all interested. One of the topics included planning for our financial future. Aaron Gordon and Dave Cechanowicz taught us all about the stock market and estate planning. Another great presentation was Dogs in Action. Detective Michael Oolman brought Ty, his drug sniffing dog. Thankfully we all left our marijuana at home. Hee, hee. There was also the Town Hall. Pat Graves, our NCRA representative, moderated the panel. I find these to be the most informative where we can talk about issues that are affecting all of us, officials and freelancers. We learned realtime basic training. Michael Appelman from StenoCast taught us how to hook up realtime successfully every time regardless of what CAT software we have.

My favorite presentation was Multiple Generations in the Workplace put on by Gabe Goltz. Now I understand how to better communicate with the younger generations who work with me and the people of the older generations that I encounter. There was also the CAT system breakout. I got to learn useful editing tips from my software vendor that will save me time and energy in cranking out those transcripts.

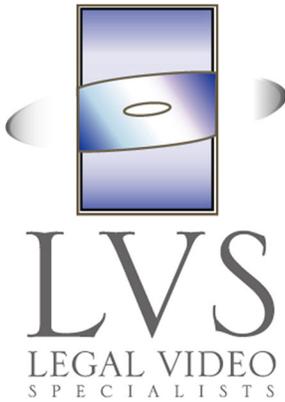
All in all, it was a great weekend. I can't tell you how valuable these seminars and conventions are to me. I get to meet new people and see all of my friends. I know that for us officials it can be hard to attend these conventions, but they are so worth every penny. The camaraderie with my fellow reporters is priceless.

For those of you who were able to attend, I'm glad you were there. For those who didn't attend, I hope to see you at the Midyear Seminar in April. Our new Vice-President Barbara Stockford is lining up some great speakers as we speak. I know I'll be there to support her, and I hope to see you all there, too.

ACRA Holiday Happy Hour & Triple Treat Raffle Drawing

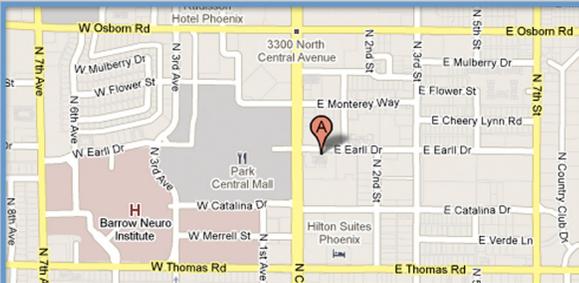
Join us on Friday, December 3 at 5:30 pm for happy hour at Applebee's in Phoenix (2 E. Camelback) and Claim Jumper in Tucson (3761 E. Broadway). We will draw the winners of the Triple Treat Raffle—1st Prize: Diamonte steno; 2nd Prize: iPad; 3rd Prize: Netbook - at 6:30 pm. You can still get your tickets at the Online Store on the ACRA website, www.acraonline.org until noon December 3..





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...But this battle belongs to each and every one of you as well. ACRA needs your support! President's Message

I must say my year as President of ACRA has begun at an incredibly fast pace! We have been embroiled in battles on two fronts: one, working with the CR Board to propose language changes to AJC 7:206 to clarify it in order to address the onslaught of unfair competition by national deposition firms here in Arizona; and, two, opposing Maricopa County Superior Court administrators' proposed legislative changes affecting court reporters.



ACRA presented a position paper to the Committee on Superior Court at its meeting last Friday. Linda Grau from the CR Board made a presentation, and I spoke on its behalf. The proposed changes to AJC 7:206, formulated by a special task force made up of CR Board members and court reporters, cleared the Committee with a unanimous vote of approval. It will now be considered by the Arizona Judicial Council at its next meeting on December 8.

This is only the first step in addressing this issue, however. It is not the final answer. The CR Board is considering the possibility of firm registration as a way to gain control over these out-of-state firms who engage in business practices that are illegal for Arizona reporters. Although this has been addressed in past years here in Arizona, new circumstances may cause us to take another look at this avenue as a way to address the current problem.

Our second battle, of more recent vintage, is the proposal by Maricopa County Superior Court administrators of a number of legislative language changes that would affect our official reporters. These were presented to the AJC at its meeting on October 21 with no input from the courts, defense counsel, public defenders, or court reporters.

After persuasive argument to the AJC by our lobbyist, John MacDonald, 2011-08, which would have removed the requirement for each judge to appoint a reporter, among other things, and placed that power solely with the presiding judge was withdrawn. 2011-09, which would allow electronic recording of grand jury proceedings, was deferred until the December meeting of AJC for further input from those parties affected by it. At the COSC meeting on November 5, I spoke in opposition to the changes. It was moved to not take action on the changes until further information was obtained from the court reporters.

Dealing with these legislative matters is time-consuming and expensive. Your ACRA Board and your lobbyist have spent a considerable amount of time and effort to protect the jobs of reporters in Arizona, both freelance and official. But this battle belongs to each and every one of you as well. ACRA needs your support! Only half of the reporters in Arizona are members of ACRA! This is shameful considering their very jobs are on the line. Those non-members are reaping the benefit of the efforts of ACRA and taking the free ride! I promised in September that I would be calling on all of you, ACRA's members, to do your part. Do any of you know of anyone who is not a member of ACRA? Seek them out and request – nay, demand! – that they step up to the plate and join ACRA. It's the least they (and you) can do!

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Chris Green & Mary Meyer

The Code, Our Conduct, Compliance? Oh my! Part 2

By Karen Kahle

This is the second part of my question and answer discussion with firm owners regarding Section 7-206. The Phoenix firm owners are Pam Griffin, Melissa Gonsalves, Rosina Seymour and Julie Ottmar. The firm owner from Tucson is Mary Meyer.

(Please note: The views and opinions stated below are those of the individual members only and not necessarily the opinions of ACRA or the Arizona Supreme Court Board of Certified Reporters.)

“Can you give us any examples of a national court reporting firm trying to side-step your questions?”

ROSINA: “You only need a copy of the invoice that we pay you from, not what is sent to the parties in the litigation.” “We have been doing this in Arizona for a long time and it’s always been done this way in the past.” “These rates are on a case-by-case basis.”

JULIE: When an Ohio firm wanted us to cover a depo in Arizona, I asked if it was an Arizona state case to which she replied “Yes.” I asked her why an Arizona attorney would call an Ohio court reporting firm to cover a depo in Arizona if there wasn’t a contract in place? Her response: “Oh, we’ve worked with them before.” My next question was: Will we receive a copy of all invoices that go to all attorneys? “You can invoice us for all copies and that will be your copy.”

When I told her I didn’t believe that there was no underlying contract, she snapped, “Well, don’t worry! We’ll find *somebody* to cover it,” sneered, and hung up.

PAM: “Our boss says we have a special agreement with these particular clients.” “With this case, the invoices have to be generated from our firm.” “We have special arrangements.” “Will you do it for this rate?”

“How can we educate our clients to protect themselves from unethical practices?”

Mary: First, attorneys need to understand how they and their clients are affected by court reporters engaging in or facilitating unethical/violative practices. Sharing with them about our ethical duties and explaining why those imperatives exist, that it is actually to protect the Arizona litigant, is the first step.

JULIE: It seems like it has become commonplace to overhear an attorney complaining about ridiculously expensive invoices they have received from out-of-state court reporting firms. That is an excellent opportunity to explain about the obligations and duties court reporters have with regard to fairness and impartiality. I also suggest they complain and ask for an itemized invoice.

ROSINA: We need to educate ourselves and each other. We need to all KNOW our ethical and professional responsibilities. We need to share this information with our clients and the attorneys in Arizona, make them aware of the court reporters’ professional responsibilities.

MELISSA: Tell your clients what you tell your reporters: Be proactive. Look at the notice or (have the secretary). See who is reporting it. If it’s an out-of-state agency, pick up the phone and ask some questions of the noticing attorney. If the noticing attorney is unaware of the reason for the situation inform him or her. The notice is supposed to afford all parties information about the deposition, with enough time to do something about it (i.e., file a motion, an objection, an order of protection, etc...) If your clients know that unethical practices occur, they can be on the lookout and will be in a much better position to protect their clients than you will.

PAM: As a collective body of certified reporters, we need to begin a grassroots effort to re-educate our clients on the code that we are bound by under the Arizona Supreme Court. By becoming proactive in our stance, we will not only empower ourselves as a united group, but also give the tools to our clients to be advocates of their rights.

“What can a plaintiff’s attorney do once he/she is aware that an unfair contractual arrangement between an insurance company and court reporting company is going on? Do they have any rights to protect themselves from such practices?”

Mary: One of the benefits of ACJA 7-206 to all Arizona litigants is it provides an avenue of redress if something unethical/violative is going on with the record and/or the Arizona Certified Reporter. More and more attorneys are becoming informed about how our rules protect them and their clients.

JULIE: ACJA Section 7-201(H)(1) says all judicial officers, court employees and certificate holders **shall** notify division staff if it appears a certificate holder has violated statutes or court rules. Making the certificate holder accountable would be my first suggestion. Another proactive option a plaintiff attorney has is to object to the use of that court reporting company by writing a letter to opposing counsel and insist that another reporting firm be used.

Sticky Scenario No. 1:

You’ve just accepted an assignment from a local agency you’ve worked for only occasionally. It’s 9:00 and the deposition is scheduled for 10:00. The agency informs you the secretary will have a notice waiting for you to save time. You fly out the door.

When you arrive, the room is full of attorneys you’ve never met all profusely thankful you’ve “finally arrived.” There is no notice waiting for you, but the attorneys promise to get you one and then introduce themselves on the record. After two hours, the parties take a break.

As you’re about to resume, your client sets the notice in front of you. You notice the case is venued in an Arizona state court and the name of a well-known national court reporting firm is at the bottom of it. What should you do?

The Code, Our Conduct, Compliance, continued from page 4

ROSINA: Contact the local agency ASAP and get details. An option for after the entire deposition was taken and it is known to violate our Code: refuse to transcribe the job unless it meets our ACJA Code requirements. Don't put your license at risk. Seek advice from the Court Reporting Board immediately.

MELISSA: Let the parties know that this is the first you've learned that this deposition is for an Arizona case and you have been contacted by an out-of-state reporting firm to take the deposition and because it was last minute, you have not had a chance to check into the situation as you normally would and that there could be some ethical considerations. Explain what they are quickly. Offer to let the parties have a look at the code if they want to. If everybody is anxious just to get the deposition done because they are paying some expert \$1000 an hour, then I'd go ahead and complete it and let them know that you are under an obligation to furnish the deposition in a way specified by the rules and that that is what you will be doing after you've had a chance look into the situation. I think all of this can be done in a quick, matter-of-fact sort of way. Even though you would think that every attorney is aware of their client's payment arrangements, I can imagine situations where they may not be. Remember that associate attorneys often don't even know who the ultimate payer for a client is as those types of arrangements are usually made by the administrators of the law office. If the noticing attorney is a sole practitioner, he or she may also not be aware that their client/insurer has a contracting arrangement that may be unethical. These things can be sorted out after the fact. You just need to be sure that you comply with the rules which are there to help ensure that we are fair and ethical to all sides of the case.

PAM: I think at the break it would be prudent to call the local agency to confirm the relationship between their firm and the national court reporting firm. If determined there is a contractual/exclusive arrangement, I would then let the attorneys know that I've inadvertently accepted a job that was in violation of the contracting standards of our state, but that I will complete the job as to not inconvenience any parties. And then upon completion of the job, I would contact the local agency and let them know that I did this job for them in good faith and would not be able to do that type of work for them again, and I would request that they bill and produce the transcript according to our state code and provide copies of all invoices to me.

Sticky Scenario No. 2:

A court reporting firm from the East Coast asks you to cover a depo in an Arizona state court case taking place in Tucson. Of course, they say they will invoice and produce. You recite to the man on the phone all the code violations that would result and the wrath it would incur upon you. He sounds sympathetic and then states he would allow you to produce and bill the attorneys yourself, but would you send him a networking/referral fee? What should you do?

JULIE: There is still my concern of an underlying contract that I'd be helping to fulfill even if I do all of the "mechanics" of my job correctly. Again, why would an Arizona attorney

call the East Coast for a court reporter unless he is required to under some arrangement with that court reporting firm?

PAM: You should say no. This is an Arizona case that should originate with an Arizona reporter or reporting firm with no contracts or exclusive arrangements. Screams contracting.

Mary: We can throw everything and the kitchens sink into a discussion of "what ifs". Arizona firm owners and Arizona Certified Reporters need to develop a basic policy that applies to job assignment and job acceptance. That policy should reflect all applicable tenets of ACJA 7-206. When the unexpected occurs, which it always does, go back to the fundamentals of that policy. If you don't discover an untenable situation until after you've covered an assignment, transparency to all parties is an imperative.

Sticky Scenario No. 3:

You're a staff reporter and you've been assigned to report the deposition of Dr. Poe for an insurance defense attorney. Since you've worked for both your agency and this client for years, you have no reason to suspect today's deposition is anything but the usual. You do the deposition, turn in the ASCII, and file the notice and invoice away for safekeeping.

Two months later you receive a complaint alleging violations of the ethical code and a subpoena asking you to appear before the CR board for an interview and to bring with you "any and all documents related to the deposition." You pull your job-related documents out and look at your invoices, which you neglected to review before, only to discover your agency billed a well-known national reporting firm instead of the attorneys. What can you do?

PAM: What you can do is head to the interview with all your job-related documents and explain that through your own negligence in not reviewing the billed invoices, you were unaware that this was a contracting issue and in the future will become more diligent and decline to do this type of work.

ROSINA: Explain your situation in the interview; tell the truth; talk to the firm owner about this situation and educate them on what you've found out; spread the word so others don't have the same thing happen to them.

JULIE: In my opinion, when a certificate holder who is working for a firm owner/certificate holder is assigned to report a job that violates the Code, that violation follows up the chain of accountability. If the court reporter had absolutely no idea the job was a violation until she receives an invoice that is not the one delivered to the attorneys, I'm hopeful the board would look at that evidence when making an intelligent, informed decision and realize who is really responsible. Again, the rules say certificate holders **shall** notify division staff if it appears a certificate holder has violated the rules. So I believe the certificate holder, who was basically duped, **must** report that violation to the board.

The Code, Our Conduct, Compliance, continued from page 5

MELISSA: So, this is a situation where you are working in a "usual and customary" mode. You trust your agency to the point that you've become neglectful of looking at invoices or carefully inspecting the notice of a deposition and so now you find yourself with a problem. You have to remember that depositions are set in a variety of ways, by fax, by phone, by mail, and if the agency happens to have the back-office guy helping out the calendar person and that person is not properly vetting the paperwork, then you and your agency could find yourself in a situation you would prefer not to be in. You can probably also imagine a situation where the billing clerk is not thinking anything is out of the ordinary when they invoice a job because questions and problems should have been addressed on the "front end" of the deposition, in other words, way before things get to him or her.

I think these have been important questions to ask ourselves when we are trying to comply with our code, our conduct and our compliance. Again, I urge you to look at ACJA Section 7-206 and make sure you're staying true to your certification. I hope these questions and answers have helped you all to be in compliance. Thank you so much Pam, Melissa, Rosina, Julie, Mary and Chris for answering these tough questions!

ASK ACRA

Dear ACRA: Is it a violation of our code if a client tells us how much to charge if we want their business?

ACRA: One thing we have to keep in mind in setting our rates is Arizona's 60 Percent Rule which governs how we charge for our services.

ACJA Section 7-206 governs court reporters. Effective January 1, 2007, Section (J)(3), Fees and Services, was amended to add the following wording:

"d. A certified reporter shall charge no less than 60 percent more for an original transcript than what is charged for copies in all cases. The charge for the original transcript includes the per diem paid for the reporter's appearance."

This is to prevent "sweetheart deals" with clients, charging them discounted rates and recovering the reduction through higher rates to the opposing counsel, who is a "captive audience," so to speak, which would be a violation of our Code of Ethics to be unbiased and independent.

Therefore, if a deposition copy were billed at \$100, you would have to charge at least \$160 to the scheduling (O&1) attorney, which would cover his \$100 copy plus \$60 (or more, as you choose) for your per diem. If you charged less for the original, you would have to charge less for the copy or copies to stay in compliance with the law.

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Dear Nancy

By Nancy Varallo RDR/CRR/FAPR

Dear Nancy:

Morale in my office (reporters, staff) is low and seems to be getting lower. Is it the economy, the state of the profession, or is it me? What can I do about the creeping malaise?

Signed: Dee Pressed

Dear Dee Pressed:

The economy is getting your reporters and staff down? No kidding! Our investments, 401(k)s, homes, and even the value of that old Barbie Dollhouse (Ken not included) we've kept in the attic for 20 years have tumbled since late 2007.

Regarding the profession, it is what it is. In some parts of the country, business is amazing, and in other parts it is slow. Keep in mind that business ebbs and flows, but don't let the roller coaster get you down. Your staff looks to you for cues. Should I be worried? Panicked? An upbeat, glass-is-half-full outlook can help keep morale up and your staff motivated. In the Great Depression of the '30s, FDR's jaunty optimism calmed an anxious country and gave folks everywhere the confidence to face the future with hope.

Are you getting out? Are you networking with business groups? These are the times when we all need fresh ideas. It's during bad times when real leadership is needed. Anyone can lead in good times; but when the going gets tough, the tough go shopping...um, I mean the tough keep smiling.

You're the leader and you set the tone. Be confident. Humor is good; gloom-and-doom is not. It's hard to resist the positive outlook of a confident, can-do leader. Counter the creeping malaise by pointing out what's going right for you and your business. People respond well to confident leadership. (I said that already, didn't I?)

Dear Nancy:

Since I started reporting 15 years ago, I've turned my transcripts in to the agency within two weeks. The firm owner has always been satisfied with my turnaround times. All of a sudden there's been a request (demand?) for one-week delivery. There is no additional compensation offered to me for this quicker service. Is this unfair? Should I apply with a new agency? Signed What's the Hurry?

Dear What's the Hurry?:

The times, they are a-changin'. Realtime. Voicewriters. Big firms with offices nationwide. Freelance agencies who employ sales reps to knock on lawyers' doors looking for business. What's a firm owner to do? Well, try harder. It's called competing. And you need to compete as well. Do you hold

the right credentials to keep yourself competitive and sought after? Do you have the skills an agency will value?

I know in my locale, turnaround times have gotten steadily shorter over the last 15 years. It's inevitable. We are in the Information Technology business, and nowadays information is instantaneous. Fifteen years ago, no Internet or e-mail to speak of; not a lot of realtime-based services, like draft transcripts or interactive realtime. Talk to your firm owner about the reasons for change. And check with other reporters. Have turnaround times been shortened at other agencies? If so, you'll be stuck with the new swift-moving clock.

In today's marketplace, we are held to a higher standard of performance, that's for sure. But we need to be paid - always - for services we provide, i.e., drafts, interactive realtime, expedited delivery. Make sure, in the rush to compete, that your agency is paying you what you're worth.

Dear Nancy:

I've been a vendor at paralegal and legal secretary trade shows and events for a long time. These days I sit at my table and I feel more and more like I'm being ignored. Is this my imagination or is this a trend? Signed Slight Unseen

Dear Slight Unseen:

Trade shows aren't what they used to be. Attendance is down, and many people who attend would rather network with each other, drink and otherwise carouse away from home than visit the typically boring sales booth. Go figure! Sounds like the court reporters I know. Think about the last reporters' convention you attended. I know firsthand; I've been a vendor. The bar is always more popular than the exhibitor booths.

Participate with paralegal and legal secretary communities all year round, not just at a trade show. If they come to know you, they will have a "friend" to visit on the trade show floor. And isn't that a whole lot better than thrusting brochures at a bunch of strangers?

Nancy Varallo, RDR/CRR/FAPR is owner of Court Reporting Management Services, LLC. You can submit your Dear Nancy question at her website: www.CourtReportingMgt.com



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What's the Difference between a Court Reporter and a CART Provider?

Is there a difference between a court reporter and a CART Provider?

Yes, writing for a -hard-of-hearing individual is much different than making a record. You should be trained in providing CART services before actually doing so.

As an official reporter, can I provide CART in the courtroom?

Whoever the individual is requiring CART services is entitled to receive services from a stenographer trained in providing those services. If an official reporter provides "realtime" to a hearing impaired individual while acting in the capacity of the official reporter, that is not CART. That does not comply with the Americans with Disabilities Act.

Do I need to have my Certified CART Provider designation to perform CART?

The short answer is no, you don't. Is it recommended? Of course. It is a way to show that you've been trained in such services.

Why can't there be a "realtime feed" from the certified reporter to a deaf or hard-of-hearing individual to save costs?

The way a CART Provider writes will be different than the certified reporter. Certified reporters write verbatim and have untranslates that show up in steno. A CART Provider has no steno displayed on their screen at all, even when there is an untranslate. The screen is displayed to the liking of the consumer in case of any visual impairments. A CART Provider will include any environmental sounds taking place. As well, if the consumer was a plaintiff or defendant, communications between his or her attorney that would not otherwise be on the record would need to be written. If the consumer is a juror, services would need to be provided in the jury room, which is not the role of a certified reporter.

Do you provide transcripts as a CART Provider?

Sometimes as a CART Provider you will provide a roughly edited file. This is not done in the legal setting. This service needs to be clarified with the client before the assignment so that no confidentiality is broken and all parties are aware of who will receive a copy of the file.

For any CART questions, please call Jennifer Schuck at 480-419-3809 or email her at jen@jsreporting.com.

Ask Mr. Modem! – November 2010

www.MrModem.com

Avoid Unsecure Wireless Access

Q. We are renting a vacation home for a month that has wireless, but it is not secured by a password. The people we rent from are good people and the house is in a nice area. I had planned to access our brokerage account online to check balances while we are gone. How vulnerable is my computer and my information, if I use this wireless access?

A. In a word, vulnerable. That doesn't mean your data or identity will be stolen or your system hacked or victimized by any of a number of evils that can result from using an unsecured wireless network, but could it happen? Absolutely. Unfortunately, the security of the network has nothing to do with how nice the owners of the house are or the lovely neighborhood.

When you use an unsecured wireless network in the manner you describe, you're effectively saying, "I know it's not secure and I know there's a small chance that my data may be stolen, but I'm willing to take that chance." The only person you have to answer to is yourself, so if you're comfortable with that decision, have at it.

When all is said and done, you'll probably be fine, but could there be a problem? Yes, there certainly could. Personally, I would suggest focusing on your vacation and not spending time online, if you can possibly avoid it. If you must check your balances, most banks and brokerage firms provide toll-free numbers for that purpose.

Q. I understand that software programs load into memory (RAM) when being used. But when a program is closed, is it removed from memory and returned to the hard drive?

A. In theory, yes; in reality, not quite. Memory works like a blackboard that is constantly overwritten with new data. The data stored in memory is temporary, which is why you must save data before turning off your computer.

When software programs are shut down, they are supposed to tidy up after themselves and remove everything loaded into RAM. Unfortunately, most programs leave a trail behind and don't completely remove themselves from memory. Over time,

this unsightly data build-up can cause your computer to become sluggish. To purge RAM completely, simply reboot your computer. If you normally leave your computer on 24/7, as I do, restarting the computer once a week should be sufficient.

Q. How can I change a color photo into a black and white picture?

A. Irfanview (www.irfanview.com) is a free program that can convert your photo to an artsy black and white image. To transform your photo, open Irfanview, display your image by clicking File > Open, navigate to your photo, click to select it, then click the Open button.

With your image displayed, click Image in the Menu Bar, then click Convert to Greyscale. Your image will then, not surprisingly, appear in greyscale. Grayscale images are distinct from black-and-white images which, within the context of digital photography, are images with only two colors, black and white; grayscale images have many shades of gray in between.

If you want true black and white, click Image in the Menu Bar again, then click Decrease Color Depth. In the window that appears, click to select "Two Colors," then click the OK button to save your changes.

If you are satisfied with your new colorless picture, click File > Save As. Be sure to give your black-and-white photo a new name or you will overwrite the original color photo. Click OK to save the new image.

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

TypeRacer

Test your typing skills against other players for the chance to win money, fame, fabulous prizes -- well, maybe not, but it's a nice thought. Play as a Guest or create your own account. Once your account is created, when the countdown to the green light tells you to start, type like the wind -- but don't blow any words by making any typos.

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The Art of Fundraising

By Karen Kahle, President-Elect, Editor

As the President-Elect, I am tasked with the job of managing our fundraisers this year. I have to tell you that I'm not looking forward to this task at all. Every convention there's always that annoying person trying to make me buy raffle tickets. (I think that annoying person was me!) Then there's always that high dollar raffle that seems to come up every year. I just feel like I'm always giving money to ACRA.

Do you share these feelings, too? I know a lot of people do. Can't we just raise the dues? Why do we have to do this all the time? These are questions that nag at me a lot.

Lately it seems we have been battling one thing after another. If it's not the third-party control issue for the freelancers, it's the court administrators trying to pass a law to take Grand Jury away from the officials. Our lobbyist John MacDonald has been there in the thick of things attending meeting after meeting and speaking on our behalf at all of these meetings. As we all know, nobody works for free.

I even hear people say things like, why do we pay for a lobbyist to help the officials/freelancers? Why should we have to pay for their problems? Well, that answer is simple. We're all court reporters, and we're all on this ship together. I remember one of our presidents talking about teamwork. That's why we pay our lobbyist to help us with these issues. He's part of our team.

So my question to you all is this: What should we do as far as fundraising? Should we raise the dues? Should we keep doing raffles and hope and pray we can end up with enough money to pay for our lobbyist? I could really use some direction this year. I would like to know what you all think. Drop me an email. Give me some suggestions. I would love to hear from you.

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NCRA Nominating Committee Seeks Candidates

Here's your chance to help lead the Association dedicated to advancing the court reporting and captioning professions. NCRA's Nominating Committee is seeking reporting professionals to serve in leadership positions on its Board of Directors.

THE BENEFITS TO YOU

A role in advancing your profession
Exposure to a new world of professional and personal contacts
The chance to exchange ideas and perspectives with other innovative thinkers in the reporting community
The chance to strengthen your professional résumé or curriculum vitae

THE QUALIFICATIONS YOU BRING

- Demonstrated commitment to NCRA and the reporting community
- The ability to share your time and energy for the benefit of the profession
- Willingness to be accessible to the members
- The ability to weigh all sides of an issue objectively
- Experience with committee work

WHO IS ELIGIBLE FOR ELECTIVE OFFICE

Article III, Section 9 (c) of the NCRA Constitution and Bylaws states, "Only Registered Members who are verbatim stenographic reporters or Retired Lifetime Members who have been verbatim stenographic reporters or Honorary Members who have been verbatim stenographic reporters shall be eligible to hold an elective office of the Association."

SERVICE AS AN OFFICER (EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS)

These positions, as a rule, are filled by those who have served or are currently serving on the NCRA Board. Since NCRA has a membership of 20,000 and a budget of nearly \$9 million, you can understand that service as a director is essential in order for the candidate to

understand and fulfill the duties that come with such responsible positions.

WHO MAY RECOMMEND CANDIDATES

Only voting members of NCRA may submit individuals for candidacy. These include Participating Members who are verbatim stenographic reporters and Registered Members who are verbatim stenographic reporters, as well as Retired Lifetime Members and Honorary Members who have been verbatim stenographic reporters.

When recommending yourself or another for a directorship, remember that some of the criteria the Nominating Committee looks for are:

- Dedication and commitment to the profession
- Good team player
- Excellent communications skills
- Outstanding reputation and character
- Strong leadership

Board service is uncompensated and requires significant time commitments. Most expenses involved in Board service are reimbursable. Now's your chance! If you are interested in serving or know someone who would make a great Board member, submit the Declaration of Candidacy/Candidate Recommendation form today!

THE ELECTION PROCESS

As provided in the Constitution and Bylaws, the Nominating Committee will meet at least 90 days prior to the July 2011 Las Vegas

Convention to draw up a slate of nominees for the following offices of the Association to be elected at the Annual Business Meeting:

President-Elect
Vice President
Secretary-Treasurer
Three Directors (three-year terms)

MEMBERS OF THE 2010-2011 NOMINATING COMMITTEE

Chair: SueLynn Morgan, RPR
Members: Jerry L. "Will" Callaway,

RDR, CRR, CPE

Marianne A. Cammarota, RDR, CRR
Mary Cox Daniel, RDR, CRR, CBC, CCP

Sandra Bunch VanderPol, RMR, CRR
Alternate: Caryn Winters, RPR

YOU Can Shape the Future of Your Profession!

TERMS OF OFFICE

No elected officer shall serve for more than one full term in the same office except the Secretary-Treasurer, who may serve for no more than three consecutive terms. Directors may only be re-elected if at least one year has elapsed since the end of their prior term.

DIRECTORS WITH TERMS EXPIRING IN 2011

Kimi George, RMR, Oklahoma City, Okla.

Tammie Shedd, RPR, CMRS, Fairfax, Va.

Christine J. Willette, RPR, CRR, CCP, Rothschild, Wis.

Secretary-Treasurer Bruce Matthews is eligible for renomination as Secretary-Treasurer during 2011-2012.

All current Board members, including those directors whose terms expire in 2011, are eligible for election to higher office. Director Willette was appointed by the Board of Directors to serve during the 2010-2011 year to complete the third year of the unexpired term of Tami Smith. Director Willette is eligible for renomination as Director during 2011-2012.

DECLARE YOUR CANDIDACY OR RECOMMEND A CANDIDATE

Take this opportunity to make a difference in the future of reporting. Declare your candidacy or send the names of your recommended candidates to Nominating Committee Chair SueLynn Morgan, RPR, c/o NCRA headquarters, postmarked no later than January 3, 2011. Contact Laura Butler for further information at 800-272-6272.

NCRA, continued from page 12

To: SueLynn Morgan, RPR,
 Chair, NCRA Nominating Committee,
 8224 Old Courthouse Road
 Vienna, VA 22182-3808
FAX TO: 703-556-6291

Print or type your own name and address below.
 Membership ID No.
 May the Nominating Committee contact you by phone if
 further information is needed? Yes No
 Home:
 Office:

- I am declaring my candidacy for the office of:

- I am recommending the following individual for the
 office of:
 Name
 Address
 City/State/Zip

Describe your qualifications to serve on the Board of
 Directors or explain why you support the recommended
 individual for service (attach additional pages as necessary):
 Signed
 Date

Copies of this form or your own personal stationery may be
 used to submit additional recommendations.

Recommendations close January 3, 2011.

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 Jim Mofhitz - Humorous Clocks
 John Bouley
 Kathy Hanchette—Premier Designs Jewelry
 Ottmar & Associates
 StenoCast
 Watercolors by Doreen

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greatdanerescueofazalliance@hotmail.com

Dates to Remember...

January 8, 2011

ACRA Board Meeting

Tucson
 10:00 am
 Contact the ACRA office for details if you would like to
 attend.

February 10, 2011

Spring ArizoNotes Deadline

Contact Karen Kahle at (520) 740-3015 / hvymtlccr@juno.com
 for submissions, and Robin Hirth at (480) 496-4010 /
 acra@saminc.org for advertising information.

April 30, 2011

Midyear Seminar

Holiday Inn, Mesa

September 16-18, 2011

ACRA Annual Convention

Prescott Resort, Prescott



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2010 Distinguished Service Award Winner—Mary Meyer

The DSA Award was presented at the September Annual Convention. The following is the presentation transcript recorded by Cindy Shearman.

MS. FINK: Good afternoon. I'm honored to have been asked to present this award today, not that I enjoy public speaking, but I'm very proud to be associated with this individual, and I love giving things away. And today's recipient will receive a 14-day, all expense paid cruise, and \$25,000 cash. Oh, wrong association. Excuse me.

Seriously, the purpose of ACRA's Distinguished Service Award is to give recognition to an individual in our court reporting family who has generously devoted his or her time and efforts on behalf of its members. "Distinguished" has been defined as characterized by excellence or distinction, dignified in conduct, highly respected, of great significance or value. Distinguished service must extend beyond self-serving motives and provide for the betterment of others.

This reporter has devoted the last 11 years of his or her life to ensuring that the citizens of Arizona receive fair and impartial treatment in the legal community and, at the same time, promoting recognition and respect for the court reporter's role in the legal process.

This individual became active on the ACRA board, stepping up to the plate to become vice-president and then president-elect and president. During his or her time on the board, several important and serious issues were addressed, including ER in the Maricopa County Superior Court and certification for court reporters. Since his or her time on the ACRA Board, this individual has served in one capacity or another for ACRA and the reporting community.

This individual served on the committee which was appointed by the Supreme Court, the Keeping the Record Committee. This committee was charged with a duty of updating the statutes and rules to incorporate new technology with respect to keeping the record and to guarantee that the citizens of Arizona

would have a record made of their court proceedings. This committee's biggest battle was keeping a requirement in the rules that court reporters would be used in depositions and not allow attorneys to stipulate away to making a record without us, i.e., tape recorders or electronic devices.

This individual was invited to become a board member and served several years as a member of Citizens for Impartial Justice, a national public advocacy group that strives to ensure that all parties in litigation are treated fairly and impartially.

Over the past ten years this person has been a member and chairperson of ACRA's third-party control committee and has worked tirelessly to maintain the impartiality and importance of court reporters as officers of the court. This reporter was very instrumental in drafting language changes to the ACJA Code in the early 2000s regarding third-party control.

In 2010, he or she again served on the third-party control committee and traveled to attend many meetings of the certified reporters board and served on the language subcommittee that was formed at the request of the certified reporters board, and this committee promulgated the proposed recent language changes which members of the CR board felt were necessary.

The DSA recipient for 2010 began court reporter training in the mid-1980s, completing the training in less than 18 months, and at the same time raising three small boys alone. They went straight into the freelance world, eventually becoming a sole owner of a court reporting firm. This court reporter was devoted to raising three young boys to three independent young men who have made their way in the world. This person devotes that same energy and passion to our profession and our association. I'm trying not to cry.

In 1999, I had been on the board a few years and received a call from this person and said, if you need help with anything, let me know. Several years later, having a conversation, I reminded



this person of that conversation and she said, well, when I volunteered to help, I just wanted to be on the dance committee. I hope you're enjoying the dance, Mary Meyer.

(Applause.)

MS. MEYER: Well, that was oddly moving. Thank you, Kathy. That was very nice. You forgot to mention I'm a grandmother, though, eight months now, a little girl, Avery Joy, the brightest and best of her generation.

I'm trying to collect my thoughts and I will be quick. You know what's weird is how noisy it is out there with all those plates and everything, isn't it hard to hear? But I really appreciated Erica, wherever you went, what you had to say. That was -- and I have appreciated your leadership this last year, so, thank you.

And I wanted to thank the committee members and the rest of the board, but I do have to say, as I'm collecting my thoughts here, that beyond the tiny stage of my own personal commitment to this profession, everything else that Kathy mentioned so kindly I have done in absolute concert with so many other people sitting in this room right now. It's not been a singular

DSA, continued on page 16

DSA, continued from page 15

activity at all. So that's why I'm a little shaky and uncomfortable right now.

And from the time that I first knew what ACRA stood for and I followed along behind Kathy Fink, and those of you who know her, know her incredible, impressive energy and enthusiasm for this profession, to the years I spent working with people like, I hesitate to mention any names 'cause I'll forget some important ones, but Julie Ottmar and Leslie Foldy, and Melinda Volmer. And, really, with regard to keeping the ethics of the court reporter absolutely front and foremost in the freelance profession, you cannot mention my name without mentioning my partner in all crime, we're joined at the hip, her husband's not thrilled about that, but Chris Green. I'd say we were joined at the brain 'cause we agree -- that gives us one brain between the two of us.

So, but one -- the thing that has motivated us to work on all the things that Kathy mentioned and the commonality between all of us in this room, I believe, are some fundamental beliefs about our profession. And one of the first is, we've learned from the KTR committee, that a court reporter in the courtroom is hands down superior to any

taping system. And I know that we have to make some compromises because of logistical realities, but a conscientious and skilled court reporter beats that system every time. That's a belief that I have and all those people that I've worked with over the years have.

And the next belief that we all share in common is that, in the freelance part of our profession where I work, you know, you have to keep in our minds, because it is so important, we have to keep in our minds that no less than, no less than the interests of the court is represented by our presence in that conference room. And when we move beyond the conference room and we are conducting our businesses, still no less than the interests of the court, we are safeguarding the record for the court and the public. And we have to -- excuse me, sorry -- we have to keep that in the forefront of our minds because if we don't, we betray that confidence that has been placed in us for generations. And if we don't, generations of our predecessors will be rolling over in their graves.

And lastly and, I guess, you know, in summary and like a big umbrella of everything, is that what defines us and what makes us necessary and what we bring to the table of value are, number one, our incredibly impressive skill -- and

incredible and impressive it is -- and, number two, the absolute of our neutrality, and if we -- if we become complacent about either of those, if we become lax about our skill and, you know, if you're in three years or 30 years, sitting in that seminar, that gentleman with the real-time points out how much -- you know, I've been doing this for a long time, there's still so much we can learn, what we can do to improve and enhance, and then if we become cavalier about our neutrality and kind of stand helplessly by while it gets whittled away or we rationalize it away, then we lessen our value to the system and we lessen our value to our community.

And so I guess -- sorry, I went far afield, but I had the podium so I took it. And, anyway, for everybody, everybody, 'cause it does take -- it does take all of us, as Ms. Graves referred to in the first seminar of the day, it does take all of us representing these principles, not one singular person, to promote this profession, and put our best foot forward. Thank you.
(Applause.)

To read the NCRA Rep. speech given by Pat Graves at the convention, please go to the Seminars & Conventions page on the ACRA website.

Important Contact Information

ACRA Office: (480) 496-4010 (Robin Hirth),
acra@saminc.org

ACRA Website: www.acraonline.org

CR Office: (602) 452-3878

CR Website: www.supreme.state.az.us/cr



For content, contact Editor
Karen Kahle
(520) 740-3015

For advertising information, contact
ACRA Administrator
Robin Hirth
(480) 496-4010

DEADLINES

Spring Issue - February 10, 2011

Summer Issue - May 10, 2011

Fall Issue - August 10, 2011

Winter Issue - November 10, 2011



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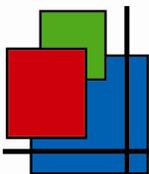
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