

ARIZONA NOTES

Volume 43, Number 3

Fall 2015

President’s Message by Mike Bouley



Time. The ultimate gift. When we arrive in this world, we are granted a gift of time. But we cannot unwrap it to know how much we have.

Inside our ultimate time, we have smaller blocks, and sometimes these can be measured, and sometimes not. When we have a wonderful vacation for a week, we know that is 7 days. We have an

evening dinner with a friend, we can check off 2 or 3 hours for that.

A 3-minute egg uses just 3 minutes.

But what about our loved ones, when might we see them next, or last? The truth is, that is their time, not ours. So we can never really know.

So time is a known, yet also a mystery. And there’s no reconciling that. Because everything we do, everything we are, everything we have only happens because time says it does.

So then the question becomes, what do we do with our time? Do we treasure it? Do we squander it? Do we use it for good?

Our lives, our family and friends, our careers. We devote time every day to all of these. Are you mindful of it? The breaths you have taken as you read this, as I write this, are gone forever. When we use the term “spending time”, it’s really true. But unlike money, we cannot earn more. We were granted an unknowable gift, and we spend from it every day.

Time’s been on my mind lately, and I decided to use it as my President’s Message theme, at least this time. I want you to know as members of ACRA that your Board, committee members and various contributors have all been giving of their valuable time for you, for this association, for our respected profession. Our TPC committee has been renamed the Ethics Committee, to more properly reflect our intentions for a fair, level, and ethical business environment for all reporters, firms, and clients. Danielle Griffin has taken over as chair. She is dedicated, capable,

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and smart as a whip. The committee has an amazing roster of experienced reporters and leaders, all working hard, giving their time, to assure a bright and successful future for you, for court reporters, and for the sanctity of the record.

Your ACRA Board has likewise been giving their time, attending to issues directly affecting you, like our Midyear and Annual conventions for 2016, our operating budget, membership outreach, student involvement, fundraising, and projects for the future, all in support of our profession. President-Elect Diane Donoho is spearheading a task force to lobby for a page rate increase for officials, something long overdue. Executive Director Dick Borgmann has been elegantly using his time to steer our association to solid fiscal and organizational ground. Our attorney Jimmy Cool puts in a tremendous amount of time and energy on various fronts. Every Board member is pitching in on projects behind the scenes, all for this association, all for you.

Time, time, time. Tick tock. Tick tock.

And as those working on behalf of ACRA devote their time, I want to ask if you could devote just a little bit of yours. You were recently sent raffle tickets for our Black Friday Shopping Card Raffle. Generous contributors made these gift cards possible. Board member Kate Roundy pulled it all together.

Please take 5 minutes and participate in our Raffle. Return the tickets with a check in support of ACRA and your profession. We wanted to give you something in return for this contribution. Make this your time to win! You definitely win when you directly and positively impact ACRA as you participate in this way.

Every member counts. Every member has value. Have you ever played tug-of-war? Have you ever felt the momentum swing when someone else jumps in and

starts pulling? That's what I want. Please jump into our raffle and help us pull. When it comes to ACRA, we are all on the same team. Yes, membership needs leaders. But leaders also need membership. We're doing our part as best we can. Will you do what you can?

Here is what I ask of you:

Your Member Action List:

- Return your **Black Friday Shopping Card Raffle** tickets with a check to **ACRA TODAY!** Or call our **Raffle Director, Dick Borgmann, to use a credit/debit card to get in! Hurry!**
- **Renew your membership** for 2016 as soon as possible.
- Save the Date: **Midyear Seminar, April 9, 2016,** Hilton Phoenix Chandler.
- Save the Date: **Annual Convention, September 10-11, 2016,** Westin La Paloma, Tucson.

The days shorten, the temperatures cool, and the season changes. Hello, Holidays! Just 7 weeks left in 2015. Where did the year go? Sneaky time. We were distracted, by life.

As Charles Barkley once said, "Father Time is undefeated." And it's true. But we have our gift, and our gift allows us everything we have. For right now, we have everything. So the only thing that makes sense is to be grateful as we go.

I am grateful for all of you. I am grateful for ACRA and my profession. I am grateful for all the love and friendship and rewards that have come to me on this path. I wish you a joyous, prosperous and loving Holiday Season. Spend time doing the things you enjoy most, with the people you hold most precious. It's all because of the unknowable gift, and all thanks to the Creator.

Much love, my friends.

Until next time,

Mike Bouley



READ IT BACK

Read It Back!

Welcome, reader, to the first installment of “Read it Back.” This recurring column will strive to answer your questions about the ethical rules that govern our profession. Although we will make every effort to provide answers that are accurate and complete,

this column is not intended as legal or professional advice. Every individual situation is unique and the ethical rules may apply differently to you depending on the circumstances.

Question:

I have been contacted by an attorney who wants to purchase any and all deposition transcripts I have prepared related to a certain deponent. The attorney was not involved in the cases or depositions to which the transcripts relate. Am I allowed to provide the transcripts to this attorney? Does the answer change if the transcripts were (or were not) filed with the Court as publicly available documents?

Answer:

This is a great question. Arizona Code of Judicial Administration § 7-206(J)(2)(a) makes clear a CR/RRF’s duty to maintain the confidentiality of judicial proceedings: “A certified reporter and registered reporting firm shall ensure the confidentiality and the security of information, verbal or written, entrusted to the certified reporter by the court or any of the parties in the proceeding is preserved.” The rule goes on

to answer your question specifically: “Unless authorized by court order or upon agreement of the parties, a certified reporter and registered reporting firm may release the transcript only to the witness, a party and the witness’ or party’s attorneys.”

So, absent a court order or reliable evidence of an agreement between the parties permitting disclosure of the transcript to third parties, we recommend you do not provide your transcript(s) to anyone other than the witness, parties or parties’ attorneys involved in the proceeding connected to the deposition(s). Please note that a CR/RRF’s ethical obligations cannot be modified or waived by the conduct of parties to litigation or their counsel. ACJA § 7-206(J)(1)(j) states that the ethical obligations stated in ACJA §7-206 “may not be waived by disclosure, agreement, stipulation, or otherwise.” For CR/RRFs, this means that even if the parties themselves provide transcripts to third parties, or otherwise disregard the confidentiality of the proceedings (e.g. by filing them as exhibits to publicly-filed documents), CR/RRFs are not relieved of their ethical obligation to maintain confidentiality as specified in ACJA § 7-206(J)(2)(a).

Last, but certainly not least, this is a good opportunity to remind all CR/RRFs that the ethical duty to maintain confidentiality extends to any third party involved in preparation, production, distribution, or storage of a transcript. Indeed, it is the CR/RRF’s duty to ensure that any third parties the CR/RRF involves in the process observe the ethical rules relating to confidentiality. *See generally* ACJA §7-206(J)(2)(a). A registered reporting firm is also required to establish policies and procedures to ensure its awareness (and its CRs’ awareness) of any court orders regarding confidentiality in a given matter. *Id.*

Three Simple Steps to Structure Your Workdays

From the Freelancers Union by Kate Hamill

There are a lot of perks to working from home as a full-time freelancer! The dress code is notoriously lax, and there's a noticeable dearth of inane water cooler talk.

But freelance workdays can also be dangerously nebulous. Without structure, there is a lot of frustrating wasted time, and work can bleed endlessly into free time.

So how do you structure your freelance days... without losing your flexibility?

1. Build a ritual to begin your day

One of the dangers of working as a freelancer is the ease with which you can slip in and out of your workflow. Sometimes that's great – I'm a big believer in organic productivity, or giving yourself time to stare at walls and ponder.

But when you don't have clear delineation between "work" and "play" time, it's easy to look at a clock and realize you have spent two hours poking around the Internet and desultorily answering emails... without getting any closer to accomplishing your goals.

I combat this slow drift towards

lassitude by creating work-specific rituals that cue my brain to focus. Whenever I start a day of copywriting work, I take time to set up my space and warm up my brain. I pour a cup of coffee, put on my favorite Pandora station, and read the New York Times online for 15-20 minutes.

That's just my set ritual; I MUST listen to instrumental music (lyrics tend to distract me), and I MUST read something interesting in order to cue up my desire to write.

Find the ritual that works for you – maybe it's meditating, or taking the time to clear your inbox, or setting up your desk. Allow yourself the warm-up! Before long, you'll know exactly when each workday begins... and that will help cut down on procrastination.

2. Take breaks - including for meals

Unless I'm really on a can't-stop-now-the-action-is-too-hot productivity roll, I swear by the 45/15 method; 45 minutes of work, followed by 15-minute breaks.

This considerably lessens the anticipatory dread of completing a big project – you never have to concentrate on the big picture! Instead, you focus on bite-sized chunks.

Some people prefer to work for longer spans of time, and then break. That's fine!

But DON'T forego breaks

altogether – it's easy to slip into this habit, and easier still to court burnout via the same.

Make sure to build in reasonable breaks, both within your workdays and within your workweeks. And for the love of all that's good and holy, MAKE TIME FOR FOOD – preferably something reasonably nutritious.

Extensive personal research has proven that the best work is not created from the fuel provided by two Twinkies, eaten standing up.

3. Set the goal of 3

During your warm-up pre-work ritual (or the night before, if you choose), pick three goals you want to accomplish during the selected workday. Try to make them vaguely realistic – it'd be really cool to write your whole novel on a Tuesday, but that would be a short opus.

Why three goals?

Three is a nice, magical, satisfying number – there's a reason why comedians rely on it for jokes.

One goal is good, but can feel underwhelming if it's too easy, and overwhelming if it's too big.

With two goals, it can be tempting to split the day into halves – tackling two enormous projects at once.

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Distinguished Service Award

By Doreen Nimmo Sutton

I first met the recipient of this award at a convention; I believe it was at an ACRA convention, but it could very likely have been a NCRA convention, as he or she was a frequent attendee at both. What sticks out in my mind is that although she didn't know me from Adam, he or she was immediately warm and friendly and shared his or her love and excitement for our profession! Excitement is not a word often used when referring to what we do, but it was evident in this person.

Through the years, 23 to be exact, we became not only colleagues and cohorts, but friends and confidants. This individual has been tireless in promoting the profession and professionalism of court reporting. He or she has been a reporter for more than 30 years, and has several certifications, and, oh, by the way, a couple of college degrees! He or she has been both an official and a freelance reporter, and holds certifications in other states in addition to Arizona. He or she embodies the meaning of words such as professionalism, integrity, and dedication.

Here are some words from others:

"She challenges us to get uncomfortable, to push ourselves to do things we don't want to do in order to better ourselves. I wish I had a brilliant anecdote to illustrate her generosity of spirit and passion for knowledge, but she brings forth that generosity and passion in everything she does. And she does it with grace, humility, and class."

She strives to continually keep abreast of what is happening in the world of court reporting and has a real passion for all things related to court reporting. She shares ideas and information she has read online in forums and goes above and beyond to keep things fresh for her students.

"All of her varied experiences have allowed her to develop into an instructor that the students enrolled in the court reporting program at Gateway Community College have come to trust. Students see her as a source of inspiration to continue through the reporting program. She volunteers her time outside of class to mentor students. You will find her sitting at the student table at every ACRA convention.

Our teachers are critical to the success of this wonderful profession. Without fully prepared students graduating, there will not be enough reporters to replace those who are retiring in the next decade. For this reason, I would like to nominate and honor Patricia Edgar for all she has done for our next generation of reporters.

"She continues her memberships to state and national associations, and attends conferences to stay informed. She has shown a great deal of integrity and consistent professionalism. She has given so much of herself to the program at Gateway; I can't imagine what it would be like without her there. She is that teacher you never forget and that teacher you really want to make proud.

I feel privileged and honored to be able to present the 2015 Distinguished Service Award to Patricia Edgar!



ASK MR. MODEM!

www.MrModem.com

Ask Mr. Modem! –

November 2015

www.MrModem.com

Help: Email Causes Freezes!

Sometimes people I send email to tell me that when they open my message, their computer freezes. I'm sending you one of my emails that did this. Can you tell me what I'm doing wrong that might be causing this?

The email you sent me contains eight graphical animations, including four animated closings, "Goodbye," "Adios," "CUL8TR," and "Sayonara." While I understand that "cutsey" is in the eyes of the beholder, I would encourage some measure of restraint when it comes to email "enhancements" of this type for several reasons:

First, all those graphics and animations increase the size of your email exponentially, turning what should be a simple message into a bloated e-mess. For recipients with older systems or computers running a minimal amount of memory, opening your graphical extravaganza can be overwhelming to the system, resulting in a freeze.

Keep in mind, whether you're using IncrediMail or some other email fluffer-upper, there are only so many graphics and related animations, and graphically inclined senders all tend to gravitate towards the same ones. Toward that end, you can't go wrong if you extend the courtesy of asking your intended recipients if it's okay if you include animations. If they decline, thank them and honor their request not to include them. If they do not respond, do not assume that's an implied permission to continue sending cutsey. It is not.

In your case, remove the graphics and animations from your message and re-send it. Individuals who previously experienced a computer freeze will then be able to view your message without any problem.

I notice that my 4-port USB hub feels warm to the touch. Is this normal or are flames about to leap out and cause me grief. Do you think I am worrying over nothing? Thanks, Mr. M.

There are components within the hub that can get warm, so some amount of warmth is normal. If it is too hot to touch, I wouldn't take any chances and I would replace it immediately.

My rule of thumb for something like this is if it makes me uncomfortable -- rightly or wrongly -- I replace it. It might not really need replacing, but if it's going to drive me to distraction

to that extent then I will just replace it and be done with it. I would keep the USB hub that was replaced as a spare. And if the replacement hub ultimately feels about the same temperature as the one I replaced, then I'll walk to a mirror, look into it and say, "You moron! You replaced it for nothing," though the peace of mind alone would be worth it.

I would like to ask your advice and opinion about a software program called Driver Robot. It's supposed to scan your PC and then list all the drivers that are out of date. It then provides a link you can use to download and install the most current drivers.

Personally, I wouldn't touch a program like that with a borrowed ten-foot pole. It is of no consequence if drivers are old or outdated if everything is working properly. I have computers here that haven't had new or updated drivers installed in years. It's simply not necessary unless a problem arises, so this clearly falls within the advice category of, "If it ain't broke, don't fix it."

If you are experiencing a computer problem, by all means, it should be addressed. Otherwise, just enjoy your computer. When things are running smoothly, you're not going to make them run smoother by installing anything new.

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STUDENT CORNER

I would like to introduce you to our student liaisons, Leanne McBride and Danielle Griffin. I asked them some basic questions about being a court reporting student, and here are their answers:

What interested you in court reporting?

Leanne says that what interested her the most about court reporting was her interest in the legal profession and the flexible work schedule. She is looking forward to the job always offering something new. "You never know what you will get."

Danielle says that her mom has been a court reporter all her life.

How did you learn about court reporting?

Leanne had a distant cousin who was an official reporter for a judge in California. She always spoke so highly of her career.

Danielle says the ongoing joke in their family is that everyone needs to "put in their time" at the office. She always had fun working at the office over the summers in middle school, high school and after college when she came to work at the office while going to court reporting school.

What school are you attending?

Leanne is attending Gateway Comm. College. Danielle originally attended Mark Kislisbury's Stenomaster School online about seven years ago. This is her second time through school. When she came back last March, she attended College of Court Reporting online and just transferred back to Mark Kislisbury's Academy to finish until she passes the last legs of her RPR.

What do you see for the future in court reporting?

Leanne sees a lot of change with the advances in technology. She also sees opportunity in incorporating technology to be a more effective reporter.

Danielle has heard attorneys say to her mom since she was little, "Why don't recorders just replace you?" This was over 33 years ago. All in all, there is nothing that beats having an attentive, live person. As long as the next generation of court reporters is able to stay abreast of the issues that are arising and if we strive to keep up with the latest technology, we will have a great foot up. "It

is a great privilege and honor to serve as a guardian of the record."

What personal interests do you have outside of court reporting?

Leanne enjoys hiking, playing/watching sports, and spending time with her family. Danielle enjoys hiking, dancing, shopping and anything active. Those are good hobbies to relieve stress from school for sure!

What advice would you give to working reporters when they're talking to students?

Leanne says to be upfront when talking about what it takes to become a working reporter. As a student, she feels there is always something to gain from talking with working reporters and hearing their story.

Danielle says the working reporters she has had the privilege of sitting in with have been so positive, encouraging and are open to all questions. She says that's the key, always being a sounding board and having a listening ear. As students, they are so anxious and look forward to working with veteran reporters. It is priceless to be able to have a dialogue where both the student and reporter are comfortable sharing their experiences.

I hope that after meeting these student liaisons that all the veteran reporters will help our students by mentoring them or just answering any questions. After all, we were once anxious students, too. Thank You, Leanne and Danielle, for sharing with us.

By Karen Kahle, *Editor*

Reporter Profile Spotlight



**Diane L. Sonntag, FAPR, RDR,
CRR, CCP, BS**

**Firm: Pima County Superior
Court**

Job Title: Official Reporter

How long have you been a Court Reporter?

37 years.

Why did you become a court reporter?

I was always interested in the law and I actually chose court reporting as the occupation I did my school paper on while I was in high school. We had to pick a profession and write a report on it. I started court reporting school a few months after I graduated high school.

How long were you in school?

Thirteen months. I started in October of '76 and took and passed the CA CSR in November of '77.

What was your biggest challenge in school?

I think my biggest challenge would probably be my theory. It was just six weeks of theory. We learned the basics of the keyboard plus long vowels. Because it was purely phonetic, it enabled me to go quickly through the speeds; but over the years I've made a lot of changes to shorten it up. I did not learn a theory that necessarily leaned towards writing shorter, but the older I get, it's definitely easier to write shorter! I also had very few briefs at the time I was in school, which meant no hesitations, but over the years, I've found that briefs

are my best friend. You really need them for those high-frequency, multisyllabic words and phrases.

Advice for taking/prepping for the RPR:

Study NCRA's "What is an Error." Remember to comma those when/if introductory clauses. Is the question really a question or a polite request or a statement? Don't let the CAT system's automatic punctuation cause you to pick up an error. As a grader, I see so many errors that could have been prevented with some careful proofreading. I encourage practicing at a speed a little faster than the test. That way test day will seem slower. Also, I have gotten some of my best test results when I'm thinking of something else. It helps take away some of the nerves, and it allows the words to flow from your brain to your fingers without your mental processes getting in the way. Lastly, work on your stamina. I've seen a lot of papers that are great the first 3, 3/12 minutes, but then lose it at the end. Make sure you are writing that last minute as well as you write the first minute.

by Danielle Griffin



COMING TO A KEYBOARD NEAR YOU!

Internet Keyboarding Competition 2016

April 11 to May 2, 2016

Uniting the worldwide community of those using a full range of speed-writing methods to quickly produce high-quality texts...

Who can participate?

Anyone who uses a computer or steno keyboard for text entry is part of TEAM USA, and we love keyboard diversification! The more the merrier!

When is registration?

Between March 4 and April 10, 2016

How do we register?

Follow these instructions:

<http://www.intersteno.org/intersteno-internet-contests/how-to-participate-to-internet-contest/>

Can my whole class participate? Absolutely! Rankings are done by person, class, school, country!

Go, TEAM USA!

Suggestions for participation: Court reporting classes, keyboarding classes in high schools and colleges, data entry professionals, anyone who likes to use a keyboard.

Sponsored by **INTERSTENO**

Three Simple Steps to Structure Your Workdays continued from Page 4...

With three goals, you **MUST** have at least one lesser goal. Three is just ambitious enough to be do-able, while still feeling “impressive.”

I like to pick one onerous, annoying, or enormous task, and two less-irritating tasks.

If I’m focusing on one really big thing, the other goals can be as small as “eat a good lunch” or “make a phone call.”

Even with these little cheats, it feels good to review and list three accomplishments at the end of the day.

Once you’ve finished your well-structured day, make sure to take time to wind down.

Just as you have a distinct beginning, you should create a definite end to your workday – signaling to your brain that it’s time to break until the next structured period.

You can schedule your workdays however **YOU** like – that vaunted freelance flexibility often means you can work whenever and wherever you prefer – but make sure that you build in a structure that works best for you!

Kate Hamill lives and works in New York City, where she consumes an inordinate amount of Sriracha daily. You can catch up with her on Twitter at @katerone.

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

AllerGlobal

Create a ready-to-print card listing your food allergies, in any number of languages. For example, let's say I'm allergic to anchovies and it's time for my annual visit to Uncle Sven at the family farm in Hudiksvall, Sweden. Sven loves his kroppkakor and silltallrik thin-crust pizza with extra anchovies. If I accidentally eat a slice of delicious kroppkakor, when the paramedics arrive all I have to say is, "Jag är allergisk eller intolerant mot följande näringsämnen ansjovis," before I lose consciousness, and I'll be in good hands.

www.allerglobal.com

American Car Brochures

Original, factory brochures that harken back to an era when cars were cars, not today's everything-looks-alike boxes. If you're like me and yearn for the good old days of massive tail fins, hood ornaments, hubcaps, white-wall tires, curb feelers, column shifts, slippery bench seats (without seat belts), and unpadded dashboards with eviscerating projectiles, you won't want to miss this site.

www.lov2xlr8.no/broch1.html

PicLits.com

A creative-writing site that matches beautiful images with carefully selected keywords in an effort to inspire you. No, seriously. The object is to put the right words in the right place and in the right order to capture the essence, story and meaning of a given picture. Click the "Learn It" link for additional information.

www.piclits.com

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