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President’s Message by Pam Griffin

“Everyone’s life is measured by the power that individual has to make the world better.”

- Booker T. Washington

For my last ArizoNotes article as your president, I have to say it has been a pleasure to be your leader. We have had a year of many changes and new beginnings, and it’s all thanks to those of you who said “Yes!”

It takes a village to run an organization, and our Association is no different. We have achieved much this past year thanks to the energy and enthusiasm of our members; we have gained momentum, but our task is not done. I’m thrilled that I will remain on the board as your past-president; and I promise to help your new leadership finish

the important work we have begun together.

Although it may force us from our comfort zones, advocating for the future of court reporting is not only important, it is our professional duty. I hope that my tenure as President has shown you what we can achieve when we work together and has inspired you to become more actively involved in our Association. If you invest in your profession, you reap the rewards. My friend Jean Lea said it best: “Stay active and do as much as you can for your profession. It’s an opportunity for personal growth and many educational opportunities; it makes you a stronger person, better reporter, and the connections and friends you make are invaluable.”

I hope to see all of our members at the annual convention in September. We have a star-studded group of presenters lined up for your education and enjoyment. Don’t miss the convention—this is our profession and it’s too important to ignore.

To quote the Patron Saint of Court Reporters,

St. Cassian of Tangiers:

Bless the hands and the skills of those who record with accuracy the facts of the spoken word.

They assure that honor and justice prevail, performing their duties with a devotion that never fails.

What greater mission on earth than to engage in a duty to record the word of truth on history’s every page?

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EXECUTIVE DIRECTOR NOTES

Executive Director Notes

By Richard Borgmann

Many of you know me or know of me through my past work as a CLVS and as the husband of one of your fellow members and former Board member of ACRA, Doreen Borgmann. These past associations give me a unique perspective of the reporting community in general and ACRA in particular.

My background includes management experience as a hospital administrator for many years, management of Borgmann & Associates, my and my wife's corporation, and my volunteer work with the Heard Museum Guild, as well as serving as a sounding board for Doreen during her years of service on the ACRA Board.

Over the years I have developed a great respect for the court reporting profession and an understanding of the challenges facing the profession. I welcome the opportunity to work with ACRA in meeting these challenges, in working to promote the role of court reporters in the legal community, and in providing benefits and educational opportunities for ACRA's members.

As ACRA transitions to new management, you will notice a few changes, the most immediate and obvious being a new address, telephone number, fax number, and a new website designed and managed by Cindy Interdonato of 58designs.

My role will be to support the Board in their efforts to conduct seminars and conventions that are exciting as well as informative, and to grow our membership, thus increasing our effectiveness and impact on the legal community, and to facilitate the transition each year to our incoming Board.

In order to effectively serve the needs and desires of ACRA's members, it would be extremely helpful to receive input from its members. This is your association, and your active

participation will enhance its effectiveness. I encourage you to email me at office@acraonline.org with your concerns, your suggestions, and your desires for ACRA. Your communications will receive my and the Board's prompt consideration. Your input will make ACRA stronger and more viable, and I and the Board do welcome it.

As ACRA turns over a new leaf, I hope that each member will resolve to renew their appreciation and support of ACRA and become an advocate for your association to the many non-members in your ranks. Through a joint effort, we can be a force in shaping the future of reporting.

STUDENT CORNER

Student Liaison

Your 2015 ACRA Board of Directors has selected two court reporting students to fill the newly-created Board Student Liaison positions, creating a helpful bridge between working reporters and students. **We are pleased to announce Leanne McBride of Gateway College and Danielle Griffin of the College of Court Reporting are the new ACRA Student Liaisons!**

Moving forward, our sparkling new ACRA website as well as upcoming editions of ArizoNotes will be featuring a "Student Corner" to assist all court reporting students with any questions they may have. And we remember how many we all had! We are excited about this new path of outreach to our students, and remember the hand up we got when we were in school from working reporters! **Be sure to look for and say hi to Leanne and Danielle at the upcoming Annual Convention in Scottsdale September 12-13!**



“READ IT BACK”

Read It Back is a new quarterly feature focusing on the recent changes to our ethical rules and how they affect you and your practice. You can submit your questions about the ethical rules to the [ACRA office](#)! Your questions will be answered by our FAQ Committee consisting of at least one or more freelance reporter, official reporter,

firm owner and ACRA’s legal counsel, Jimmy Cool.

Applying our state ethical rules to your daily operations can be confusing and challenging, but ignoring the reality of the rules and/or delegating compliance to others simply is not the solution. The revisions to ACJA 7-206 create mutual duties and shared accountability for compliance between certified reporters and registered firms. As license holders, whether firm or reporter, it is our duty to understand the new ethics rules and their impact on all aspects of our profession.

In an effort to verify that license holders covering depositions in their cases have complied with code provisions, some attorneys are asking firms and reporters to fill out a questionnaire. This is included for your review. All license holders, firms and reporters, should be able to answer these questions. If you find you cannot, then you may not be complying with the new ethics rules, and this could have serious professional consequences.

In addition to those in the attached questionnaire, ACRA offers the questions below to help you evaluate where you stand as far as compliance with the revised ethical rules. These address only part of a license holder’s duties under the code, but we hope it will be helpful to reporters and registered firms trying to find their footing in this new landscape.

1. Does the assignment originate with a party, party’s attorney or registered firm? §7-206(J)(1)(h)(5) Many times more than one reporting firm is involved in the setting of a deposition. This is why it is important to know the origination of the assignment and how it flows to the license holders. If the assignment originates with an entity other than identified in this subsection - either a party, party’s attorney or registered firm - then the license holder, be it firm or reporter, cannot accept it.
2. Does the assignment originate from a continuing contractual relationship? If so, what is the responsibility of the license holder? §7-206(J)(1)(l) Whether it’s called a “preferred vendor agreement,” “contract,” “approved panel,” etc., if it’s a “continuing contractual relationship to provide reporting services in multiple cases,” the existence of that relationship, its duration and whether it’s exclusive must be disclosed in writing to all parties. This disclosure must be made at the time of notice of deposition or retention of reporting services. The timing of disclosure is important because parties have to be given a reasonable opportunity to object. If any party objects, neither the firm nor the reporter may cover that deposition. In order to ensure your own compliance, you must inform yourself of when disclosure is required and respect any objections.
3. Exactly what does a license holder need to know if there is a continuing contractual relationship? §(J)(1)(l) addresses only the disclosures listed in bullet #2. Even though (l) itself demands no other details must be affirmatively disclosed, because of other code duties and restrictions, it behooves every license holder to investigate what else may be involved. For instance, are there volume discounts, rebates, or special services? Equal treatment tenets demand the license holder offer these to all parties. Fair billing tenets demand the license holder factor any financial arrangements into the billing. Are there advocacy or litigation support services provided? Neither license holders nor any unlicensed affiliates can provide this type of service, as these are now expressly prohibited by § J(1)(k). Are there open databases which could implicate the duties of privacy and confidentiality stated in §J(2)(a)? License holders are responsible for protecting against privacy/security breach by any unlicensed third parties to which you give access. Further, you cannot release the transcript, without a court order or party stipulation, to any entity other than a witness, party or their counsel. The buck stops with the license holder, regardless of what you do or do not know. So, in order to ensure your own compliance, you must inform yourself of these details.

“Read it Back” continued on Page 6...

Interview with Merilyn Sanchez

I recently had an opportunity to ask one of my court reporting heroes Merilyn Sanchez questions about court reporting. Here is what she had to say:

How did you get started in court reporting?

They offered machine shorthand my senior year in high school. I had taken Gregg shorthand and was great at getting it down, but didn't write consistently enough to read it back. The machine intrigued me because of the consistency, so I gave up a trip to Europe with the marching band to take machine shorthand. I was writing 140 by the end of the school year on secretarial material. My business class instructor told me about court reporting and encouraged me to go to reporting school.

How long have you been a court reporter?

I started reporting in October of 1973. So I had been reporting 41 years when I retired.

What school did you attend?

I attended the Mile High Court Reporting School in Denver.

What is the most memorable trial that you did?

The Fife Symington trial was the most memorable trial I reported. It lasted almost four months. I was required to have the transcript done by 6:30 each day for the media. I used a scopist, and the morning session would be done before I went back into court for the afternoon, and we would have the entire day finished by 6:00 or 6:30. It was a double-edged sword -- I sold an extra copy to the media, but they published it and posted it online, so several copy sales were canceled. I probably lost money because of the press, but it created a lot of visibility for our profession.

What was your worst hearing/trial?

I took a patent infringement case involving prosthetic vascular devices made of EPTFE. Plaintiff's counsel mumbled at about 300 wpm. It was very challenging.

Now that you're retired, was it difficult making the transition from being a court reporter to just being Merilyn?

Because I have been a court reporter my entire adult life, I thought the transition period might be difficult. I have been amazed at how much I enjoy gardening, traveling, and spending time with my children and grandchildren. I haven't missed reporting a bit. I do miss my court reporter friends. Of course, I have had two 1,000 page transcripts ordered right before I went on vacation, so that part hasn't seemed much different. I like to say that now every day is Saturday except Sunday.

Thank you, Merilyn, and happy retirement!!

By Karen Kahle, *Editor*



Arizona Court Reporters Association
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ASK MR. MODEM!

www.MrModem.com

Ask Mr. Modem! – August 2015

“Do I Need the Facebook App?”

I use Facebook in a browser on my Android phone. I don't understand why, if I can easily use it in a browser, do I need to install the Facebook app?

Excellent question! You certainly can continue to use Facebook as you are doing and it will continue to work pretty much as it normally does. But some things won't work. Anything that requires Flash, for example, is not supported in an Android browser. If it requires Flash to run, most developers have created an app to make it work.

So do you have to use the Facebook app? No, but keep in mind that not all features will work in a browser version. The app version is specifically designed to work on your device.

I am using Windows 7 and Vista and I would like to know where the Scan Disk and the Defragment options are. Can you help, Mr. M?

The location of these features is the same in both Vista and Windows 7: Click Start > Computer, then right-click the drive you want to check and select Properties. Click the Tools tab, then the Check Now button which appears under Error Checking. That will bring up the Check Disk window where you can then select whatever options you want to use.

I use the Yahoo! Address Book. When I click the Contacts tab, I can view all my contacts, but I can't find how to get into my group categories to edit them. The only choices are Add Contact, Add Category and Tools, but nothing about editing. Any suggestions?

To edit contact information in your address book, click to select a contact, then click the Edit link to the right of the contact you want to change. Make the necessary changes and click the Save button.

How do you change the default font in Word 2007?

Simply open a new Word document. If you are already in Word, click the Microsoft Office Button at the top left of the screen, go to the New Document pane, click New, then Blank Document.

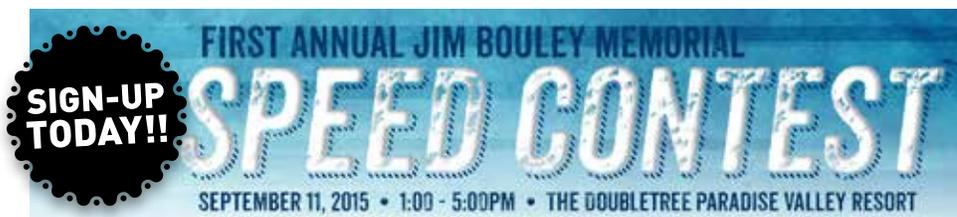
Click Font in the Font group and choose the font style and point size that you want to use as your default. Click Default and a dialog box will open and ask if you want to make the change to all new documents based on the Normal template, so click OK.

I have 254 addresses in my Gmail contacts list. How can I transfer these into six established groups without the painful process of copying each address onto paper and then retyping them into their respective areas? Thank you for your help.

Display your Contacts in Gmail, then click to select individual contacts. With the list of Groups displayed, select the Group you want to move the selected contacts into. They will pop right into the selected group.

If you need additional assistance, go into your Gmail Help by clicking the little menu icon to the far right of the Address field, select Help. Search for “Groups” and you will find detailed instructions and group information.

continued on page 6...



Mr. Modem's continued from page 5...

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

Death To Stock Photos

If you would like to receive free, high-quality photos in your Inbox every month, have I got a site for you! Register and not only will you get images sent directly to your Inbox each month, but you will also receive a free pack of photos for signing up. Visit the Web site to view a healthy sampling of quality images. The sign-up field is prominently displayed, or you can scroll down the page to learn more, view photos and check out the licensing terms.

www.deathtothestockphoto.com

ePinions

Before you buy a product, look it up on ePinions, a Web site that compiles the opinions and experiences (good, bad, or "Are you kidding me?") of real-life consumers about all sorts of products and services. It's also excellent for comparison shopping. ePinions covers millions of products and services in a variety of categories. In addition to detailed product reviews, you can read buying guides ("What should I consider when buying a pit bull?") and "how-to" guides ("How do I perform my own appendectomy?") Once ePinions helps you decide what you want to purchase, you will find pricing and availability options through a list of rated online merchants. Another excellent site featuring "real people, real reviews" is Yelp.com.

www.epinions.com

NationMaster

If you like useless but interesting, facts and numbers, then you will probably enjoy this site which hosts statistics from the CIA World Factbook (<http://tinyurl.com/2h2e3k>). Type a topic into the text box at the top of the page and click Search to see a list of statistics, encyclopedia entries and more. The default font is fairly small, so with most browsers, press CTRL and the + sign to increase font size, or View > Zoom.

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"Read it Back" continued from Page 3...

4. Must both the reporter and the registered firm(s) provide pre-deposition rate disclosure? Yes, §(J)(3)(b) requires the firm and reporter both disclose an itemized list of rates and charges before a deposition begins. Logically, then, all involved license holders, firms and reporters, must have this itemization in order to comply. It is also logical that the disclosed rates reflect what will ultimately be billed to the parties. This disclosure is a tool for attorneys to use so they know what they will be charged and can compare what they are charged against the rates they were provided. Disclosing any rates other than what will ultimately be billed does not satisfy the spirit of this provision.

5. Must all license holders, firms and reporters maintain copies of all parties' invoices? § (J)(3)(c) states it is the reporter alone that must be able to promptly provide all applicable rates and charges and itemized invoices. The code further states the reporter must maintain an accurate accounting of services rendered and prices charged. This subsection gives the certified reporter this duty exclusively, and delegating it to a registered firm or any other entity is not an option.

ACRA will add to this list of topics for your consideration in future publications.

DISCLAIMER: THIS IS ONLY A GENERALIZED SUMMARY AND IS NOT INTENDED TO BE LEGAL ADVICE. EVERY EFFORT HAS BEEN MADE TO AVOID MIS-CHARACTERIZATIONS. UNDERLINING HAS BEEN ADDED SOLELY TO AID THE READER.



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