

MINUTES

STATE BOARD OF EXAMINERS OF SHORTHAND REPORTERS

JANUARY 23, 2008

The State Board of Examiners of Shorthand Reporters convened at 8:45 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: John Brandon, Shorthand Reporter, Chairperson
 Susan K. Whitt, Shorthand Reporter
 Patricia Masi, Shorthand Reporter
 William Mangini, Public Member
 Cheryl Stern, Public Member

Board Members Absent: Joseph N. DeFilippo, Attorney

Board Counsel Absent: Jose Rene Martinez, Assistant Attorney General

DCP Staff Present: Nelson Leon, Board Secretary
 Vicky Bullock, Administrative Hearings Attorney

Public Present: Les Seligson, Shorthand Reporter and President CCRA

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information call Richard M. Hurlburt, Director, at (860) 713-6135.

Agency Web Site: www.ct.gov/dcp

Chairperson Brandon called the meeting to order at 8:44 a.m. The minutes from the November 28, 2007 meeting were reviewed. Patricia made a motion to accept the minutes, Cheryl seconded, and all were in favor.

Les Seligson commented that, after researching further, just less than 45% of the reporters that are members of the Connecticut Court Reporters Association belong to NCRA. At the November 2007 meeting, he had reported less than 25%.

LEGISLATION UPDATE

Les distributed Substitute Bill 1298, An Act Concerning Shorthand Reporters. Senator Colapietro will resubmit the Bill to the General Law Committee before it goes to the House and Senate for approval. He noted that Section 2 of the Bill has been eliminated. The resubmission of the Bill addresses the proposal to impose a civil penalty of no more than \$1,000 to one who engages in an activity for which a license is required.

Mr. Seligson was meeting today with Senator Colapietro and his staff to discuss the Substitute Bill and told the Board that the Bill would likely not be number 1298 because of the numbering system the State uses.

Les then asked that the Board send a letter saying we endorse this legislation. Attorney Bullock stated that the DCP does not usually take a stand, but continued that this should not be a problem since most Boards do have something in place to address a first or second offense. She questioned Les about a lobbyist, and he replied because of the cost (\$7,000 last year), the state association is doing without this year. Nelson then asked if our Board still used TCORS, and Mr. Brandon responded “no”. John then asked Attorney Bullock if he could write the letter of support, and she responded “yes”. John then said he would work with Les to do the letter. Les said he will find out to whom the letter should be addressed (ie., Senator Colapietro, and/or the Judiciary Committee).

OLD BUSINESS

Cheryl asked what would happen to one who renewed their license without doing the required Continuing Education component. John thought they would simply lose their license. Attorney Bullock shared with the Board the protocol other Boards use to address those situations. She said the DCP sends a letter to the party giving them the opportunity to take classes with a deadline to provide documentation that they've done so. John said our Board must approve all licenses, and said if one failed to meet the Continuing Education criteria we would simply have the party in for a hearing.

In other old business, the page layout discussion ensued. John started by saying there are many different styles for page layout, citing that his personnel all use slightly different styles and formats when producing transcripts. Some work for multiple agencies (each with their own format) and to expect a reporter to adhere to an agency's style would be hard to monitor. He added that the consumer should get what they pay for, and that very often the client is an attorney. Patricia pointed out that in some cases an opposing attorney must also buy the transcript with no input as to who produced it. John agreed that they are powerless in those cases and may fall victim to an overpriced document.

John reiterated that our Board should protect the consumer. Many states have done so already, as evidenced by the mailing Susan Whitt provided to us prior to today's meeting. John's feeling is that our Board should respond to complaints as opposed to dictate layout criteria. Since there have been no formal complaints to the Board, why make any changes? He did, however, think it would be wise to come up with a "recommended page layout" that, if abused and not followed, would then open the doors for a mandated layout. He feared that mandating page layouts up front would cause turmoil throughout the industry. His initial thought of a recommended layout would be loose enough where most reporters would be comfortable and not have to alter their style at all.

Patricia offered that many shorthand reporters are not good at manipulating their software and by imposing page layout criteria may hinder them. Attorney Bullock suggested one of the Continuing Education courses be on software and the use of it to aid the reporter in producing transcripts. She then asked what the difference was between the National Association's format versus the Federal format, to which Mr. Brandon replied "very close".

Les then asked to speak as a public member. His presence at the meeting was to protect the rights of the public. He felt the Board should answer complaints, filter applications, and not dictate page layout. Les said the imposing of such would imply the Board is proactive and not reactive as it should be. Les said in his three years as President of the Connecticut Court Reporters Association, he knows of no formal complaints regarding this issue. He cited the Council on Professional Ethics (COPE) puts out guidelines and not regulations.

Les' major concern was that if page layout were to be regulated, attorneys would have "ammunition" to not pay a bill if the transcript was produced outside the guidelines. By mandating page layout, we are taking away free enterprise.

John then suggested a subcommittee be formed to draft a recommended page layout. He requested that he and Susan Whitt comprise the subcommittee, and said they would recommend a range for characters per line (eg. 50-60 characters per line) and other specs to be followed. John would have the draft by the next meeting.

Cheryl felt the guideline should state “minimums” so the consumer would know what is acceptable. She asked if there is no standard, how would the DCP know there was a violation? Attorney Bullock stated the Board does have the ability to set parameters.

There being no further business, the meeting adjourned at 9:55 a.m.

Respectfully submitted,

John C. Brandon
Chairperson

The next meeting of this Board is scheduled for Wednesday, April 23, 2008 at 8:15 a.m.