TENNESSEE BOARD OF COURT REPORTING

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OFFICIAL Meeting Minutes

Friday, June 15, 2012

Meeting Minutes Teleconference

I. Call to Order

The meeting of the Tennessee Board of Court Reporting was called to order at 9:00 a.m. EST (8:00 a.m CST) by Chairperson Ken Mansfield via teleconference.

The following were in attendance:

Ken Mansfield, Chairperson
Jimmie Jane McConnell, Vice Chairperson
Sheila Staggs, Secretary
Ginger Truesdel, Board Member
Judge Martin, Board Member
Earl Houston, Board Member
Aaron Conklin, AOC
Debbie Hayes, AOC

Other persons present at the Offices of the AOC in Nashville

Terri Campbell
Jim Barris
Gene Jennings
Sheila Wilson
Pat Gildea

II. Approval of minutes from March 30, 2012

Discussion held that the amendments made to upcoming board meeting schedules due to use of wrong calendar setting the dates at the time.

Chairperson Ken Mansfield made a motion that the minutes be approved with the amended dates for the upcoming board meeting to be made.

Vice Chairperson Jimmie Jane McConnell seconded the motion

Motion passed.

III. Old Business

Legislative Update and status of TBCR

Discussion was had on the extension of the grandfathering clause until October 2012 and TBCR was extended to 2014. The Sunset review will be held in 2013 with written questions and notice given months in advance for review by the Board.

Update on Complaint turned over to AG office

Aaron stated there was no update on the complaint that he had not followed up yet and would mail a report to the Board.

Vice Chairperson Jimmie Jane McConnell asked if the documents she had signed had been forwarded to the AG's office. Aaron said they had. Copies of the documents would be sent to the board.

FAQ Recommendations for Website tabled to September Meeting

Budget Report on website expense

Chairperson Ken Mansfield stated he was concerned about the cost of the website figures provided by the AOC and felt it could be done for a lesser amount because the information he had received from various websites was a lot less. If those figures were correct, it would take all of TBCR's monies to maintain a website. Were there any other boards that were not associated with the AOC and but could still be linked to the AOC?

Aaron Conklin stated that the Board of Law Examiners was tied to the state; the attorneys' Board of Professional Responsibility operated outside the AOC and has it's own website but did have a link.

Chairperson Ken Mansfield wanted to know that if there were proposals from an outside source could the website then be attached to the AOC through a link and would the TBCR have to seek bids. Aaron said yes, 3 RFP bids would be required.

There was also a discussion pertaining to the blending of the official and independent court reporters and the website being extremely hard to maneuver through.

Vice Chairperson Jimmie Jane McConnell requested that the method and address of the reporters be added to the list of licensed reporters.

Chairperson Ken Mansfield asked about the feasibility of also adding CEUs

Aaron Conklin stated it could be done. However Phase II had not yet been implemented on the State's website due to being held up on revising and updating the Rules.

III. New Business

Report on License Renewals

Debbie Hayes reported that as this date there were 272 renewals, 10 on hold due to CEUs not being completed, and 5 inactive.

A general discussion was held on the new legislation re the grandfathering update and the temporary reporters requesting a regular license. Those temporary licensees were given a new date of renewal effective July 2, 2012, which would allow them time to complete their CEUs prior to the next renewal period of 2014.

Vice Chairperson Jimmie Jane McConnell requested that the renewal license be changed to reflect that a license being renewed did not have to have a notary requirement since those had already been provided with the original license request.

Chairperson Ken Mansfield made a motion to remove the notary requirement on the license renewal only.

Vice Chairperson Jimmie Jane McConnell seconded the motion.

Motion passed.

Waiver of CEU requirement for license renewal

A discussion was had on a request for a waiver of CEU requirements by a court reporter.

Ginger Truesdel made a motion to deny the waiver.

Vice Chairperson Jimmie Jane McConnell seconded the motion.

Motion passed.

A general discussion followed that since there are numerous ways a court reporter can obtain CEUs without participating at a conference and being able to get many online credits at home, should there be an established grace period.

Aaron Conklin stated that the attorneys have a three-month waiver period in addition to a late fee and notices are sent stating noncompliance for the CEUs and given a date time to comply.

Judge Martin said the attorneys' rules were established by the Supreme Court and TBCR does not have a rule for such a waiver. TBCR's late fees pertain only for the late renewal of a license, not noncompliance with CEUs.

Judge Martin suggested a letter to be approved and signed by Chairperson Ken Mansfield and sent to the court reporter encouraging alternative ways to obtain her CEUs and there is no grace period allowed at this time.

Posting of notification of court reporters noncompliance with license renewal

Aaron Conklin stated that they could post the names of the court reporters who have not completed their license renewal on the website and with the bar associations.

Chairperson Ken Mansfield requested an email to all reporters to be mailed prior to July 1st.

Sheila Staggs suggested it be sent at least one week for the closing date of June 30th.

Fiscal Year Report Request for Sept. Mtg.

A report was provided to the Board, but the final report will be presented at the September board meeting.

Vice Chairperson Jimmie Jane McConnell requested it be itemized in accordance with general accounting principals so we can see where we have been, where we are now, and look ahead.

Aaron Conklin said that would be provided.

Schedule of Public Meeting on Rules and Regulations Changes

Chairperson Ken Mansfield said there are many rules and regulations that could be simplified and suggested any changes to be sent to writing for the September meeting.

There was a general discussion as to the confusion of the pro-rating of a license and that should be more clearly defined in the rules and regulations.

There was a general discussion as to whether or not the court reporter should have to provide a license number on their certificate.

Judge Martin said as a matter of practical assistance to attorneys the license number should be kept on the court reporter's certificate.

Complaints filed with recommendations from General Counsel

Chairperson Ken Mansfield stated the General Counsel's recommendations were provided in "draft" form and if no one had any objections those would be finalized and the individuals notified of the Board's decision.

There were no objections.

IV Miscellaneous

NASA Representative Request

Vice Chairperson Jimmie Jane McConnell informed the Board that she has received a formal request to attend NVRA's NASA meeting to be held at NVRA's National Annual Conference in San Antonio, TX.; and, if the Board approved, she was requesting assistance on airfare only.

Aaron Conklin stated the Department of Finance and Administration figures the mileage versus airfare and pays the lesser amount. An expense form would need to be submitted.

Chairperson Ken Mansfield felt it was appropriate that a member of TBCR should attend a national conference and made a motion that her attendance and airfare be approved.

Sheila Staggs seconded the motion.
A vote was taken

Vice Chairperson Jimmie Jane McConnell abstained

Motion passed.

Ms. Sheila Wilson made a request to address the Board

Ms. Wilson, President of TCRA, requested to address the board on the proper procedures when a question for information is submitted to TBCR. Is there a procedure for acknowledging the request and/or confirmation of the request to the individual and is that information passed along to all the Board members?

Aaron Conklin stated that was routine. However, that had not been done and would be done after the meeting.

Handling of future complaints

Vice Chairperson Jimmie Jane McConnell stated that when a complaint is filed and then a request from an individual for information on any complaints is received from the public, that information should not be made available to the public until the General Counsel's recommendation and the Board's decision had been made. Once a decision is made, the court reporter against whom the complaint was filed should be notified first before any release of any information to the public.

Judge Martin stated an expedited notice should be sent to the reporter when a decision is made. There is no rule.

Vice Chairperson Jimmie Jane McConnell said this could be added to the policies and procedures.

TBCR new staff attorney

Aaron Conklin stated that effective July 1st, he would no longer be the staff attorney for TBCR; that David Haines would take over that position.

The board thanked Aaron for his service.

The Board also thanked Sheila Staggs for her service.

V Adjournment

Vice Chairperson Jimmie Jane McConnell made a motion to adjourn the meeting

Ginger Truesdel seconded the motion.

Motion passed.

The teleconference meeting of TBCR was adjourned at 10:00 a.m. EST (9:00 a.m. CST)

Minutes submitted by Vice Chairperson Jimmie Jane McConnell.