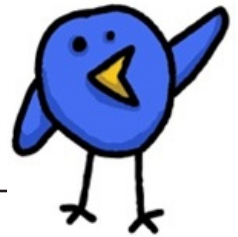




# MINNE-strokes



Minnesota Court Reporters: On and Off the Record

SPRING 2014  
VOLUME 17 NUMBER 1

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# SAVE THE DATE: April 12, 2014

## MAVRC'S Spring Seminar

will be held at  
**Anoka Technical College**  
**Anoka, Minnesota**

**Includes speakers from:**  
Minnesota Hand Rehabilitation  
FBI



### Watch for Registration Info Coming Soon!



Minnesota Association of Verbatim  
Reporters & Captioners

## 2013-2014 MAVRC BOARD OF DIRECTORS

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## 2013 END-OF-THE-YEAR TREASURER'S REPORT

*Prepared by Jolene Carrow/Approved by Melissa Keute*

### Year-end balances in MAVRC's accounts:

#### CHECKING ACCOUNT

Beginning balance	\$ 2,087.63
Deposits	48,000.00
Misc. Deposit	--
Expenses	47,310.87
<b>Balance</b>	<b>\$ 2,776.76</b>

#### SAVINGS ACCOUNT

Beginning Balance	\$ 43,741.96
Deposits	47,419.56
Earned Interest	56.24
Withdrawals (to checking)	48,000.00
Expenses	--
<b>Balance</b>	<b>\$ 43,217.76</b>

### Breakdown of Income & Expenses:

#### Administration:

Deposits	\$ 363.00
Expenses	17,401.22

#### Fundraising:

Deposits	1,451.00
Expenses	15.90

#### Membership:

Deposits	21,060.00
Expenses	117.97

#### Spring Seminar:

Deposits	5,885.00
Expenses	1,430.77

#### Fall Seminar:

Deposits	14,085.56
Expenses	12,895.63

#### Newsletter:

Deposits	2,550.00
Expenses	16.57

#### Directory:

Deposits	--
Expenses	--

#### Certification:

Deposits	900.00
Expenses	--

#### Technology:

Deposits	--
Expenses	--

#### Legislative:

Deposits	385.00
Expenses	13,632.81

#### Public Relations:

Deposits	--
Expenses	1,800.00

#### Golf Tournament:

Deposits	--
Expenses	--

#### Student Relations

Deposits	740.00
Expenses	--

#### Miscellaneous:

Deposits	--
Expenses	--

# PRESIDENT'S ADDRESS

By Hart Erickson

Greetings from sunny Burnsville - and as I actually am writing this message, it is sunny and is supposed to be a nice day. After a couple months of not-so-nice weather in Minnesota this past December and January, I'm sure we're all hoping for the rest of the winter to be mild and spring to arrive early. I trust that you've all been keeping warm and staying healthy and happy.

Your MAVRC Board of Directors has been working hard these past few months, and I'd like to share a couple things that we're working on. As you probably are aware, National Court Reporting & Captioning Week is February 16-22 this year, and we've asked the Governor to again proclaim it as such. Hopefully by the time you receive this, we'll have heard that he is indeed accepting our proposed proclamation. We also hope to have some articles in various newspapers to bring attention to the court reporting profession. You are encouraged to spread the word amongst your business associates, family and friends, of what a great profession court reporting can be.

If you haven't visited the MAVRC website recently, there is a blurb on the homepage describing the new HIPAA regulations that NCRA, with the

guidance of Patton Boggs, LLC, has put together. I would encourage you all, especially freelance reporters and freelance firms, to become familiar with what this document has to say about how you should respond to requests related to the regulations.

Our Legislative Committee, with the guidance of Joel Carlson, our lobbyist, has been working on Mn. Stat. 486 legislation for the upcoming session to positively impact the court reporting profession. You should have received a Newsflash with the proposed language changes, and if you haven't read it already, I would encourage you to do so.

One of my goals this year was to increase our membership. Unfortunately, as in the past, our membership continues to decline. I would ask you again to please reach out to your fellow reporters who are not members and ask them to join. As the saying goes, "strength in numbers," and we need a strong membership to keep our association alive and well.

Court reporting students at Anoka Tech are working hard to complete their studies and join the working world, but they are looking to fulfill



*Hart Erickson*

their internship hours and need working reporters to shadow and spend time with. If you can bring a student along to depositions or have a student in court with you, please contact Jennifer Sati at [jsati@anokatech.edu](mailto:jsati@anokatech.edu).

Last but not least, the Continuing Education Committee is in the process of finalizing the agenda for our spring seminar to be held on April 12 at Anoka Tech. This is an opportunity to not only get those CEU points you need, but also to meet current court reporting students who are eager to "bend your ear" about what lies ahead for them. Hope to see you in April.

*Hart Erickson is a freelance reporter in Burnsville, Minnesota. ■*



# AFTER A STRONG 2013, WHAT'S AHEAD FOR INVESTORS?

By RBC Wealth Management and Scott Kellett

If you're an investor, you probably had a lot to smile about in 2013. After all, the Standard & Poor's 500-stock index rose almost 30 percent, the biggest jump since 1997, while the Dow Jones industrial average gained 26.5 percent for the year. But 2013 is now in the books — so, what can you anticipate in 2014?

As baseball Hall of Famer Yogi Berra is quoted as having said: "It's hard to make predictions — especially about the future." And these words are certainly applicable for anyone who would like a precise forecast of the investment climate. Yet, it may be reasonable to say that the outlook for 2014 is pretty good, based on these factors:

- *Greater spending by consumers* — Consumer spending, essential to economic growth, may be on the rise in 2014. Consumer sentiment is improving and sales reports are looking up in some important areas, such as the auto industry.
- *Rise in corporate profitability* — Corporate profits are generally the driving force behind the performance of the financial markets. In 2013, corporate profits were generally strong, despite a somewhat sluggish economy marked by relatively weak consumer demand. Corporations were able to maintain profitability, due in part to their aggressive cost-cutting efforts. Assuming consumer spending does increase in 2014, corporate profits could be even stronger than they were in 2013.
- *Growth in manufacturing* — Toward the end of 2013, industrial production in the U.S. hit an all-time high, and

signs point toward continued growth in 2014.

- *Increased supplies of energy* — Domestic companies have greatly increased their oil and gas production, leaving Americans less dependent on foreign suppliers. In fact, the U.S. will become the world's largest oil producer by the end of 2015, two years ahead of previous estimates, according to the International Energy Agency. As energy prices fall, consumers will have more money to spend in other areas — which should be good news for the financial markets.

- *Brighter employment outlook* — While unemployment remains high, the picture seems to be improving somewhat. A larger labor force means an increased demand for goods and services — which translates into economic growth and potential expansion of the financial markets.

- *Less "drama" in Washington* — In December, Congress and the Obama administration reached a two-year budget agreement that may help avoid events, like the partial government shutdown of last October, that can disrupt the economy. This agreement should be favorable for the financial markets, which don't like uncertainty. Still, there's no guarantee of complete "smooth sailing" in Washington, as we could be looking at another debt-ceiling debate early in 2014.

- *Low interest rates* — When interest rates are low, it's easier for businesses to borrow money to expand their operations;

consequently, low rates typically act to stimulate the economy. And as 2014 began, interest rates remained near historic lows. However, with the economy showing signs of strength, the Federal Reserve may allow rates to drift higher, but this increase will probably be a gradual one. Nonetheless, if the Fed ends its bond-buying program, which it began to help keep long-term rates low, you may need to pay close attention to your holdings in bonds, because their value will likely fall as rates rise. (Generally, bond prices move in the opposite direction of interest rates.)

- *Low inflation* — As an investor, you probably don't want to see high inflation. To illustrate: If your investments earn six percent after taxes, but the inflation rate is four percent, your "real" gain is just two percent. But for the past several years, inflation has almost been a non-factor — so much so that some economists began worrying about *deflation*, which can actually have a negative effect on the economy and the financial markets. For 2014, the Federal Reserve is estimating that inflation will once again remain low, but not so low as to enter the deflation "warning zone."

As the evidence shows, you may have the wind at your back as an investor in 2014. Still, even the most favorable projections can be off-target, so it's a good idea, as always, to be prepared for anything. Your best move is to maintain a diversified portfolio of quality investments, tailored to your individual risk tolerance and specific  
*(Continued on Page 5)*

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# PROFILE OF JENNIFER SATI, CRR, CBC, CCP, CRI

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*(This article first appeared in the Journal of Court Reporting published by the National Court Reporting Association, January, 2014.)*

**Why did you decide to enter the court reporting profession?** I loved watching my fingers fly on a typewriter, and I wanted a specific career as well. Court reporting was the perfect fit!

**What has been your best work experience so far in your career?** One thing I love about this profession is the flexibility in career options. I have worked as a freelancer, official, CART provider, captioner, and educator. The opportunities are unlimited.

I know how we all have our “lists” of cases! We reporters have so much to talk about when we get together. I’ve appreciated the opportunity to work on the O.J. Simpson trial with West Publishing, the Minnesota tobacco case, the first AIDS litigation in the 1980s, captioning NBA basketball, and so much more!

**Do you have a favorite gadget? If so, what is it, and why do you like it?** My favorite gadget is my Kindle Fire. I use it to read, play games, and watch videos. I just need to find more downtime!

**What are you most proud of in your career?** I am most proud of the work I’ve been able to accomplish at

Anoka Tech, teaching this wonderful profession to others and seeing others walk away with a deep passion for the career. I never set out to end up as a teacher; I kind of walked into this position. After I freelanced for 15 years, I decided to accept an officialship position. My office was right next to a new reporter who had just graduated from court reporting school. Jill would come out of a hearing and be so excited: “We had an interpreter! It was the coolest thing!” Every hearing was exciting for her. I felt so much joy watching her start out her career. Jill tragically died in a car accident after reporting just a couple years.

Shortly after that, I found myself stepping in at the school with students taking their very first speed tests. Watching their faces light up when they wrote and knew they passed a test was just like watching Jill’s face light up when she was walking out of her courtroom. The highlight of my career is sharing this profession with students and watching them start their careers!

**What advice or tips would you offer to new reporters?** Stay involved! Be members of your state association and



*Jennifer Sati*

NCRA. And by all means, pursue your certifications. Continuing education is critical to staying vital in the profession and, in turn, the court reporting and captioning professions staying vital to industry demands. Graduate, pursue certifications, and stay current with the new technology.

*Jennifer Sati currently resides in Dayton, Minnesota, and has been a member of NCRA since 1985. She graduated from Northern Technical College, Minneapolis, Minnesota. ■*

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*(Continued from Page 4)*

goals. Consider hiring a financial professional who can help you meet your financial goals.

*This article is provided by Scott Kellett, a Financial Advisor at RBC*

*Wealth Management. The information included in this article is not intended to be used as the primary basis for making investment decisions. RBC Wealth Management does not endorse this organization or publication. Consult your investment professional*

*for additional information and guidance.*

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# NATIONAL COURT REPORTING AND CAPTIONING WEEK

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In honor of our profession, the National Court Reporters Association (NCRA), the country's leading organization representing stenographic court reporters and broadcast captioners, has announced that February 17-23 has been deemed National Court Reporting and Captioning Week.

Court reporters, captioners, CART providers, and court reporting schools across the country have been making plans to celebrate this historic event. At the national level, NCRA is supporting a public relations campaign to highlight the career options available to those who graduate from a court reporting program, as well as support an official legislative recognition of National Court Reporting and Captioning Week.

NCRA will be reaching out to thousands of individuals on its social media outlets such as Facebook, Twitter, and blogs to provide information and resources about captioning and Communication Access Realtime Translation (CART) services that are available and highlight the invaluable contributions that court reporters make to the legal and deaf and hard-of-hearing communities. In addition, NCRA is planning on increasing its marketing efforts related to the court reporting and captioning profession in an effort to showcase the tremendous career opportunities that are available as well as touting the wide number of benefits available to its members.

“National Court Reporting and Captioning Week” is NCRA’s way to showcase for the public the importance of what court reporters and captioners do,” said NCRA President Nancy Varallo, RMR, CRR, from Grafton, Massachusetts. “Court Reporting, captioning, CART – these careers are part of the lifeblood of law and culture in our society. I encourage everyone in this profession to take this opportunity to celebrate this fulfilling career and to let their enthusiasm inspire a student to explore this profession.”

On the local level, Jennifer Sati, Program Director at Anoka Technical College, is coordinating efforts with the college and MAVRC to host an open house in honor of court reporters and captioners; inspire current students; and educate the general public, including high school students, judges, and legislators, on the vital role our profession plays in the legal process. Also planned for the event are realtime and captioning demonstrations, t-shirt giveaways, and refreshments. The event is planned for Wednesday, February 19, from 3-7 p.m., at Anoka Technical College, so if you live in the metro area, please make it a point to attend!

In addition to promoting “National Court Reporting & Captioning Week” on our behalf, let’s not forget that NCRA is internationally recognized for promoting excellence among those who capture and convert the spoken word to text for more than 100 years. NCRA is committed to supporting its members in achieving the highest level of professional expertise with educational opportunities and industry-recognized court reporting, educator and videographer certification programs. Let’s also not forget that court reporting has remained a promising career through the efforts of numerous individuals who continue to embrace the changes in our industry by staying current with technology and going the extra mile for the consumer. Be sure to spread the word about our profession as we celebrate National Court Reporting & Captioning Week!

# NATIONAL COURT REPORTING AND CAPTIONING WEEK

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## NATIONAL COURT REPORTING AND CAPTIONING WEEK

### RESOLUTION

#### **Designating February 16-22, 2014, as “National Court Reporting and Captioning Week.”**

Whereas, for millennia, individuals have wanted the spoken word translated into text to record history and to accomplish this task have relied on scribes;

Whereas, the profession of scribe was born with the rise of civilization;

Whereas, in Ancient Egypt, scribes were considered to be the literate elite, recording laws and other important documents and, since that time, have served as impartial witnesses to history;

Whereas, scribes were present with our Nation’s founding fathers as the Declaration of Independence and Bill of Rights were drafted;

Whereas, President Lincoln entrusted scribes to record the Emancipation Proclamation;

Whereas, since the advent of shorthand machines, these scribes have been known as court reporters and have played a permanent and invaluable role in courtrooms across our country;

Whereas, court reporters are present in Congress, preserving Members’ words and actions;

Whereas, court reporters and captioners are responsible for the closed captioning seen scrolling across television screens, at sporting stadiums, and in other community and educational settings, bringing information to millions of deaf and hard-of-hearing Americans every day;

Whereas, court reporters and captioners translate the spoken word into text and preserve our history; and

Whereas, whether called the scribes of yesterday or the court reporters and captioners of today, the individuals who preserve our nation’s history are truly the guardians of the record.

NOW, THEREFORE, BE IT RESOLVED,

That the United States Senate:

- (1) Designates February 16-22, 2014, as “National Court Reporting and Captioning Week;” and
- (2) Requests that the President issue a proclamation calling on the people of the United States to observe the day with appropriate programs, ceremonies and educational activities.

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# PROPOSED 2014 MINNESOTA LEGISLATIVE CHANGES

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The MAVRC Legislative Committee and Board have been working with our lobbyist, Joel Carlson, on legislation for the upcoming session to positively impact the court reporting profession.

The proposed changes to Mn. Stat. 486 regarding official reporters compliment Governor Dayton's call to make 2014 an "un-session," cleaning up and updating older statutes to make them conform to current practices.

The proposed changes regarding freelance reporting focus on strengthening requirements for contract fee disclosures. MAVRC is proposing adding a requirement for the disclosure of equal fees to be charged to both parties. MAVRC hopes that it will greatly disrupt the current platform of transferring the losses from discounted fees to the opposing party - and dis-incentivize unfair contracting in Minnesota.

The legislation being proposed is following on pages 9 - 12 and will be introduced in this form on the first day of session February 25th. Representative Deb Hilstrom (DFL, Brooklyn Center), the chair of the House Judiciary Committee, has agreed to be the chief author of the bill. Her committee will hear the bill early in the session, and MAVRC is working to see this bill advance through the House and Senate to the Governor's desk before session ends in early May.

Additionally, HF 1921 has been pre-filed with the House that requires captioning on public accessible televisions.

If you have any questions, comments, or concerns, please contact Ryan Ziegler ([sziegler@gmail.com](mailto:sziegler@gmail.com)) or Sarah Goebel ([sarah.goebel@courts.state.mn.us](mailto:sarah.goebel@courts.state.mn.us)).

Current Version - as introduced

- 1.1 A bill for an act
- 1.2 relating to human rights; requiring captioning on all televisions and audiovisual
- 1.3 display equipment used to communicate with the public; proposing coding for
- 1.4 new law in Minnesota Statutes, chapter 363A.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. [363A.111] TV CAPTIONING REQUIRED.
- 1.7 Each place of public accommodation located within the state must enable open
- 1.8 captioning on any television or other audiovisual display capable of captioning at all times
- 1.9 that it uses television or other audiovisual displays to provide information or entertainment
- 1.10 to the public. The captions must be high-contrast to the extent feasible. Whenever a place
- 1.11 of public accommodation acquires a new television or audiovisual display technology, it
- 1.12 must acquire one with high-contrast captioning capability.

Periodic updates on the status of the legislation will be provided via e-mail to MAVRC members. ■

## MAVRC Mission Statement

*The mission of the MAVRC is to promote the use of stenographic reporters to capture the record in depositions and courtrooms and to provide closed captioning and CART services.*

Check out  
MAVRC's  
website  
[www.mavrc.org](http://www.mavrc.org)



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# PROPOSED 2014 MINNESOTA LEGISLATIVE CHANGES

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1.1 A bill for an act  
1.2 relating to courts; modifying provisions for court reporters; amending Minnesota  
1.3 Statutes 2012, sections 486.01; 486.05; 486.06; 486.10, subdivisions 2, 3;  
1.4 repealing Minnesota Statutes 2012, section 486.055.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 486.01, is amended to read:

1.7 **486.01 APPOINTMENT, DUTIES, BOND; SUBSTITUTES.**

1.8 Each judge, by duplicate orders filed with the court administrator and county auditor  
1.9 of the several counties of the judge's district, may appoint a competent stenographer as  
1.10 reporter of the court, to hold office during the judge's pleasure, and to act as the judge's  
1.11 secretary in all matters pertaining to official duties. ~~Such reporter shall give bond to the~~  
1.12 ~~state in the sum of \$2,000, to be approved by the appointing judge, conditioned for the~~  
1.13 ~~faithful and impartial discharge of all the reporter's duties, which bond, with the oath of~~  
1.14 ~~office, shall be filed with the court administrator in the county in which the judge resides.~~

1.15 Whenever the official reporter so appointed, because of sickness or physical  
1.16 disability, is temporarily unable to perform duties, the judge of the court affected may, if  
1.17 another official court reporter is not available, secure for the temporary period of disability  
1.18 of the official court reporter, another competent reporter to perform such duties for not  
1.19 to exceed 60 days in any calendar year. The substitute court reporter so appointed shall  
1.20 receive as salary an amount equal to the salary of the official court reporter for the period  
1.21 of time involved and shall also receive in addition thereto expenses and fees provided by  
1.22 sections 486.05 and 486.06. The salary of such substitute reporter shall be paid in the  
1.23 manner now provided by law for the payment of the salary of the official court reporter.  
1.24 The substitute court reporter shall not be required to furnish bond, unless ordered by the

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# PROPOSED 2014 MINNESOTA LEGISLATIVE CHANGES

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(Continued from Page 9)

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2.1 judge to do so. The employment of and the compensation paid to such substitute reporter  
2.2 shall in no way affect or prejudice the employment of and the compensation paid to the  
2.3 official court reporter of said court.

2.4 Sec. 2. Minnesota Statutes 2012, section 486.05, is amended to read:

2.5 **486.05 DISTRICT COURT; REPORTERS' SALARIES AND EXPENSES.**

2.6 Subdivision 1. **Salaries.** The salary for each court reporter shall be set ~~annually~~  
2.7 ~~by the district administrator~~ biennially by agreement of the court reporter collective  
2.8 bargaining representative and state court administration within the range established under  
2.9 section 480.181 as provided in the judicial branch personnel rules.

2.10 Subd. 1a. **Expenses.** A court reporter, in addition to a salary, shall be paid necessary  
2.11 mileage, traveling, and hotel expenses incurred in the discharge of official duties while  
2.12 absent from the home chambers where the judge the reporter serves is assigned and any  
2.13 other expenses agreed to between the court reporter collective bargaining representative  
2.14 and state court administration. The expenses are to be paid by the state upon presentation  
2.15 of a verified itemized statement approved by the judge.

2.16 Sec. 3. Minnesota Statutes 2012, section 486.06, is amended to read:

2.17 **486.06 CHARGE FOR TRANSCRIPT.**

2.18 In addition to the salary set in section 486.05, the court reporter may charge for a  
2.19 transcript of a record ordered by any person other than the judge ~~50 cents per original~~  
2.20 ~~folio thereof and ten cents per folio for each manifold or other copy thereof when so~~  
2.21 ~~ordered that it can be made with the original transcript~~. The chief judge of the judicial  
2.22 ~~district~~ council may by order establish new transcript fee ceilings ~~annually~~ biennially  
2.23 in odd numbered years.

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2.24 A court reporter may impose a fee authorized under this section only if the transcript  
2.25 is delivered to the person who ordered it within a reasonable time after it was ordered.

2.26 Sec. 4. Minnesota Statutes 2012, section 486.10, subdivision 2, is amended to read:

2.27 Subd. 2. **Disclosure; court reporter requirements; objections.** (a) The existence  
2.28 of a contract or agreement for court reporting services must be disclosed as provided  
2.29 by this paragraph. Written notice of a contract or agreement must be (1) included in  
2.30 the notice of taking deposition or the notice of legal proceeding before commencement  
2.31 of a legal proceeding at which court reporting services are being provided. ~~Oral, and~~  
2.32 (2) disclosure of a ~~contract or agreement~~ the fee schedule must be made ~~on~~ part of the

Sec. 4.

2

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12/17/13

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3.1 record ~~by the court reporter~~ at the commencement of the legal proceeding by the person  
3.2 providing the notice of the deposition.

3.3 (b) A freelance court reporter and court reporting firm:

3.4 (1) shall treat all parties to an action equally, providing comparable services and  
3.5 charging equal fees to all parties;

3.6 (2) may not act as an advocate for any party or act partially to any party to an  
3.7 action; and

3.8 (3) shall comply with all state and federal court rules that govern the activities  
3.9 of court reporters.

3.10 (c) An attorney shall state the reason for the objection to the provision of court  
3.11 reporting services by a freelance court reporter or court reporting firm and shall note  
3.12 the objection and the reason on the record.

3.13 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to legal

*(Continued on Page 12)*

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# PROPOSED 2014 MINNESOTA LEGISLATIVE CHANGES

*(Continued from Page 11)*

3.14 proceedings commencing on or after that date.

3.15 Sec. 5. Minnesota Statutes 2012, section 486.10, subdivision 3, is amended to read:

3.16 Subd. 3. **Remedies.** Through objection by a party to the proceedings and upon  
3.17 the court's or presiding officer's learning determination of a violation of subdivision 2,  
3.18 paragraph (a), the court or presiding officer may: (1) declare that the record for which the  
3.19 court reporting services were provided is void and may order that the legal proceeding be  
3.20 reconducted; or (2) impose sanctions against the party violating subdivision 2, paragraph  
3.21 (a), including civil contempt of court, costs, and reasonable attorney fees resulting from  
3.22 the violation. If the legal proceedings are reconducted, the parties who violate violated  
3.23 subdivision 2, paragraph (a), are jointly and severally liable for costs associated with  
3.24 reconducting the legal proceeding and preparing the new record. Costs include, but are not  
3.25 limited to, attorney, witness, and freelance court reporter appearance and transcript fees.

3.26 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to legal  
3.27 proceedings commencing on or after that date.

3.28 Sec. 6. **REPEALER.**

3.29 Minnesota Statutes 2012, section 486.055, is repealed. ■

HAVE YOU MARKED YOUR CALENDAR  
(APRIL 12, 2014)  
TO ATTEND THE MAVRC  
SPRING SEMINAR?





# WELCOME MAVRC MEMBERS

## **New Regular Members**

Jessica Berke - Official  
Albert Lea

Carrie Franckowiak - Official  
Minneapolis

Pamela Franz - Freelance  
Rochester

Mark Hegle - Freelance  
Shoreview

Melissa Lagies - Official  
Charlotte, North Carolina

Donna Frazier Nelson - Official  
Anoka

Randy Olson - Freelance  
Hugo

## **New Student Members**

Carlyn Anderson - St. Michael

William Boes - Minneapolis

Holly Jemtrud - Shakopee

Savanna Walls - Plymouth

# PROFILE OF A BOARD MEMBER

By Carolyn Taylor Pekas, RPR

As one of your newest board members, I have been asked to introduce myself. My name is Carolyn Taylor Pekas, and I currently serve as Vice President-Freelance. Let me start off by saying I am honored to have been asked to join the MAVRC Board and to have the opportunity to work with such a hardworking group of reporters.

I grew up in Anderson, Alaska. Loved, loved, loved it there! Such a beautiful place. I have many memories I could share, but I will highlight a few of my favorites. One wintry day while in junior high, I left school to head for home, only to see a friend's mom waving me down and telling me she had to give me a ride (even though I only lived six blocks away) because my mom didn't want me walking by the mama moose and her baby standing on the road in front of our house. Good call, Mom! Very dangerous situation. It was also quite common to be woken up in the mornings to the sound of bears knocking over our garbage cans while digging for their breakfast. Mount McKinley was a common field trip destination, and one of the most beautiful places you will ever see.

I was a year-round athlete in school, and people usually find it odd that our basketball team was able to fly to games. Not common for a high school team, I must admit, but it was great fun! And how else are you going to play against a rival school that is on an island, completely surrounded by water? Ha! We also enjoyed our "Midnight Sun" baseball games. We would take the field at midnight and play until we were done. Cherished memories for me.

When I was 14, my dad passed

away. Alaska is no place for a single mom with five kids, so after another year in Alaska, our family moved back to Minnesota where my mom grew up. I was a junior in high school. I completed high school in Detroit Lakes. After high school I didn't know what I wanted to do, so I worked two jobs to earn some money, and then went to school to be a legal secretary. I worked as a legal secretary for three years, and while I loved where I worked, I knew 8:00 to 5:00 was not for me. I was intrigued by the court reporters that came and went from our office, and I loved working in the legal field, so I decided to investigate court reporting. I decided to give it a shot. I attended Rasmussen Business College in Minnetonka, graduated in 1990, and moved back to Fargo, where I worked for a local freelance firm for three years. I left that firm and began working solo from Detroit Lakes and have never looked back. I am currently the president of CATS Court Reporting Service, Inc.

My husband, Gregg, and I were married in 1991. We have two boys, Brady and Devon. Brady is a sophomore at Minnesota State University-Moorhead and Devon is a freshman at Liberty University in Lynchburg, Virginia, where he also plays basketball. Gregg and I are now empty nesters. Yikes! I look forward to summers when both of my boys are home again. I think one of the best perks to freelancing has been the flexibility it has given me to be home more than most working moms to raise my family. The boys were/are very busy, and because I was able to work my schedule around their schedule, I can count the number of their events that I missed on one hand. That was very important to me, and



*Carolyn Taylor Pekas*

for the young reporters out there, I would encourage you to consider that when weighing your career options.

In my spare time (what's spare time?) I enjoy most anything outdoors. I am a huge dog lover and spend a lot of time walking my "babies," Sam and Shiloh. Camping and hiking are priorities for me, too...anything that gets me out of my office and away from my e-mail, cell phone, and rush jobs. I'm sure you can all relate!

I have written realtime for myself for several years, and I am currently taking a realtime class to sharpen my skills. When I went to school way back when, we didn't learn a conflict-free theory, so I enjoy the challenge of getting rid of those conflicts and word boundary errors; and who knows, I may even attempt to pass the realtime test one day soon. I'm always up for a new challenge.

I love this crazy profession of court reporting, and I am looking forward to my time on the board. I'm more than happy to speak with other reporters about any questions or concerns regarding freelancing. Give me a call any time! Thank you for the privilege of serving on your Board. ■

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## REPORTER RECIPES

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### Nieman Marcus Cookies

*Submitted by Jolynn Graham*

2 cups butter  
4 cups flour  
2 tsp soda  
2 cups sugar  
5 cups blended oatmeal (measure oatmeal and blend in a blender to a fine powder)  
24 oz chocolate chips (I used Ghiradelli)  
2 cups brown sugar  
1 tsp salt  
1 8 oz Hershey bar (grated).. I didn't use the whole bar. Pain in the butt to grate chocolate)  
4 eggs  
2 tsp baking powder  
2 tsp vanilla  
3 cups chopped nuts (your choice) (and I'm a no-nut-in-my-cookies' gal)



Cream the butter with brown and white sugar.

Add eggs and vanilla, mix together with flour, oatmeal, salt, baking powder and soda.

Add choc chips, Hershey bar and nuts.

Roll into balls and place two inches apart on a cookie sheet. Bake for 10 minutes at 375. Makes 112 cookies!

Dip in MILK!!!! Yum!!

*Jolynn Graham serves on MAVRC's Board of Directors as Director-at-Large A and is a freelance reporter in Brooklyn Park, Minnesota. Jolynn baked these cookies for MAVRC's Fall Convention and had requests for her delicious cookie recipe. Thanks, Jolynn!*

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***Have a favorite recipe you would like to share?***

***How about that great holiday dish or dessert  
you prepare year after year?***

***Please email your favorites for inclusion in the MAVRC newsletter to:***

***Jolene.Carrow@gmail.com***

# STUDENT'S CORNER - THE IMPORTANCE OF ETHICS, PART I

By Jackie Young, RPR, DSA

The word ethics comes from the Greek word ethos, referring to character. Ethics are the accepted rules of behavior and conduct that are recognized as the expected behavior for a particular class or group of people. As is true with many of our personal characteristics, values are learned behaviors that we are taught from early in our lives, and these values are reinforced by our families and peers throughout our childhood and adult years. Examples of basic values include independence, integrity, competence, personal responsibility, compassion, and fairness.

Our system of justice, which generally relies upon a record of the proceedings produced by a stenographic reporter, cannot exist with a standard that does not uphold the virtues of professionalism, timeliness, integrity, and best practices. The choice to live up to that high level of ethics is up to the individual reporter - we can either strive to be the best person we can be or we can choose the path of least resistance.

Recognizing the need for consistent conduct among its members, the National Court Reporters Association adopted its own Code of Professional Ethics (COPE). This code of conduct is intended to be a central guide and reference point for court reporters in their day-to-day decision making. It is also used to help clarify NCRA's mission, values and principles as it relates to a reporter's professional conduct, and it serves as an important communication tool that reflects to others outside our profession the high level of standards its members are committed to upholding. By

upholding these high standards, each individual reporter helps create a positive public identity for themselves as well as the profession as a whole. These standards are so important to preserving the integrity of our profession that NCRA considers its Code of Professional Ethics to be mandatory by its members and something that needs to be followed every day.

During court reporting school, the following ethical responsibilities, as adopted by the National Court Reporting Association and MAVRC, were hopefully drilled into our heads:

1. Be fair and impartial toward each participant in all aspects of reported proceedings and avoid practices which compromise or appear to compromise that fairness and impartiality.
2. Be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict or a potential conflict arises, the reporter shall disclose that conflict or potential conflict.
3. Guard against not only the fact but the appearance of impropriety.
4. Preserve the confidentiality and ensure the security of information, oral or written, entrusted to the reporter by any of the parties in a proceeding.
5. Be truthful and accurate when making public statements or when advertising your qualifications or the services provided.
6. Refrain, as an official reporter, from freelance reporting activities that interfere with official duties and obligations.
7. Determine fees independently,

except when established by statute or court order, entering into no unlawful agreements with other reporters on the fees to any user.

8. Refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys, clients, or their representatives or agents, except for nominal items that do not exceed \$25 per transaction and \$100 in the aggregate per recipient each year.

9. Maintain the integrity of the reporting profession.

While NCRA could have stopped there, so important are the ethical relationships we have with judges, lawyers, court administration, and litigating parties, that they went even further and adopted general guidelines to specifically outline behaviors that reporters should and should not engage in. I hope you can take a few minutes to review the section that pertains to you for they truly will help guide you in your career.

## Section I- Court Reporter

The Court Reporter is the official reporter/officer creating the verbatim record of a proceeding. Common sense and professional courtesy should guide the Member in applying the following Guidelines.

In making the official record, a Member should:

1. Accept only those assignments when the Member's level of competence will result in the preparation of an accurate transcript. The Member should remove him or herself from an assignment when the Member believes the Member's abilities are inadequate, recommending or assigning another reporter only if that reporter has the qualifications



required for such assignment.

2. Prepare the record in accordance with the transcript-preparation guidelines established by statute or court order, by local custom and usage, or when not so established, in accordance with the NCRA's recommended transcript format guidelines.

3. When sending a substitute reporter, ensure that the substitute is qualified to report the proceeding.

4. Preserve the shorthand notes in accordance with statute or court order, or otherwise for a period of no less than five (5) years through storage of the original paper notes or an electronic copy of either the shorthand notes or the English transcript of the notes on computer disks, cassettes, backup tape systems, or optical or laser disk systems.

5. Meet promised delivery dates whenever possible, make timely delivery of transcripts when no date is specified, and provide immediate notification of delays.

6. Strive to become and remain proficient in the Member's professional skills.

7. Keep abreast of current literature, technological advances and developments, and participate in continuing-education programs.

8. Assist in improving the reporting profession by participating in national, state, and local association activities that advance the quality and standards of the reporting profession.

9. Cooperate with the bench and bar for the improvement of the administration of justice.

10. As part of the reporting profession's commitment to the principle that reporting services should be available to all, members are encouraged to provide pro bono services, when requested through qualified legal assistance organizations providing free legal

services to the indigent. Such participation should be in accordance with the basic tenets of the profession: impartiality, competence, and integrity.

## **Section II - Realtime Reporter in Legal Proceedings**

A realtime reporter in this setting is a court reporter using realtime skills and equipment to provide verbatim on-screen translation for use in a legal proceeding. A clear explanation and understanding of the realtime reporter's role is necessary among all parties to the proceeding.

The realtime reporter in legal or other proceedings will normally be the official reporter/officer creating the verbatim record and assumes a separate role from that of the CART Provider who performs realtime translation as an aid to communication for people who are deaf or hard-of-hearing. The realtime reporter must firmly establish the role for which he or she has been engaged.

Common sense and professional courtesy should guide the Member in applying the following guidelines. In legal proceedings, a Member acting as a realtime reporter should:

1. Establish, if possible, before beginning a realtime reporting assignment, a clear understanding of who will require realtime services.

2. Accept assignments using discretion with regard to skill, setting, and the consumers involved, and shall accurately represent their qualifications for realtime reporting.

3. When possible, acquire information and materials in advance to prepare a job dictionary.

4. Know the software and hardware system used and be able to do simple trouble-shooting.

5. Strive to further their knowledge and skill through participation in workshops, professional meetings,

interaction with professional colleagues and reading of current literature in the field, and to achieve realtime certification on a state or national level.

6. A disclaimer and/or order form should be transmitted as a cover sheet or cover sheets with each uncertified rough draft transcript stating that the uncertified rough draft transcript cannot be quoted in any pleading or for any other purpose and may not be filed with any court. A copy of the disclaimer and/or order form should be retained by the court reporter.

## **Section III - Communication Access Realtime Translation (CART) Provider in a Legal Setting**

A Communication Access Realtime Translation (CART) provider in a legal setting performs realtime translation as an aid to communication for people who are deaf or hard-of-hearing. Common sense and professional courtesy should guide the Member in applying the following Guidelines. When CART is provided in a trial or deposition setting, special legal requirements may apply. When providing CART in the nonlegal setting, follow the guidelines set out in Section 4.

In providing CART service, a Member should:

1. Accept assignments using discretion with regard to skill, setting, and the consumers involved, and accurately represent the provider's qualifications for CART.

2. Establish a clear understanding of:

A. Who is hiring the CART Provider;

B. The role played by the CART Provider in assisting with communication as opposed to the role

*(Continued on Page 18)*

(Continued from Page 17)

of the Official Reporter of Proceedings in providing a verbatim record;

C. The fact that no roughly edited electronic file is to be produced; and

D. The need to preserve the unedited text file with disclaimer in accordance with statute or court order, or for a period of no less than five years.

3. Refrain from working in the dual capacity of Official Reporter of Proceedings and CART Provider at the same time. When no other option exists, the role to be performed is that of the Official Reporter of Proceedings, and all present are entitled to read the display screen of the Official Reporter, which does not include the content and spirit of the speaker, as well as environmental sounds, that would normally be provided by the CART provider. Disclosure must be made to the court and all parties, including the person requiring interpretive services, of this limitation.

4. Acquire, when possible, information or materials in advance to prepare a job dictionary.

5. Know the software and hardware system used and be able to do simple troubleshooting.

6. Strive to achieve, as nearly verbatim as possible, 100% accuracy at all times.

7. Include in the realtime display the identification, content, and spirit of the speaker, as well as environmental sounds (except under circumstances described in C above).

8. Refrain from counseling, advising, or interjecting personal opinions except as required to accomplish the task at hand.

9. In a confidential setting (i.e., legal discussions, jury deliberations, attorney/client discussions), the display should not be visible to others. The CART provider should delete all files immediately after the assignment unless otherwise requested to do so, or ordered by the Court.

10. Cooperate with all parties to ensure that effective communication is taking place.

11. Preserve the privacy of a consumer's personal information.

12. Familiarize oneself with the provisions of NCRA's "The CART Provider's Manual," these Guidelines, the General Guidelines for Professional Practice, and any updates thereto.

13. Keep abreast of current trends, laws, literature, and technological advances relating to CART.

#### **Section IV - Communication Access Realtime Translation (CART) Provider in a Nonlegal Setting**

A Communication Access Realtime Translation (CART) provider in a nonlegal setting performs realtime translation as an aid to communication for people who are deaf or hard-of-hearing. Common sense and professional courtesy should guide the Member in applying the following Guidelines. When providing CART in the legal setting, follow the guidelines set out in Section 3.

In providing CART service, a Member should:

1. Accept assignments using discretion with regard to skill, setting, and the consumers involved, and accurately represent the provider's qualifications for CART.

2. Establish a clear understanding

of:

A. Who is hiring the CART provider;

B. Whether an electronic file of the roughly edited text with disclaimer is to be preserved;

C. If yes, whether all participants have been informed that an electronic file of the roughly edited text with disclaimer will be preserved; and

D. Who is entitled to receive a copy of the electronic file.

3. Acquire, when possible, information or materials in advance to prepare a job dictionary.

4. Know the software and hardware system used and be able to do simple troubleshooting.

5. Strive to achieve, as nearly verbatim as possible, 100% accuracy at all times.

6. Include in the realtime display the identification, content, and spirit of the speaker, as well as environmental sounds.

7. Refrain from counseling, advising, or interjecting personal opinions except as required to accomplish the task at hand.

8. Cooperate with all parties to ensure that effective communication is taking place.

9. In confidential nonlegal settings (i.e., medical discussions, support groups), the display should not be visible to others. The CART provider should delete all files immediately after the assignment unless otherwise requested not to do so.

10. Preserve the privacy of a consumer's personal information.

11. Familiarize oneself with the provisions of NCRA's "The CART Provider's Manual," these Guidelines, and any updates thereto.

12. Keep abreast of current trends, laws, literature, and technological advances relating to CART.

The future of court reporting in Minnesota lies in our own hands. Like most other aspects of modern society, court reporting finds itself facing new realities and circumstances that bear little resemblance to how things were just a few short years ago. In order to survive today and into the future, we must be trustworthy professionals that exemplify the best of our profession. An ethical violation of a single reporter can destroy the trust placed in hundreds of others, so it goes without saying that maintaining a high degree of ethics and standards will help improve the image of our profession – not only in the eyes of judges and court administrators, but in the eyes of our clients and our peers. Please do your part!

*Jackie Young is a freelance reporter from Delano, Minnesota, and is the editor of MAVRC's Minne-strokes. ■*

If you have any suggestions for the Minne-strokes newsletter or stories to share about your court reporting experiences or something that would be of interest to the MAVRC membership, please submit to:

Jackie Young  
MAVRC Editor MINNE-strokes  
2575 Nelson Road  
Delano, MN 55328

[rite2jackie@frontiernet.net](mailto:rite2jackie@frontiernet.net)



**PRO BONO**  
**Kudos to**  
**Myrina Kleinschmidt**  
**for her willingness to perform**  
**pro bono**  
**reporting services.**

*If you are interested in providing pro bono reporting services, contact:*

*Jean Whalen, RDR, CRR*  
*MAVRC Pro Bono Coordinator*  
*Juvenile and Family*  
*Justice Center*  
*25 West Seventh Street, Ste. B304*  
*St. Paul, MN 55102*  
*Phone: 651-266-5170*  
[Jean.whelen@courts.state.mn.us](mailto:Jean.whelen@courts.state.mn.us)

# COURT REPORTING STUDENT PROFILE

By Elisa Kukuk

**Name:** Elisa Kukuk

**School:** Anoka Technical College

**Speed:** 180 wpm

**Hometown:** Lindstrom, MN

**What made you decide to pursue a career in court reporting?**

Simply put, because it sounded cool. And it is!

**What area of reporting interests you the most at this time- official, freelance, or captioning/CART?**

They all sound fantastic and each area possesses its own unique qualities, but I like the idea of being a part of a team so I think the setting of a courtroom would be perfect for me.

**What's been the most challenging or rewarding part of your schooling thus far?**

I feel rewarded every day because, at last, I have found the career that I know I will enjoy and will take me wherever I wish to go.

**Do you know any working reporters or anyone that's been an influence to you?**

I do know a CART provider. To see her in action working as her client's right-hand man was truly something special.

**If you had an hour of free time, what would you be doing (besides practicing on your steno)?**

Watching TV -- and I'm not afraid to say it.

**What is your favorite band or type of music?**

I will listen to anything.

**What is your favorite food or restaurant?**

I will eat anything.

**Where is a place you would like to visit?**

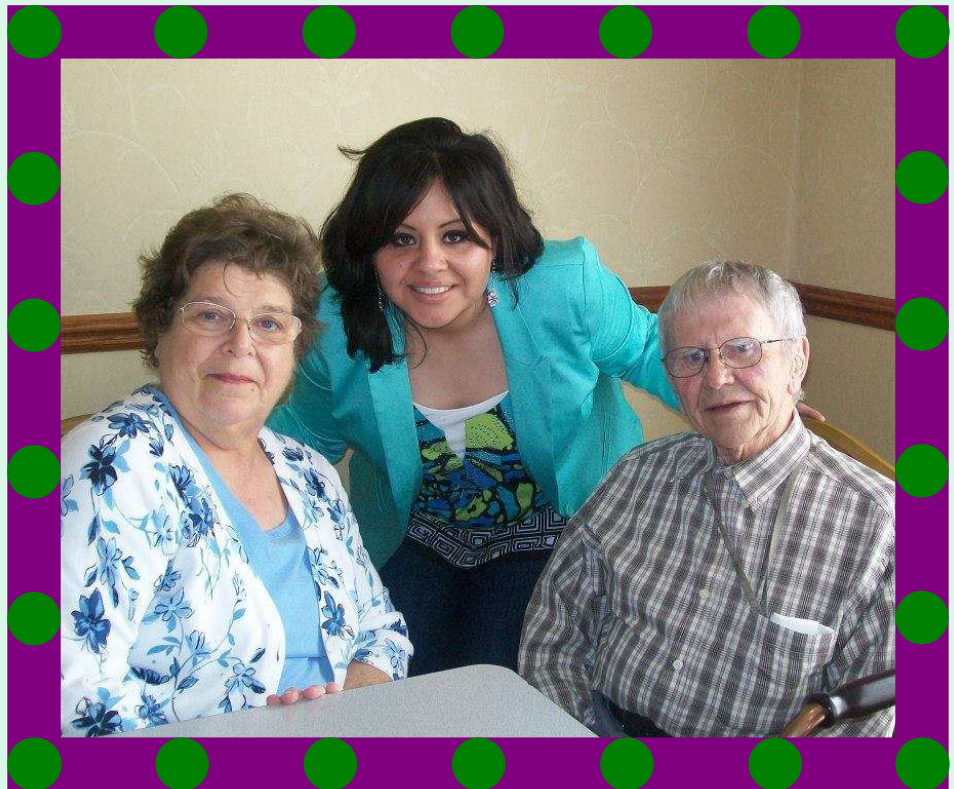
The 1960s.

**The last book you read?**

[Otherwise Untold: A Collection of Stories Most People Would Keep to Themselves.](#) By: Kindra Hall

**The last movie you watched?**

The Spectacular Now.



*Elisa Kukuk (center) with parents Bonnie and Chet Kukuk*

# PROMOTE COURT REPORTING

Want to help out  
a student?

Send \$25.00  
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## WANTED...

Your extra steno paper, tapes, or  
old transcripts  
for dictation material.

If you are willing to donate any of  
these items to the students  
at Anoka Tech, please contact:  
Jennifer Sati at  
[JSati@anokatech.edu](mailto:JSati@anokatech.edu)



## Court Reporting as a Career???

If you know someone who is interested in  
court reporting, closed captioning, or CART,  
the contact person at

Anoka Technical is:

Jennifer Sati

[JSati@anokatech.edu](mailto:JSati@anokatech.edu)



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**MAVRC MEMBERSHIP RENEWAL /APPLICATION 2014**

**Please return completed application with your payment to:  
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Membership Type:  New Member  Renewal

Name: \_\_\_\_\_ e-mail: \_\_\_\_\_

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Home Fax: \_\_\_\_\_ Work Fax: \_\_\_\_\_

Send MAVRC Mail to:  Home  Work

Reporter Status: Freelance, Official, Captioner, Student, Scopist, Retired, Transcriptionist, Associate, Firm Owner,  
Federal, Vendor, CART provider

What Certifications do you hold? \_\_\_\_\_

Would you like to be listed in the MAVRC Directory?  YES  NO

What address/phone information would you like listed in the Directory?  Home  Work

What services do you provide that you would like to have listed in the Directory?

Overflow Freelance  Court Per Diem  CART Provider  Captioner

Payment of dues: All membership dues are payable on or before January 1<sup>st</sup> of each calendar year. **A \$20 discount will apply if payment is received by January 1, 2014. A \$15 discount will apply for student membership if payment is received by January 1, 2014. All members whose dues are not paid by March 31, 2014, will be suspended and dropped from the roll of membership.**

\_\_\_\_\_ \$120.00 Regular Member (\$100.00 if submitted by January 1, 2014)

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\_\_\_\_\_ \$40.00 Student Member (\$25.00 if submitted by January 1, 2014)

\_\_\_\_\_ Retired Member (Board Approved)

\_\_\_\_\_ \$25.00 - I would like to sponsor a student.

\$ \_\_\_\_\_ I would like to contribute to lobbying efforts

\$ \_\_\_\_\_ Total Amount Enclosed – Thank you for your support.

Dues payments to MAVRC are NOT deductible as charity deductions for federal tax purposes. Amounts may be deductible as a necessary business expense. Consult your tax professional.

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# MAVRC ADVERTISING OPTIONS

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Advertising with MAVRC offers opportunities to inform others in our profession as well as members of the legal community and the general public of the variety of services court reporters provide.

If you wish to take advantage of this opportunity, ads placed with MAVRC are published on MAVRC's website in full color. Below, **please circle your choice(s) for ad(s)** to be published by MAVRC.

	<u>ANNUAL RATE</u>	<u>PER/ISSUE RATE</u>	<u>Please circle issue(s) you wish ad to run</u>			
Business Card Ad	\$100	\$30	Spring	Summer	Fall	Winter
Quarter-Page Ad	250	75	Spring	Summer	Fall	Winter
Half-Page Ad	350	100	Spring	Summer	Fall	Winter
Full-Page Ad	500	150	Spring	Summer	Fall	Winter

Please send this completed form, your payment, and your camera-ready ad to:

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Marshall, MN 56258

To be included in the Spring, 2014, issue, your ad and payment must be received by May 1, 2014.

Questions may be addressed to MAVRC's Administrative Assistant, Jolene Carrow, at the MAVRC website or by calling her at (507) 532-0676.

The MAVRC Board of Directors thanks you for your support.

MAVRC's website: [www.mavrc.org](http://www.mavrc.org)

Visit us soon!

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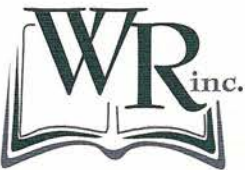
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## UPCOMING EVENTS



### February

**16-22** National Court Reporting and Captioning Week

**19 (3 - 7 p.m.)** Minnesota Court Reporting and Captioning Week Spring Fling  
Anoka Technical College Campus

**April 12** MAVRC Spring Seminar  
Anoka Technical College

**May 3** Skills Exam  
Anoka Technical College

**July 31-  
August 3** NCRA Annual Convention & Exposition  
San Francisco, California



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