

# MINNE-strokes

Minnesota Court Reporters: On and Off the Record

Summer 2012 Volume 15 Number 1

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# **Save the Date!**

# MAVRC'S Annual Fall Convention

Featuring Mark Kislingbury

October 5-6, 2012

Treasure Island Resort and Casino

Minnesota Association of Verbatim Reporters & Captioners

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### NCRA CEU OPPORTUNITY

#### By Hart Erickson

re you looking for some easy and cheap CEUs? Ever considered mentoring a court reporting student? Well, "now you can have your cake and eat it, too."

Anoka Tech is looking for court reporters who are interested in helping current students with their questions/concerns while going through court reporting school, and you can earn CEUs from NCRA for your time and effort. Reporters who host students completing their internships will also be entitled to earn credits.

An example is Lori Simpson recently had a student sit in with her on a federal court case for three days, submitted the appropriate forms to NSRA, and within about a week received .5 credits "for the bargain price of \$40." She said it was a great experience for her.

So go to NCRA's website, www.ncra.org, scroll to the heading Certification & Training, click on Ways to Earn Continuing Education, and scroll down to Involvement in a Formal Mentoring Program, check it out, and then contact Jennifer Sati at JSati@ anokatech.edu or myself at ecr0202@comcast.net for more information and to get started helping out a student

Give a little back to the profession that has given you so much. The student you help will really appreciate it and so will MAVRC.

Hart Erickson is a freelance reporter in Burnsville, Minnesota, and serves on MAVRC's Board of Directors as Director-at-Large B. ■



### President's Address

By Jeanna Zunker, RPR

What's the best gift you can give another? Yourself.

Through the years, I've found that giving back to others in our profession can be extremely rewarding. Every time I take students along to intern with me, their enthusiasm is contagious and rubs off on me as well. Mentorship is another great way to help students become prepared, capable court reporters, captioners, and CART providers.

Through communication with Jennifer Sati at Anoka Technical College, I found that there were 13 students at the school who were expressing interest in having mentors. MAVRC recently sent out a News Flash asking for volunteers to mentor those students, and the response was excellent. Jennifer then matched the students with working reporters according to the type of work the reporter was doing and what the student was hoping to do. However, despite the wonderful volunteers we found, we still need more mentors! Could it be you? We have matched most of the students, but there are

some still waiting. Your knowledge and experience are invaluable. Please consider sharing it.

Thank you so much to everyone who attended our spring seminar in April at Anoka Technical College. It is always fun to get together and chat with peers and learn new things. I want to especially thank the Board members and the continuing education committee for all of their hard work and volunteering at the seminar. I couldn't have asked for a better team of people to work with. With so many capable and willing hands, it made the job easier for us all. I also thank Anoka Technical College for hosting the event and Jennifer Sati for helping with the arrangements.

Lastly, and very importantly, our membership numbers are down this year. We need your help. Please reach out to your fellow reporters and ask them to become members of MAVRC. When issues arise that affect reporters, we need a strong organization prepared to fight for us. We can only do this by staying together. One of the things our dues fund is our lobbyist, who is always



Jeanna Zunker MAVRC President

watching for legislation that we need to be aware of to ensure that a law doesn't get passed without our knowledge. This has happened in other states, so we need to be vigilant. Together, we are doing everything possible to keep our profession strong. Again, membership is crucial! Please help keep MAVRC strong by recruiting your peers today.

Jeanna Zunker is a freelance reporter in St. Cloud, Minnesota. ■



Check out
MAVRC's
web site
www.mavrc.org

# Don't Let Economic Fears Send You to Investment "Sidelines"

By RBC Wealth Management and Scott Kellett

These days, discouraging economic news can drag someone down. After all, unemployment is still over nine percent, the housing market is still weak and economic growth is still slow. So, would now be a good time to take a break from investing? Actually, such a "vacation" could prove to be a mistake.

To understand why this is so, you'll need to look beyond the headlines. Once you do, you'll find the following:

- Slow growth is not a recession. While the economy is not growing as rapidly as we might like, it is still growing not contracting. And at this stage, most economists do not foresee the country falling into a "double-dip" recession.
- *Corporate earnings are strong*. As of mid-2011, we've seen five consecutive quarters of double-digit earnings growth, despite the sluggish economy.
- Stocks are priced attractively.

  Remember, if stocks have dropped considerably, for example, the seven percent the Dow Jones Industrial Average fell from late April to mid-June, 2011, many stocks become more affordable as measured by the price/earnings ratio of the Standard &

Poor's 500-stock index.

Given our current situation — a slow-growth economy on the one hand, positive incentives to invest on the other — what moves should you consider making? For starters, if you've been investing regularly, don't stop. No one can predict when a new market rally will begin, but once it does, the biggest gains are typically achieved in the early stages — so if you're on the investment "sidelines," you could miss out on some good opportunities.

A long-term perspective is imperative, as, if you follow the news, it's easy to get a "gloom-and-doom" feeling about the country's prospects. America is still the most powerful economy in the world, and, as a nation, we've weathered every financial storm we've ever encountered - which means that you've still got good reasons *today* to invest for *tomorrow*.

Finally, know that making decisions of this nature do not have to fall solely on your shoulders. Consider speaking with a financial advisor who can provide knowledge and resources to help you invest in a way that enables you to make progress toward your financial goals

in all economic environments. They can help you diversify your holdings among stocks, bonds, mutual funds, government securities and other vehicles, you can help reduce the impact of market volatility on your portfolio, while giving yourself more chances for success.

There's a saying that "tough times don't last, but smart investors do." Take these words to heart as you continue your journey through the investment world.

This article is provided by Scott Kellett, a Financial Advisor at RBC Wealth Management in Duluth, MN, and was prepared by or in cooperation with RBC Wealth Management. The information included in this article is not intended to be used as the primary basis for making investment decisions nor should it be construed as a recommendation to buy or sell any specific security. RBC Wealth Management does not endorse this organization or publication. Consult your investment professional for additional information and guidance. RBC Wealth Management does not provide tax or legal advice.

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### PROFILE OF A BOARD MEMBER

By Laura Johnson, RPR

Hey, MAVRC members! Let me introduce myself: My name is Laura Johnson and I have the privilege of serving on the Board as your Director-at-Large B (Official). This is my first opportunity to be a member of the MAVRC Board of Directors. I have to say I feel honored to serve on a board that consists of such a great group of people!

I grew up in Detroit Lakes, Minnesota. When I was a little girl, I didn't want to be a ballerina. When I grew up, I wanted to be a lawyer. While I was in high school, I worked part time for a law firm as a Gopher. I think that was even my official title! I enjoyed it very much, but it didn't take me long to realize that I really didn't want to be a legal secretary, like I thought I might. And the idea of going to college for seven years was quite unappealing to me. My dad suggested I consider being a court reporter. So, while I floundered and goofed off my freshman year of college, I began to take seriously his suggestion. So, I transferred to University of Minnesota-Crookston to the court reporting program.

I graduated from the U of M – Crookston in May of 1985 and started my career as an official reporter for Judge Elliott Boe in Otter Tail County, Fergus Falls, Minnesota. Wow! I'll never forget my first day on the job! We were in court in Milaca, MN, and we were doing a commitment hearing for an 18-year-old girl who testified that she had to break all of the mirrors in her house, because the devil lived in the mirrors and would talk to her when she looked in them, telling her to do bad things. Coming from the woods of northern Minnesota, this was quite the eye-opener for this greenhorn!

When Judge Boe retired, I continued working in Otter Tail County for Judge Harlan Nelson. After Judge Nelson retired in 1997, I worked freelance for about 18 months. Not my bag, I can tell you. I returned to the courtroom in 1999 when I went to work for Judge Thomas Schroeder in Becker County, Detroit Lakes, Minnesota. I enjoyed my time with Judge Schroeder until he retired in 2007. I now have the privilege of reporting for Judge Joseph



Laura Johnson

A. Evans, who was appointed to the bench following Judge Schroeder's retirement. I write realtime and I believe that everyone can write realtime. Take the plunge! It's worth it and the challenge of doing something new is invigorating!

I live in Detroit Lakes with my husband, Bruce, and our two sons, Robert and Thomas. Bruce is a corrections officer at the Becker County Jail. We often joke that he locks them up, and I let them out! Okay, we thought it was kind of cute. Bobby is 16, very active in sports and is about to become a licensed driver. Yikes! Tommy is 12 and is just plain

very active! I love spending time with my family, feeding the birds and relaxing on my deck in the summer.

I have one sister, Jenny Ogaard. Jen is currently a court reporter for Judge Dan O'Fallon in Anoka County, Anoka. Yes, she followed in my footsteps. What can I say? I love that we can talk shop when we get together! Seems like we're always swapping stories about some of the crazy things we see and hear in the courtroom!

I've never had this kind of opportunity to serve our profession. I hope that I can be an asset to this organization and that I serve you, the members, well. I'm proud to be a professional court reporter, and I am happy to do what I can to promote our profession. I'm happy to talk to any of you about any concerns, suggestions, or comments you have. Thank you for the honor of serving you and the court reporting profession.

Laura Johnson is an official reporter in Detroit Lakes, Minnesota, and serves on MAVRC's Board of Directors. ■



# **MAVRC** needs YOU!

MAVRC will have four board positions open this October, and we're looking for names of potential candidates to fill the positions. As a MAVRC Board Member, you will be stepping into a role to help shape the direction and policies of MAVRC.

<u>President-Elect – Freelance</u>: As President-Elect – Freelance, you will spend the first year (2012-2013) working with the president (Tracy Bennett), as well as the entire Board of Directors, discussing ideas, issues, and policies. After that year, you will step into the role of President and spend 2013-2014 as the leader to help quide MAVRC.

<u>Vice President – Freelance</u>: As Vice President – Freelance, you will have a longer track to observe and work with the President and Board of Directors. You will spend two years as Vice President – Freelance to become comfortable with the inner workings of what it means to be a MAVRC Board Member before transitioning to the President-Elect position for one year and then finally to becoming President.

**Secretary**: As Secretary, your main responsibility will be to take minutes during the Board Meetings and then produce a written summary of the minutes to be approved by the Board of Directors. You also will have a direct voice as a Board Member to give feedback on MAVRC issues.

<u>Director-at-Large A – Official</u>: As Director-at-Large A – Official, you will spend two years as another voice on the Board of Directors to provide input, ideas, and guidance.

As a benefit to those who are willing to <u>step up to the plate</u> and become a MAVRC Board Member contributing your time, ideas, and talent, all current and incoming board members are allowed to attend the fall conventions and spring seminars without having to pay the registration fee. Board members also can earn CEUs by serving on the board.

Please consider joining a talented and caring group of people. It's as simple as submitting your name and the position you're interested in, or submit the name of a potential candidate to the Nominating Committee Chairperson, Janell Gruber, at <a href="mailto:Janell.Gruber@courts.state.mn.us">Janell.Gruber@courts.state.mn.us</a>. Thank you for your consideration!

# DO YOU KNOW AN OUTSTANDING MAVRC MEMBER?

The MAVRC Distinguished Service Committee wants to hear from you. Please send your nominations to Jolene Carrow at jolene.carrow@gmail.com or to MAVRC, P.O. Box 375, Marshall, MN 56258.

Simply use the form on the following pages and state your reason(s) for believing that a member of MAVRC has been a spectacular volunteer or would be a worthy recipient of the Distinguished Service Award. Include your contact information (name, address, phone number and e-mail address).

The deadline for nominations is August 24, 2012, but don't wait for the deadline. Put your thoughts in an e-mail now and send it to us. Don't sweat the small stuff. Just get us your nomination.

Give us a chance to shine the spotlight on someone who has worked hard on behalf of court reporters. Nominate someone today!

Jackie Young, Jim Woitalla and Jim Trapskin Distinguished Service Committee

# MAVRC'S DISTINGUISHED SERVICE AWARD NOMINATION FORM

Nominee's Name:
Please provide the following information, if known:
Education Post High School:
Number of years reporting: Certifications held:
MAVRC Offices and/or positions held:
MAVRC Committee Chair/Member:
Other state association offices and/or positions held:
Awards and honors received:
Publications and/or seminar presentations given:
Why do you believe this person should receive the MAVRC Distinguished Service Award?
Submitted by: Phone #
Send to: MAVRC, Attn. DSA Committee, P.O. Box 375, Marshall, MN 56258

\*DEADLINE FOR SUBMITTAL: August 24, 2012

# MAVRC'S VOLUNTEER OF THE YEAR AWARD NOMINATION FORM

Nominee's Name:
Please provide the following information, if known:
Education Post High School:
Number of years reporting: Certifications held:
MAVRC Offices and/or positions held:
MAVRC Committee Chair/Member:
Other state association offices and/or positions held:
Awards and honors received:
Publications and/or seminar presentations given:
Why do you believe this person should receive the Volunteer of the Year Award?
Submitted by: Phone #

**DEADLINE FOR SUBMITTAL: August 24, 2012** 



# \*\*\* WANTED \*\*\* BRIEFS



"Briefs, Briefs and More Briefs" in MAVRC's Minne-strokes, please share your favorites!



Please submit to:
Jolene Carrow
jolene.carrow@gmail.com



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### REPORTER RECIPES

Submitted by Jackie Young

#### **BLT BITES**

16 to 20 large cherry tomatoes 1 pound sliced bacon, cooked and crumbled 1/2 cup mayonnaise 1/3 cup chopped green onions 3 tablespoons grated Parmesan cheese

2 tablespoons snipped fresh parsley

Cut a thin slice of each tomato top. Scoop out and discard pulp. Turn the tomatoes over on a paper towel to drain. Combine all of the remaining ingredients in a small bowl and mix. Spoon mixture into tomatoes. Refrigerate for two to three hours before serving.



#### STRAWBERRY TARTLETS

12 wonton wrappers
3 tablespoons butter, melted
1/3 cup packed brown sugar
3/4 cup Mascarpone cheese
2 tablespoons honey
2 teaspoons orange juice
3 cups fresh strawberries, sliced
Whipped cream and fresh mint, optional



Brush one side of each wonton wrapper with butter. Place brown sugar in a shallow bowl. Press buttered side of wontons into sugar to coat. Press wontons sugared side up into greased muffin cups. Bake at 325 degrees for 7-9 minutes or until edges are lightly browned. Remove to a wire rack to cook.

In a small bowl, combine the Mascarpone cheese, honey, and orange juice. Spoon about 1 tablespoon into each wonton cup and top with strawberries. Garnish with whipped cream and mint if desired.

Jackie Young is a freelance reporter from Delano, Minnesota, and currently serves on MAVRC's Publications Committee

# BOOT CAMP - 2012 RESTON, VIRGINIA

Jeanna Zunker, President, and I, President-Elect, spent three days in February attending intense workshops and training at NCRA's Legislative Boot Camp in Reston, VA. The Boot Camp brought together leaders from many states, including Hawaii, to be taught the skills necessary to promote and defend the court reporting profession.

As the training was loosely patterned on a military boot camp, bright and early on the first morning, we jumped aboard TRAIN (Taking Realtime Awareness and Innovation Nationwide). NCRA established the

Realtime Task Force after launching the "Writing Our Future" initiative and its members deciding that they wanted NCRA to be a steno-only organization. NCRA members realized that being realtime reporters is what sets steno reporters apart from other methods used in making the record. Since only 37 percent of NCRA's members are realtime writers, the Realtime Task Force was tasked with creating easy-to-use training materials to teach working reporters to become realtime reporters. They developed TRAIN which is a presentation that

is a presentation that teaches reporters how to set up their equipment and start realtiming, first for themselves and eventually for others. The Task Force has compiled many resources to give reporters guidance and answers to questions that may come up as they take their first steps towards becoming realtime reporters. You should start

out realtiming for yourself because you will find it saves a lot of time on editing. Once you are comfortable with writing realtime for yourself, you can invite attorneys and judges to view your realtime too. If you know of a small group of reporters (4-5) preferably) in your area that would like to be trained, please contact me and I'll work on coordinating a training time.

At Boot Camp, each of the "recruits" was put into separate "companies": Alpha, Bravo, Charlie, Delta, Echo or Foxtrot. For the next two days we remained in our companies. I



Representative Cravaack, Tracy Bennett, Jeanna Zunker

was in Echo Company. There were sessions presented that taught us the skills necessary to become advocates for the court reporting profession, nationwide and locally in Minnesota. We, as companies, were presented with scenarios and situations that could arise within the court reporting industry and individual states. In

By Tracy Bennett, RPR, CRR

fact, the scenario that was presented to each company came directly from a situation that recently arose in Nevada. Each company worked on coming up with a response to the situation. NCRA Board members played the roles of Senators and other participants in a mock Senate hearing and in interviews leading up to the mock Senate hearing.

That evening, Echo Company (and other companies as well) met over dinner to go over the different roles we would need to play as we advocated for our position. Echo Company chose a newly-graduated

student (me), a freelance firm owner, an official reporter, a judge, a lawyer and a working freelance reporter with several children. We stayed in our roles throughout the next day as we met with Senators who might support our positions, with Senators who likely would not support our positions, and with parties that could be swayed to support either side. In the final exercise, we appeared in front of a mock Senate committee and role-played the position that served to get our company's position across. This proved to be a very stressful exercise, but helpful in that we followed the steps that

would be necessary if such a scenario came up in Minnesota. Since each company worked on the same set of facts, it was interesting to observe the different approaches that each company chose to use.

We also learned the nuts and bolts of politics and how to discuss issues

that are important to our organization with members of Congress who can help advance our cause and issues. Washington, D.C., seems to be run by 25 - 35-year olds -- the staffers that work in the offices of the Senators and Representatives. Most of the time, these staffers are who you will initially meet with and sometimes the only person. They will then report to their "bosses" regarding what was discussed in the meeting. It is very important to be pleasant to everyone you meet. Any of the staffers you meet can help your cause, especially if you are able to make a personal connection with them. When you enter an office, scanning the walls to see if there is anything you can bring up in conversation while you are waiting is a great way to make you stand out in their busy day of 15 20-minute scheduled meetings, one right after the other. If you are able to make that personal connection with them, they are more likely to remember you and when an issue arises that affects your organization, they can remind the Senator or Representative to support that issue. We learned it's important to always have a one-minute, five-minute and 15-minute "elevator" speech prepared to give, depending on how much time you get with someone, that outlines your position on an issue. Make sure you get your point across quickly in case the meeting gets interrupted before the end of the allotted time.

On the final day of Boot Camp, the recruits met with legislators from their specific districts. Jeanna and I met with Joshua Riley, Counsel from Senator Al Franken's staff. and Craig Kalkut from Senator Amy Klobuchar's staff. We also met with Congressman Chip Cravaack, personally, for a quick photo and then with Nick Morgan of his staff. I also met with Congressman Sean Duffy, my local representative from Wisconsin (I live in Superior). He gave me and three other Wisconsin state leaders a personal tour of the Capitol, including "backstage" access that only members of Congress and their staff can get to. It was very exciting to see and hear a firsthand account of life in the halls of Congress.

In researching the various Congressmen that I would be meeting with on Capitol Hill, I learned that Senator Franken had recently introduced the Local Courthouse Safety Act. It was introduced, in part, in response to the shooting that occurred in the Cook County Courthouse in Grand Marias, Minnesota, in December, 2011. Grand Marais is in my district and I have worked in the Cook County Courthouse many times. The shooting hit close to home for me personally. The Duluth Courthouse does not have much in the way of security, so I was very interested in the progress this bill

was making. While talking to Joshua Riley, Senator Franken's counsel, and discussing the bill, he asked if NCRA would be interested in supporting the Local Courthouse Safety Act. I put Joshua in touch with Adam Finkel, NCRA's Senior Government Relations Specialist, so they can coordinate NCRA's support of this bill. Adam has assured me that he will keep me posted on NCRA's support of the bill and any updates that occur with it. Hot off the press, Adam Finkel forwarded me a copy of NCRA's Letter of Support of the Local Courthouse Safety Act. It feels good to know that my being an active member of MAVRC and my participation in NCRA's Boot Camp may play a part in keeping court reporters and court participants safer in courthouses across the country.

There was a lot of important and beneficial information presented during the three days of Boot Camp. I enjoyed the quick overview of how Washington works and, especially, meeting with my Congressmen and their staff. It was also good to meet other state leaders and members of NCRA's Board of Directors who all share in the same goal of advocating for stenographic reporters as the best way to maintain the record around the country.

Tracy A. Bennett is an Official Court Reporter for the Honorable Shaun R. Floerke in the Sixth Judicial District in Duluth, Minnesota. ■

# 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.

### MAVRC 2012 Spring Seminar Sessions

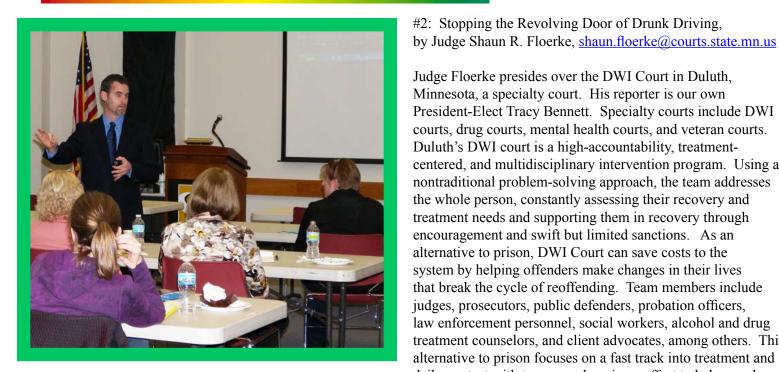
By Nanette J. Corbett, RDR

#1: The Impact of Digital Evidence, by Mark Lanterman, mlanterman@compforensics.com, www.compforensics.com

Mr. Lanterman presented two hours of fascinating and frightening information covering a variety of topics related to electronic data, electronic evidence, and its recovery. Topics included hacking, fraud protection, data storage, data recovery, and the use of computer forensics in the personal, business, and criminal arenas. Data stored on computers, smartphones, photocopiers, social media sites, flash drives, and hard drives can be recovered. Anything typed into a website can be collected (think online purchases, banking transactions). Anything typed into a website is admissible as evidence. Case stories related by Mr. Lanterman demonstrated that delete doesn't mean deleted; photos uploaded, e-mails sent, and Facebook pages all have imbedded data that can be recovered by law enforcement as well as thieves; recycling technological devices can be dangerous: Don't trade in phones, computers, copiers for warranty, upgrade, or even if trying to be "green." These devices have hard drives that store potentially sensitive information. The only sure method of safeguarding that information is to destroy the hard drives by punching holes in them. Raise your awareness of the need to protect your information and yourself.



Mark Lanterman



Judge Shaun R. Floerke

Judge Floerke presides over the DWI Court in Duluth, Minnesota, a specialty court. His reporter is our own President-Elect Tracy Bennett. Specialty courts include DWI courts, drug courts, mental health courts, and veteran courts. Duluth's DWI court is a high-accountability, treatmentcentered, and multidisciplinary intervention program. Using a nontraditional problem-solving approach, the team addresses the whole person, constantly assessing their recovery and treatment needs and supporting them in recovery through encouragement and swift but limited sanctions. As an alternative to prison, DWI Court can save costs to the system by helping offenders make changes in their lives that break the cycle of reoffending. Team members include judges, prosecutors, public defenders, probation officers, law enforcement personnel, social workers, alcohol and drug treatment counselors, and client advocates, among others. This alternative to prison focuses on a fast track into treatment and daily contact with team members in an effort to help people successfully re-enter their communities.

### MAVRC 2012 Spring Seminar Sessions

By Nanette J. Corbett, RDR



#3: Going Paperless – Save a Tree, by James Woitalla

Today there are many opportunities to go paperless: steno writers, online calendars, electronic postage, and electronic transcript delivery. Technology makes this possible, but technology is not flawless, so don't trust it 100%. Use a variety of backup options to protect the data we are responsible for. Jim recommended using at least three different methods. Protect transcript data by backing up at the end of a writing session to a flash drive or to Dropbox (www.dropbox.com). For archiving, use DVDs or music-quality CDs to prevent disintegration of data over time. Switch from external hard drives that have mechanical parts to backup systems that are off site, secure, and often inexpensive. (Explore packages from www. carbonite.com or www.mozy.com.) Also use online backup, an online repository, or back up to the cloud. There are a variety of ways to protect data in this gopaperless world.

#4: Hop on Board NCRA's TRAIN (Taking Realtime Awareness and Innovation Nationwide), by Jeanna Zunker, jeannazunker@charter.net, and Tracy Bennett, tracy.bennett@courts.state.mn.us

Jeanna and Tracy shared what they learned at an NCRA Boot Camp on this national effort to increase the number of court reporters capable of providing realtime across the country. With support from NCRA and through networking with colleagues, the goal is to assist all reporters in overcoming any obstacles on the road to becoming realtime writers. Jeanna and Tracy encouraged writing realtime for yourself, on or off the job, and both of them invited reporters to contact them with questions. For more details on NCRA's TRAIN initiative, go to www.ncra.org.

(Continued on Page 23)



(L-R) Jeanna Zunker and Tracy Bennett

# MAVRC 2012 Spring Seminar



(L-R) Stenograph Vendor Mike Melby with Laura Kaspszak



(L-R) Anoka Tech Instructor Jane Schleusner with Advantage Software Vendor Jim Woitalla

Vendor Robert Wilcox with the Neutrino Group

# **2012 Spring Seminar Door Prizes**

Donated by: Prize: Won by:

Jim Woitalla Chocolates Lori Kohan

MAVRC Mouse Pad Emily Lettner

Sten Ed Book Colleen Sichko

Jim Woitalla Chocolates Hart Erickson

Jim Woitalla Chocolates Jane Schleusner

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Jim Woitalla Chocolates Diane Kennedy

MAVRC Jump Drive Melissa Chamberlin

MAVRC Mouse Pad Tricia Weinberg

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Mill City Video \$50 Crate & Barrel Cert Lois Schwelling

# 2012 Spring Seminar 50/50 Raffle

Morning Raffle Winner -- \$85.00 Jan Young Lund

Afternoon Raffle Winner -- \$20.00 Emily Lettner

Thanks to the donors and participants. Congratulations, winners.



(L-R) Judge Shaun R. Floerke, Tracy Bennett and Jeanna Zunker

# MAVRC 2012 Spring Seminar



Jim Woitalla presenting how to become paper less or paperless.



(L-R) Diane Kennedy, Jeanna Zunker and Hart Erickson

# MAVRC 2012 Spring Seminar



(L-R) Tracy Bennett, Janell Gruber and Jolene Carrow at the registration table



(L-R) Tricia Weinberg and Sarah Choy





Tracy Bennett







#### By Nancy Varallo, RDR, CRR, FAPR



**Dear Nancy:** Is it customary when you work with a court reporting firm that you sign a contract with them, especially if it has a no-compete clause involved? What is a customary or average split with a court reporter? I want to be more informed and need some guidance.

**Signed, Newbie to Business** 

Dear Newbie to Business: If I've learned anything in the last three decades, it's that reporter/firm owner relationships are as varied as love relationships. Look around at the lovers you know. Some jump from lover to lover looking always for that new excitement that comes with new beginnings; some couples live together but scoff at the need for a marriage license; some will ignore trouble signs and heedlessly walk down the aisle: some fiancés will avoid the stress of it all and elope; still others sign prenuptial agreements to protect themselves should anything go wrong in the marriage.

Think of your agency relationship as a love relationship. What kind should it be? Many firm owners will ask that you sign a contract. Think of it as a pre-nup, there to protect you and the agency, clarifying the details of your work relationship from the start. The contract is there for tax reasons as well. Firm owners must be very careful to classify their reporters correctly or risk government fines or penalties.

A good contract will specify whether you're an employee or an independent contractor, the agency/reporter split on billings, terms of payment (i.e., 30 days after invoice, upon payment to the agency), the non-compete

expectation, to name just a few. Ask for the names of the senior reporters in the office; make that request a part of accepting work from a firm. It's those long-time reporters who can paint the best picture of what it's like to work with that agency. I happily give those references to prospective reporters coming to my firm.

As to a customary reporter/agency split, in my locale the norm is 70/30, but I've seen 80/20 and 50/50 splits. Why the disparity? It depends on what services the agency provides. Is proofreading or production included, are you paid "up front" on your billings, are you offered reduced or preferred percentage splits based on your respective lack of experience or advanced credentials? Commission structures are as varied as wedding gowns. Find one that fits and "Make it work," as Tim Gunn likes to say.

It's never too soon to develop a professional relationship with an attorney and an accountant. Yes, I do mean both at the same time. I said *professional* relationship! And keep it that way or I'll be advising a relationship with a shrink! Ask your advisors to review how your finances are organized and help you with legal contracts before you regret a poor decision. Utilize their services to get all your affairs in order. When you're done, answer this: Why don't melons get married? (Answer: Because they cantaloupe.)

**Dear Nancy:** I am a new reporter working with a firm that takes 30 percent of my billings, including court work (the per diem as well as any transcripts I get.) I would not



Nancy Varallo

have the work without her, but have been told by other reporters that taking a percentage of court work is not right. Is it legal or fair to take a percentage out of my court work, or is it just supposed to be on my deposition work?

Signed, Order in the Court

#### **Dear Order in the Court:**

Sounds like a standard 70/30 split arrangement to me. If so, that's the split, and it applies to everything -- depositions, trials, night hearings, arbitrations. It applies to attendance fees, per diems, drafts, and transcript orders, whether regular turnaround or expedite requests. It means the agency keeps 30% of everything. The only exceptions would be ones you negotiated in a verbal understanding or, better, in a written contract you have with the agency detailing your payment particulars.

That's why I am a proponent of written contracts. There are always gray areas in the absence of a contract. Take a look at my answer to Newbie

in Business above, where I outlined some things you might expect to see in a court reporter's independent contractor agreement. In addition to specifying the details of a service relationship, the four corners of a contract will assist the parties should conflicts arise. If your agreement is oral, you and the agency must rely on memory. And we all know what that means! We court reporters spend our working lives recording folks' widely divergent memories of the same events! Written contracts bring a sense of trust to a relationship, and comfort in knowing it's all there in black and white.

Contracts don't have to be forever; they can be adjusted over time. If your 70/30 split has worked for years in a deposition setting, then you suddenly find yourself doing court work for the agency, you can

review the contract and amend it as needed to cover what's new and different about working in court. The contract provides a vehicle for having that discussion.

We are pre-programmed, I think, to distrust contracts. We're taught that the big print giveth and the fine print taketh away. Contracts are good. We should use them -- but keep them simple -- and look to them as a guide for providing our services and as a watchdog to protect our income. Bright lines and strong boundaries create comfort in relationships. We should welcome them.

You can't anticipate every twist and turn of a working relationship, and often we're simply left with the good faith of the parties when a conflict arises. A good-faith discussion about a court reporting issue might include local custom and practice, input from your state association leadership, reference to NCRA's advisory opinions, or even a post to your favorite social network. It's important to seek help from respected professionals.

Differences of opinion happen even among good people. Thomas Jefferson wrote about these matters, and I think his wisdom, as always, is worth quoting: In every country where man is free to think and to speak, differences of opinion will arise from difference of perception and the imperfection of reason... Every difference of opinion is not a difference of principle.

Nancy Varallo, RDR/CRR/FAPR, is owner of Court Reporting Management Services, LLC. You can submit your Dear Nancy question at her website: <a href="https://www.CourtReportingMgt.com">www.CourtReportingMgt.com</a>

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MAVRC MINNE-strokes 21

# STUDENT'S CORNER - OVERCOMING STRESS

By Jackie Young, RPR

A lmost every activity that we do in our lives has the potential to make us feel stressed, especially if those activities require precision - something that court reporters have to demonstrate on almost a daily basis. What constitutes stress to one person may be the spice of life to someone else, so it is therefore important that you learn to recognize your personal symptoms and then incorporate methods to deal with them early on.

Because stress can cause many different symptoms, both physical and mental, it can be difficult to determine the true source of many problems. The following are common manifestations of stress:

Physical symptoms: Palpitations, shortness of breath, chest pain, and other signs of heart disease, unusual rapid breathing, dizziness, or lightheadedness, tingling sensations in the hands and/or feet, chronic or recurring backache and neck pain, frequent headaches, diarrhea or constipation, heartburn and other types of digestive problems.

Psychological symptoms: Difficulty in concentrating and in making decisions, sleep problems, chronic fatigue, even after adequate rest, prolonged anxiety, changes in appetite and an increased reliance on alcohol, nicotine, or other drugs, difficulty coping with what normally would be minor setbacks, decreased enjoyment of pleasurable activities and events.

One of the most important defenses against stress is good nutrition. While no diet will make stress disappear, there are certain foods that can help you deal with it. Citrus fruits, bell peppers, and baked potatoes are rich

in vitamin C, which helps your body maintain resistance to infection when you are under stress. Foods high in zinc such as seafood, meat, poultry, milk, eggs, whole grains, and nuts also help to keep your immune system healthy. Carbohydraterich meals can increase levels of serotonin, a brain chemical that is known to induce a feeling of calm.

Other important steps to incorporate into your lifestyle to deal with stress include the following:

- Eat a good breakfast. If you are running on empty, stress can be more difficult to handle.



- Eat slowly. Eating quickly is often associated with digestive upset, and when coupled with stress, can make your food difficult to digest.
- Limit your intake of caffeine and alcohol since they can affect your mood and sleep patterns. Alcohol can also heighten feelings of depression.
- Avoid caffeinated drinks which can contribute to jittery feelings. Instead, try herbal teas such as chamomile and peppermint, which have a calming effect.

- Take a multi-vitamin and mineral supplement. Studies have shown that chronically stressed people have depressed levels of nutrients in their body.
- A healthy diet containing B vitamins and magnesium helps to relieve chronic tension. B vitamins are essential for stress management. Magnesium helps to ease muscle tension, stress and anxiety. When exercising to reduce stress, a balance of carbohydrates and protein is necessary.
- Eat regular and healthful meals. Several small meals may work best.
- Chew gum, which helps reduce stress levels and helps to reduce levels of cortisol.
- Consume green tea. Green tea is believed to contain L-theanine, which has a calming effect on the brain.
- For a few minutes each day, sit quietly with your eyes closed.
- Listen to your favorite music, which will also increase your endorphin levels.
- Learn a relaxation technique, such as yoga, meditation, or deep breathing exercises.
- If you are feeling overwhelmed, share your problems with a family member, friend, or counselor.
- Adequate sleep. Sleep is the number one defense against stress. It allows the mind and body to rejuvenate. When we are refreshed, we are more able to handle stressful situations.
- Be sure to exercise on a daily or

weekly basis. Resistance training or lifting weights has proven to be very effective in controlling stress. A high intensity workout, of no more than sixty minutes, is a successful strategy in stress management. A moderate aerobic workout, such as walking or bicycling for thirty to forty minutes, three times a week, is also effective. A balance of both types of exercise is optimal.

- Laughter. Laughter boosts the body's immune system and reduces

the amount of hormones, such as cortisol, that your body produces during stressful times.

- When looking at a situation, break it down into manageable components. Instead of making negative statements, look at the situation realistically and create steps for resolving it.

Finally, have a positive attitude! Chronic stress is a factor of how we perceive the events surrounding us. Try to remain optimistic when confronted with challenges or a new situation. How we perceive situations is a choice; and if you choose to look at each stressful situation as a positive learning experience, you will be empowering yourself to deal with other future, similar situations in a calm and rational manner

Jackie Young is a freelance reporter from Delano, Minnesota, and has served in various MAVRC board and committee positions. ■

# MAVRC 2012 Spring Seminar Sessions (Cont.)

By Nanette J. Corbett, RDR

(Continued from Page 15)

#5: Echoes of War: The Combat Veteran in Criminal Court by Attorney Brockton D. Hunter

Mr. Hunter's presentation was a powerfully moving look at the psychological wounds of war and their ties to criminal behavior in returning veterans. We are currently involved in two of the longest wars in our history which are being fought with the smallest military force ever. Multiple combat redeployments are resulting in large numbers of vets with traumatic brain injuries (TBI) and Post-Traumatic Stress Syndrome (PTSD). Coming home to an apathetic public, the result for many vets is a separation between themselves and society. Beyond physical injuries, the psychological injuries can lead to depression, mental illness, and violence. Combat trauma ties into criminal behavior, causing a large and growing need for postcombat conditioning and support services to help veterans returning home from their service to our country.

Nanette J. Corbett is a freelance reporter from Duluth, Minnesota, and serves on MAVRC's publications committee.



Brockton D. Hunter

# COURT REPORTING STUDENT PROFILE

By Aaron Conwell

Name: Aaron R. Conwell

School: Anoka Technical College

Speed: 225

Hometown: Rogers, MN

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

I needed a career change after working retail for eight years. My aunt-in-law, Andrea, a working reporter, convinced me to consider a career in the court reporting field. Many things about it really appealed to me, but the closed-captioning angle and the financial opportunities were the strongest sellers.

What area of reporting interests you the most at this time- official, freelance, or captioning/CART? I'm mostly interested in working part time so working as a freelance reporter appeals to me the most.

Down the road, as my accuracy improves, I would consider a career in captioning.

#### Do you know any working reporters?

Andrea Treptau Heairet at Paradigm.

If you had an hour of free time, what would you be doing (besides practicing on your steno)? Playing tennis in summer & reading in the winter.

#### What is your favorite band or music?

Dream Theater

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

Mystic Lake Casino Seafood Buffet

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

Australia

#### Who is the celebrity you would most like to meet?

Living -- Conan O' Brien Deceased -- JFK

#### The last book you read?

11/22/63 – Stephen King

#### **Favorite TV show?**

Game of Thrones & The Shield

#### The last movie you watched?

Horrible Bosses



Aaron Conwell

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Court Reporting as a Career???

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To be included in the Fall 2012, issue, your ad and payment must be received by August 1, 2012.

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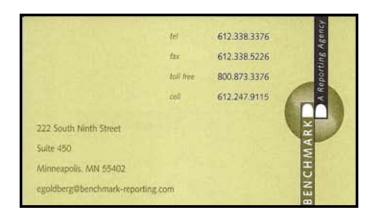
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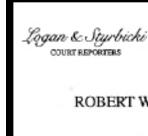
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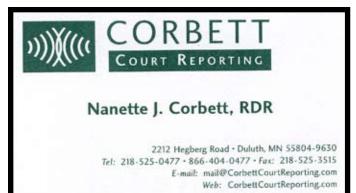






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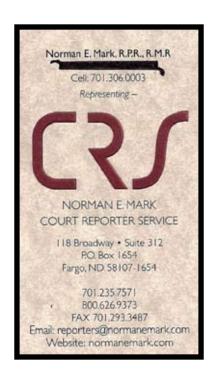


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To submit articles, send to:

Vikki Thompson MAVRC Editor MINNE-strokes vikki.thompson@merrillcorp.com

# **UPCOMING EVENTS**

August

**9-12** NCRA Annual Conference

Philadelphia, PA

August

MAVRC Board Meeting

October

**5-6** MAVRC Fall Convention

Treasure Island Resort/Casino



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