

1 LOUISIANA BOARD OF EXAMINERS
2 OF CERTIFIED SHORTHAND REPORTERS

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9 BOARD MEETING FOR THE LOUISIANA BOARD OF
10 EXAMINERS OF CERTIFIED SHORTHAND REPORTERS, HELD AT THE
11 15TH JUDICIAL DISTRICT COURT, JURY ROOM, LAFAYETTE,
12 LOUISIANA ON THE 12TH DAY OF JANUARY, 2018, COMMENCING
13 AT 10:00 A.M., BEFORE ELICIA H. WOODWORTH, CERTIFIED
14 COURT REPORTER IN AND FOR THE STATE OF LOUISIANA.

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BOARD MEETING

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APPEARANCES:

Vincent P. Borrello, Jr., CCR, RPR
Milton Donegan, Jr., CCR
Suzette M. Magee, CCR
John H. Andressen, CCR
Elizabeth Methvin, CCR
Laura Putnam, Attorney
Kimya M. Holmes, Attorney
Nhung C. Nguyen, Administrator
David Marcello, CSR Board Attorney



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MR. BORRELLO:

We can go ahead and call the meeting to order. If we could all please rise.

Laura, if you could please lead us in the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was conducted.)

MR. BORRELLO:

Ms. Nguyen, if you would call the roll, please.

MS. NGUYEN:

Vincent Borrello.

MR. BORRELLO:

Present.

MS. NGUYEN:

Suzette Magee.

MS. MAGEE:

Here.

MS. NGUYEN:

Laura Putnam.

MS. PUTNAM:

Here.

MS. NGUYEN:

Elizabeth Methvin.



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MS. METHVIN:

Here.

MS. NGUYEN:

John Andressen.

MR. ANDRESSEN:

Here.

MS. NGUYEN:

Milton Donegan.

MR. DONEGAN:

Here.

MS. NGUYEN:

Kimya Holmes.

MS. HOLMES:

Here.

MS. NGUYEN:

Mr. David Marcello.

MR. MARCELLO:

I am here.

MR. BORRELLO:

Okay. Is there a motion to approve the minutes transcript of the September 17th hearing?

MR. ANDRESSEN:

Move.

MS. PUTNAM:

Second.



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MR. BORRELLO:

Okay. All in favor?

(Several members respond "aye.")

MR. BORRELLO:

Motion passes without opposition.

Okay. I'm going to make a motion to pass some of the matters on the docket and take up the people who are present on the agenda.

MR. ANDRESSEN:

Second.

MR. BORRELLO:

All in favor?

(Several members respond "aye.")

MR. BORRELLO:

Motion passes without opposition.

We'll move down to Reinstatement Requests. Ms. Magee, I'll have you go ahead and inform the Board of the actions that need to be taken with the people present. I think we have first Ms. Amedee.

MS. AMEDEE:

Right here.

MR. BORRELLO:

Okay.

MS. MAGEE:

Okay. Her matter has been taken care



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1 of. She paid -- no. She needs to pay \$150, but
2 everything else is satisfied.

3 MS. NGUYEN:

4 Yes.

5 MS. MAGEE:

6 Okay.

7 MR. DONEGAN:

8 She has her CEs and everything --

9 MS. MAGEE:

10 Yes.

11 MR. DONEGAN:

12 -- up to date?

13 MS. MAGEE:

14 Everything is up to date.

15 MR. ANDRESSEN:

16 I move, with the submission of the \$150
17 reinstatement fee, that she be reinstated.

18 MS. PUTNAM:

19 Second.

20 MS. HOLMES:

21 Second.

22 MR. BORRELLO:

23 All in favor?

24 (Several members respond "aye.")

25 MR. BORRELLO:



1 All right. Motion passes without
2 opposition.

3 Thank you, Ms. Amedee.

4 MS. AMEDEE:

5 Thank you. I appreciate it.

6 MR. BORRELLO:

7 Ms. Schiro Gregory.

8 MS. GREGORY:

9 Yes, sir.

10 MR. BORRELLO:

11 All right.

12 MS. MAGEE:

13 Okay. She completed all of her CEs at
14 the seminar on November 4th and paid the renewals, so I
15 make a motion that we reinstate her license.

16 MR. ANDRESSEN:

17 Second.

18 MR. DONEGAN:

19 That was for 2015-'16 session; right?

20 MS. MAGEE:

21 Yes, the one that she was in arrears
22 for.

23 MR. DONEGAN:

24 So she has until the end of '18 to get
25 the others?



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MS. GREGORY:

Yes, sir.

MR. DONEGAN:

Okay.

MR. BORRELLO:

I think it was seconded by
Mr. Andressen.

All in favor?

(Several members respond "aye.")

MR. BORRELLO:

Motion passes without opposition.

Thank you, ma'am.

All right. Okay. We'll go ahead and
move in order to the agenda because we have no other --

MR. DONEGAN:

We have one other lady right there.

MR. BORRELLO:

Oh, I'm sorry. Were you on the agenda?

AUDIENCE MEMBER:

I was just sent to take notes.

MR. BORRELLO:

Okay. We will move on now to Committee
Reports. Finance and Operations, Mr. Andressen.

MR. ANDRESSEN:

First thing on the agenda is the monthly



1 operating statements for September, October and
2 November. Pretty self-explanatory. No extraordinary
3 expenses or anything.

4 Then the next thing on the agenda is
5 balance sheets, and, as you can see, our cash started
6 going up in October, November. Vicky hasn't had a
7 chance to do the December bank reconciliation yet with
8 trying to prepare for this meeting, but we had somewhat
9 a good influx of money. Later on in the agenda, you'll
10 see that we have quite a few that haven't renewed. It's
11 down a little bit, but we're okay.

12 Next -- and can I just do an in globo of
13 the entire report?

14 MR. BORRELLO:

15 Sure.

16 MR. ANDRESSEN:

17 Next, Stenotype Grading Contract, and
18 yesterday evening's committee meeting, we had discussed,
19 since there is so little steno writers taking the exam,
20 right now we're at 750 per examination, we had talked
21 about doing it for a minimum of 250 up to five students
22 or participants taking the test. Anything over 50 will
23 be an additional \$50 with a cap of 750 per examination.

24 So maybe we shouldn't do an in globo on
25 that one. If I could do just do a motion on that one, a



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1 minimum 250 up to five participants, \$50 per participant
2 over five, with a cap of 750.

3 MR. BORRELLO:

4 Real quick question, since the contract
5 for the stenomask is still within that, that we can't do
6 anything with that at this time?

7 MR. ANDRESSEN:

8 We really can't.

9 Vicky, didn't we renew that in December?

10 MS. NGUYEN:

11 Right.

12 MR. ANDRESSEN:

13 Okay. And in all honestly, that's the
14 majority of the people taking it.

15 MR. BORRELLO:

16 That's probably not going to reach the
17 750 cap anyway?

18 MR. ANDRESSEN:

19 Yeah. And we'll revisit it next time it
20 comes up.

21 MR. BORRELLO:

22 Okay. Is there a second?

23 MS. MAGEE:

24 Second.

25 MR. BORRELLO:



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All in favor?
(Several members respond "aye.")
MR. BORRELLO:
Motion passes without opposition.

MR. ANDRESSEN:
Renewal of the court reporter contract
for court reporting with Torres Reporting and
Associates, nothing has really changed. I think there's
a little Department of Administration language, Vicky,
that you had to change, but --

MS. NGUYEN:
LDR number for taxes.

MR. ANDRESSEN:
Okay. So nothing's really changed.
It's capped at \$5,000. I move that we approve the
contract with Torres Reporting and Associates.

MR. BORRELLO:
Is there a second?

MS. MAGEE:
Second.

MR. BORRELLO:
All in favor?
(Several members respond "aye.")

MR. BORRELLO:
Motion passes without opposition.



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1 MR. ANDRESSEN:

2 Next one is the contract with our
3 webmaster, Design the Planet. As was discussed
4 yesterday evening, when our webmaster passed away
5 suddenly, Design the Planet came in and really, really
6 helped us. They've done a fantastic job. They respond
7 to Vicky very quickly every time. So this is just to
8 renew their contract. The term is from March 15th, '18
9 to March 12, 2019 with a cap of \$6,000 at \$110 per hour
10 on an as-needed basis.

11 I move that we approve the contract with
12 our webmaster.

13 MR. BORRELLO:

14 Is there a second?

15 MS. PUTNAM:

16 Second.

17 MR. BORRELLO:

18 All in favor?

19 (Several member respond "aye.")

20 MR. BORRELLO:

21 Motion passes without opposition.

22 MR. ANDRESSEN:

23 And the last thing on the agenda is the
24 board attorney contract. Initially for this fiscal year
25 we approved the \$25,000 contract. We need to amend



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1 that. We have some \$62,000 worth of bills outstanding
2 right now, which -- and we've got about \$1,900 left on
3 our initial \$25,000 contract. So that will put us about
4 85. I'm going to make the motion that we -- because we
5 still have some time left in this fiscal year, that we
6 up the board attorney's contract to \$100,000 for this
7 fiscal year.

8 MR. BORRELLO:

9 Is there a second?

10 Second.

11 MR. BORRELLO:

12 All in favor?

13 Not to be redundant, but is there an in
14 globo motion to accept the Finance Committee's report in
15 its entirety?

16 MS. MAGEE:

17 So moved.

18 MR. BORRELLO:

19 Is there a second?

20 MS. HOLMES:

21 Second.

22 MR. BORRELLO:

23 All in favor?

24 (Several members respond "aye.")

25 MR. BORRELLO:



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1 Motion passes without opposition.

2 I'm going to make a motion, once again,
3 Ms. Pool has joined us, to move to that matter on the
4 agenda.

5 MR. BORRELLO:

6 Okay. Ms. Pool.

7 MS. POOL:

8 Yes, sir.

9 MR. BORRELLO:

10 How are you? Good to see you.

11 MS. POOL:

12 Doing good.

13 MS. MAGEE:

14 Okay. So I've studied this, and here's
15 what I think I've been able to figure out. In 2010, you
16 retired and stayed retired until 2014, and in 2014, you
17 asked to be reinstated because you were going to accept
18 a job at the courthouse and we -- I remember you coming
19 to -- I remember that meeting. We were in Lake Charles,
20 and you came to that meeting and we reinstated your
21 license then. And then in -- that was in '14, and then
22 in the '16 or '15 --

23 MR. DONEGAN:

24 '16.

25 MS. MAGEE:



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1 Was it '16? You said you didn't take
2 the job here. March of 2016, you said, "About six
3 months ago, I requested retirement, to have my retired
4 go back to active, but I didn't take the job." So you
5 wanted to remain retired.

6 MS. POOL:

7 Right.

8 MS. MAGEE:

9 Okay. Have you worked since 2010?

10 MS. POOL:

11 Yes. Oh, yes. The reason I went into
12 retirement as a court reporter is we opened another
13 business, and we've been doing that ever since. We're
14 in the process of selling it right now, and I'm ready to
15 go back to court reporting. And I have accepted the
16 job, so I didn't jump the gun this time.

17 MS. MAGEE:

18 So, but, I mean, as a court reporter
19 since 2010?

20 MS. POOL:

21 No. I'm sorry. No, not as a court
22 reporter.

23 MR. DONEGAN:

24 So between 2010 and 2014, you didn't
25 work?



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MS. POOL:

Not as a court reporter, correct.

MR. DONEGAN:

And then you retired again in March of '16, so you haven't worked since 2010?

MS. POOL:

Correct.

MR. DONEGAN:

And what method do you use?

MS. POOL:

Voice.

MR. BORRELLO:

Are there any questions by the Board?

(No response.)

MR. BORRELLO:

Is there any motions by the Board?

MR. DONEGAN:

So, in real summary, you haven't worked in seven years?

MS. POOL:

Correct.

MS. MAGEE:

Do you have a suggestion or a recommendation?

MR. ANDRESSEN:



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1 Yeah. I mean, our voice writers on the
2 Board, I mean, I'm not all that familiar. I know as a
3 steno writer, if I didn't work that long, I would
4 certainly lose most of my skills, and as a voice
5 writer --

6 MS. METHVIN:

7 Have you gotten what software and gone
8 in and working with that and got yourself up to speed?
9 I mean, have you tried to --

10 MS. POOL:

11 I have Dragon. I have not started
12 training it yet. If I can't get up to speed enough to
13 start -- next Wednesday is my first day scheduled in
14 court, then conceivably I can go back to using Marantz
15 until I get Dragon's recognition up, but I'm hoping to
16 be able to do that by then.

17 MS. METHVIN:

18 Okay. Does the court use like a CDR
19 certification?

20 MR. BORRELLO:

21 She's not a CDR.

22 MS. METHVIN:

23 I know, but I'm just --

24 MS. MAGEE:

25 But do they have the option there?



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1 MS. METHVIN:

2 -- saying, could we give that option for
3 her, if she's now going to be in a courtroom, if she
4 could test for the CDR, which would be on the equipment
5 she's working on, and let her work?

6 MS. MAGEE:

7 Do they have it there? Because we don't
8 have it here.

9 MS. METHVIN:

10 I was just asking her what they have.

11 MS. POOL:

12 I misunderstood your question. CDR, is
13 it anything like FTR, which is a digital recording
14 system?

15 MS. MAGEE:

16 No. CDR is a different licensing.

17 MS. METHVIN:

18 You can be licensed to only work in the
19 court. You can only work in the courtroom.

20 MS. POOL:

21 I would actually like that. It will
22 make it really easy.

23 MS. METHVIN:

24 If you don't want to do deposition work,
25 it will make it really easy.



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1 MS. MAGEE:

2 There were some parishes that were
3 excluded from the legislation. I know that ours was, so
4 I'm wondering.

5 MR. BORRELLO:

6 Also, would that would exclude you from,
7 depending on certification, and it may be putting the
8 cart before the horse, is you only being able to report
9 as a certified digital reporter and not as a stenomask
10 reporter. It's a separate certification.

11 MS. METHVIN:

12 Right.

13 MS. POOL:

14 Oh, I didn't -- okay. No, I don't want
15 to do that.

16 MS. METHVIN:

17 Being a voice writer, of course, I mean,
18 it's changed so much just in the last couple of years.
19 I mean, from 2010 to 2018, that's almost starting over.
20 You know, it's just so different. And, you know, is the
21 court going to want you to use your stenomask or are
22 they wanting you to use the recording equipment they
23 have in the court?

24 MS. POOL:

25 They use the courtroom recording



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1 equipment as a backup, but, yes, they want me to use my
2 equipment.

3 MS. METHVIN:

4 So what they have now is a computer or a
5 voice writer, who you're replacing?

6 MS. POOL:

7 There's all voice writers in family
8 court where I'll be.

9 MR. DONEGAN:

10 I mean, I'm like John, I don't know
11 enough about voice, but as a steno writer, I can tell
12 you, the Board's and my recommendation would be, if a
13 freelance reporter came here --

14 MR. BORRELLO:

15 Not a freelance. A machine writer.

16 MR. DONEGAN:

17 -- a machine writer came, a stenotype
18 reporter came here and hadn't worked in eight years, we
19 would make them at least take some type of test.

20 MS. METHVIN:

21 Some portion of a skills test.

22 MR. BORRELLO:

23 I'll defer to the stenomask writers on
24 the Board because I don't know. Like I said, I'm like
25 John and Milton, if it was a steno, you know, we'd



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1 definitely lose our skills. I don't know the specifics
2 with the stenomask writers.

3 MS. METHVIN:

4 Well, it would be the same, and the
5 software changes so rapidly.

6 MS. MAGEE:

7 We could give her an emergency test,
8 just like a qualifier-type test.

9 MR. MILTON:

10 I'll leave that to you and Elizabeth to
11 make the recommendation.

12 MS. METHVIN:

13 I mean, I think you definitely need some
14 sort of skills test to know that you're up to the
15 standard.

16 MR. DONEGAN:

17 And where are you? In Lake Charles?

18 MS. POOL:

19 Uh-huh.

20 MS. METHVIN:

21 In Lake Charles.

22 MS. POOL:

23 When will I be able to do that?

24 MS. MAGEE:

25 I can do it Monday. I'm off. I mean,



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1 you would have to come here.

2 MS. POOL:

3 I mean, I could do that. It's an hour
4 down the road.

5 MS. MAGEE:

6 I can do it Monday if you could be ready
7 Monday.

8 MR. BORRELLO:

9 Okay. Is there a motion?

10 MS. MAGEE:

11 I make a motion we give her a 225 Q&A
12 qualifier --

13 MR. BORRELLO:

14 Emergency.

15 MS. MAGEE:

16 Emergency.

17 MR. BORRELLO:

18 Is there a second?

19 MS. METHVIN:

20 I'll second.

21 MR. BORRELLO:

22 All in favor?

23 (Several members respond "aye.")

24 MR. BORRELLO:

25 Motion passes without opposition.



1 Thank you, Ms. Pool. Appreciate it.

2 MS. POOL:

3 I do have one other question. Assuming
4 all goes well, will my certification number be the same
5 as it was before?

6 MS. MAGEE:

7 Probably so.

8 MR. METHVIN:

9 You're retired status?

10 MS. NGUYEN:

11 It just goes back.

12 MS. POOL:

13 They were asking me about having my seal
14 done.

15 MR. DONEGAN:

16 By the way, you'll need your CE credits
17 by the end of this year.

18 MR. BORRELLO:

19 Your CE credits and, of course, the
20 reinstatement fee.

21 MS. METHVIN:

22 What's the fee for the qualifier?

23 MS. NGUYEN:

24 125.

25 MS. MAGEE:



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125.

MR. ANDRESSEN:

Ms. Pool, you're looking to go to work Wednesday, should we have a motion that if she does pass --

MS. NGUYEN:

Oh, the qualifier is \$50.

MR. ANDRESSEN:

-- you know, she's -- until the next board meeting I guess, we can continue to make it official, but...

MR. DONEGAN:

I think we can make it official now given she passes, she gets her license back.

MR. ANDRESSEN:

Okay. Just make it clear on the record. Okay.

MS. METHVIN:

Effective immediately.

MS. MAGEE:

Yes. A payment of 125 --

MS. NGUYEN:

\$50 for the qualifier.

MS. MAGEE:

\$50 for the qualifier and the payment of



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1 the license fee, which is 125. You'll need to get your
2 seal. You just wouldn't be able to stamp anything until
3 you get it. Right now, you know, it's the old kind.

4 MS. POOL:

5 Thank you.

6 MR. BORRELLO:

7 Thank you.

8 Okay. Moving on to Licensing and
9 Continuing Education. Ms. Magee, CCR qualifying
10 examination dates.

11 MS. MAGEE:

12 Is when I said last night.

13 MS. NGUYEN:

14 CDR is going to be March 16th. The
15 qualifying will be February 23rd. The CCR is going to
16 be April the 6th.

17 MR. BORRELLO:

18 Okay. And I don't think we need a
19 motion for that. That's just by way of information.

20 CDR examination date and location.

21 MS. MAGEE:

22 The CDR examination date is currently
23 scheduled for April 20th, and it will be here in this
24 building for all of these people requesting licensure on
25 FTR Gold. If they're not, I'll have to travel to their



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1 location, but that's how it's set right now.

2 MR. BORRELLO:

3 Okay. And then Number 3, we will need a
4 motion for LCRA seminar provider March 24th. I think
5 actually you had previously approved this.

6 MS. MAGEE:

7 Yes, approved that and all of their
8 information. They do need a speaker, but...

9 MR. BORRELLO:

10 I guess let's talk about that, March
11 24th, and I guess we could check with Judge Bonin also,
12 if he would be willing. If you-all could just check
13 your calenders and -- that's the one in Marksville at
14 the Paragon Casino. And what LCRA is requesting is
15 Ethics and Rules and Regulations, so if you-all can
16 check your calendar.

17 MR. DONEGAN:

18 Where's the one in September?

19 MR. BORRELLO:

20 The one in September will be in
21 Metairie.

22 Okay. Moving on, Research and Planning.

23 MS. PUTNAM:

24 The committee met. We have finalized
25 the draft of the rule language, and once a couple of



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1 revisions are made that were actually talked about last
2 night, the --

3 MR. BORRELLO:

4 I'm sorry, Laura. This is transcript
5 sampling.

6 MS. PUTNAM:

7 Oh, I'm so sorry.

8 MS. METHVIN:

9 No. You can go.

10 MS. PUTNAM:

11 You want me to just go? I was just
12 looking at Roman Numeral Number 3.

13 MR. BORRELLO:

14 We'll move to Discussion and Action, Act
15 268.

16 MS. PUTNAM:

17 We are ready to distribute the rule once
18 two revisions are made that we discussed last night, and
19 that will give the full Board an opportunity to review,
20 and we can hopefully vote at the next possible meeting.

21 MR. BORRELLO:

22 Okay. All right. Okay.

23 MR. MARCELLO:

24 And I'm going to ask -- we'll
25 distributing it out to the ones who haven't seen it.



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1 MS. MAGEE:

2 Oh, you gave me one last night. It
3 hadn't changed?

4 MR. BORRELLO:

5 And this is just for the Board members
6 to absorb this information. You don't have to do this
7 right now.

8 MR. MARCELLO:

9 And, moreover, I'll probably do a couple
10 of revisions in accordance with what we talked about
11 last night.

12 MR. BORRELLO:

13 Go ahead. Right.

14 MR. MARCELLO:

15 What you've got will be modified under
16 1111(A) by moving the third standard down to Paragraph
17 B. So there will be three technological standards or
18 industry practices listed under A, and the "PDF/A Format
19 and Pads Standards" will be moved down and become part
20 of B, which we'll also change the word "will" to "may."

21 So the effect of this will be to
22 preserve for the Board as a discretionary matter the
23 consideration of longevity, and that remains an option,
24 but it's not one of the stipulated criteria that will be
25 made a part of Paragraph A. And I'll send a modified



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1 version of this to Vicky and she can circulate it. This
2 is essentially, what you've been distributed this
3 morning, is what we are going to be considering at the
4 next Board meeting.

5 MR. DONEGAN:

6 So she'll circulate it to all of the
7 Board members and the committee members?

8 MR. MARCELLO:

9 Right.

10 MR. BORRELLO:

11 Any questions for David?

12 (No response.)

13 MR. BORRELLO:

14 Okay. Thank you, David. Thank you, Ms.
15 Putnam.

16 Ms. Methvin, you want to go ahead,
17 Transcript Sampling Evaluations?

18 MS. METHVIN:

19 Yes. We met this morning at 9:30, and I
20 think all of the samples are evaluated and coming back
21 to me with what, you know, some of the issues that are
22 issues or non-issues.

23 I'm going to get with Vicky and we'll
24 get the letters out for those that do have issues.

25 There are two in particular we want to get a second



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1 sampling from. We're going to wait a couple months,
2 maybe two or three, maybe two meetings out, and then
3 send a letter to a couple of people to recheck just to
4 be sure that they're adhering to some of the issues that
5 they had. And once this is all complete with this is
6 round four, I guess we'll move on to round five, but I
7 want to get it all complete and all letters sent and
8 everything resolved before we do that.

9 And that's it.

10 MR. BORRELLO:

11 Any questions?

12 (No response.)

13 MR. BORRELLO:

14 All right. Thank you, Ms. Methvin.

15 Okay. Ms. Magee, Licensing, and if you
16 want to offer an in globo offer to the list, however you
17 want to go about it.

18 MS. MAGEE:

19 CE Requests, we've had 10 individual
20 requests, and all 10 were approved.

21 MR. DONEGAN:

22 Suzette, let me ask you something. What
23 is ACRA; do you know offhand?

24 MS. NGUYEN:

25 Arkansas --



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MS. MAGEE:

Yes. Arkansas Court Reporting
Associates.

MR. BORRELLO:

That's why there's only 10 hours and not
the 12.

MR. DONEGAN:

Right.

MS. MAGEE:

Some people went to seminars like for
their software, but then they also got their ethics.
They have more than needed.

MR. BORRELLO:

Okay. Is there a second?

MS. MAGEE:

I move that we accept all of these
requests in globo.

MS. HOLMES:

I second.

MR. BORRELLO:

All in favor?

(Several members respond "aye.")

MR. BORRELLO:

Motion passes without opposition.

Reciprocal Requests.



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MS. MAGEE:

She had all of her paperwork in order,
so we move that -- I move that -- do I need --

MR. ANDRESSEN:

Second.

MR. BORRELLO:

Actually, I think that's by way of
information.

Okay. Thank you.

Moving to Inactive Requests.

MS. MAGEE:

All of these, their paperwork was in
order to go inactive.

MR. BORRELLO:

Okay. Motion to move as the inactive
requests.

MS. MAGEE:

Yes.

MR. BORRELLO:

Is there a second?

MS. PUTNAM:

Second.

MR. BORRELLO:

All in favor?

(Several members respond "aye.")



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1 MR. BORRELLO:
2 Motion passes without opposition.
3 Retirement Requests.

4 MS. MAGEE:
5 Those people that requested retirement,
6 six of them, with our very own May Dunn being one of
7 them, sad to see that, I move that we accept those
8 retirements if we have to.

9 MR. BORRELLO:
10 Is there a second?

11 MR. ANDRESSEN:
12 Second.

13 MR. BORRELLO:
14 All right. All in favor?
15 (Several members respond "aye.")

16 MR. BORRELLO:
17 Motion passes without opposition.
18 Discontinued CDR.

19 MS. MAGEE:
20 As a matter of law, their license is
21 also discontinued when they leave employment, so we
22 accept those three.

23 MR. BORRELLO:
24 Okay. Moving on to CCR and CDR Renewals
25 by way of information.



1 Ms. Nguyen, you can go ahead and report
2 on that.

3 MS. NGUYEN:

4 I have about 780 CCRs that's renewed
5 already up to date. I don't know the ones that got in
6 the mail yesterday and today.

7 MR. BORRELLO:

8 Okay.

9 MS. NGUYEN:

10 And 331 CDRs that renewed.

11 MR. BORRELLO:

12 Okay. And suspended CCRs and CDRs. I
13 know we briefly discussed that a letter was circulated
14 among the Board members to review, to approve to send
15 that letter out to the suspended CCRs and CDRS. So I'll
16 open that up for discussion if anybody has any comments.

17 MR. DONEGAN:

18 I know they have a 10-day grace period,
19 and we go through this every year. So I'm wondering --
20 and I don't know if, David, you can help us. Ten-day
21 grace period is up. I know somebody's going to trickle
22 in anyway, but I think these people have to come before
23 the Board and answer the question if they have practiced
24 court reporting since January 1st. If they have,
25 they're in violation of State statute plus the Board's



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1 rules and regulations, and I think action should be
2 taken. Even if they've paid at the end of January, I
3 think if they'll come before us and tell us that, "Yes,
4 I've taken depositions in the month of January, in the
5 month of February," their license were suspended, that
6 means some action has to be taken.

7 MR. BORRELLO:

8 Let me ask, David, you'd know this. I
9 can't recall. According to our rules, is it if your
10 license is suspended or revoked, you must come before
11 the Board?

12 MR. MARCELLO:

13 Your license is statutorily suspended
14 effective midnight the end of the calendar year.

15 MS. MAGEE:

16 December 31st.

17 MR. MARCELLO:

18 So what he said I think is correct.
19 Anybody who's taken a deposition on or after January 1
20 of this year who didn't pay promptly --

21 MR. BORRELLO:

22 Right. But, in other words, are they
23 required to come before the Board and have a two-thirds
24 majority vote to reinstate their license if they're
25 suspended?



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1 MR. MARCELLO:

2 It's necessary for the Board to vote to
3 lift the suspension, and the suggestion has been made
4 repeatedly in prior years that --

5 MR. BORRELLO:

6 Have their appearance.

7 MR. MARCELLO:

8 -- to having the reporter show up. It
9 could happen otherwise, but...

10 MR. BORRELLO:

11 All right. Is there a motion to accept
12 that?

13 MR. DONEGAN:

14 Wait. So we won't have to have them
15 come before us was our decision?

16 MR. MARCELLO:

17 I don't believe that that's required. I
18 know it's been talked about that in the past as an
19 instructive.

20 MR. BORRELLO:

21 But there's nothing that says we can't
22 have them come before us?

23 MR. MARCELLO:

24 The requirement is the suspension be
25 relieved by the majority of the Board. Let's see. I'll



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1 tell you in a moment.

2 "The Board may restore it to the accused
3 person without examination, but only at an official
4 meeting of the Board after written notice and by a vote
5 of the majority members of the Board present and
6 voting." So I think a personal appearance is not part
7 of that.

8 MR. DONEGAN:

9 Let me ask you, what do they mean by
10 "written notice"? To us?

11 MS. METHVIN:

12 That the meeting is a written notice.

13 MR. MARCELLO:

14 It follows right after "official meeting
15 of the Board," so I suppose it would mean that the Board
16 meeting notice would notify.

17 MR. DONEGAN:

18 The Board members or --

19 MR. MARCELLO:

20 The public, but --

21 MS. METHVIN:

22 It would be an agenda item --

23 MR. MARCELLO:

24 It would be an agenda item --

25 MS. METHVIN:



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1 -- on the posted meeting.

2 MR. MARCELLO:

3 -- under the Public Meetings Act.

4 MR. DONEGAN:

5 I just didn't know what "written
6 notice" --

7 MR. MARCELLO:

8 It would do no harm to send written
9 notice to the person as well, I suppose. It's a little
10 ambiguous.

11 MR. DONEGAN:

12 So we can bring them before the Board,
13 compel them to come before the Board before we vote?

14 MR. MARCELLO:

15 Right. Let's break it all down into
16 different silos.

17 It's not required that they appear
18 before the Board, but the Board certainly has the
19 discretion to say, "Your license having lapsed, if you
20 want to have it restored, show up at the Board meeting
21 and we'll consider doing that."

22 And the written notice reference is
23 ambiguous. It follows a reference to "an official
24 meeting of the Board after written notice," but an
25 official meeting of the Board necessarily requires



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1 notice to the public under the Open Meetings law. So I
2 would think the special mention of written notice is
3 probably intended to mean notice --

4 MR. DONEGAN:

5 To the person.

6 MR. MARCELLO:

7 -- to the person whose license is
8 suspended by operation of law.

9 MR. DONEGAN:

10 Okay. So let's play it out. We get
11 them before us, we can put them under oath and ask them
12 if they have practiced court reporting from January 1st
13 till the present time --

14 MR. MARCELLO:

15 All correct.

16 MR. DONEGAN:

17 -- while they are -- and what are the
18 penalties that are available to us if they have
19 practiced without a license since December 31st?

20 MR. MARCELLO:

21 Fines. We could fine them.

22 I will say that I think in all fairness
23 to the party who is being given written notice that this
24 is going to be on the Board's agenda, it should be noted
25 that the Board intends to place people under oath and



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1 get testimony about whether or not they have done any
2 court reporting in the interim so that they're not
3 blindsided by that.

4 MR. DONEGAN:

5 Do you have that letter?

6 Would this suffice? Vicky had drafted
7 that letter.

8 MR. BORRELLO:

9 I don't know if it talks about being
10 placed under oath, though.

11 MR. DONEGAN:

12 No, it doesn't. It doesn't. You're
13 correct, but it talks about the fines and penalties --

14 MS. MAGEE:

15 And the misdemeanor.

16 MR. MARCELLO:

17 I think it's perfectly satisfactory in
18 terms of what the statute requires. I think it would be
19 advisable to add to the notice that the Board intends to
20 place people under oath and question them about whether
21 they've done any depositions.

22 MR. DONEGAN:

23 So just make a note to notify them that
24 they will be placed under oath as to whether they have
25 practiced court reporting since January 1st.



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MR. BORRELLO:

Okay. So is there a motion to amend the letter with said language mentioned and to bring all suspended court reporters or serve all suspended court reporters to appear before the Board at the next board meeting?

MS. MAGEE:

I move.

MR. BORRELLO:

Is there a second?

MS. PUTNAM:

Second.

MR. BORRELLO:

All in favor?

(Several members respond "aye.")

MR. BORRELLO:

Motion passes without opposition.

And, Ms. Nguyen, if you could circulate that letter to the Board members once those amendments are made.

MS. NGUYEN:

Okay.

MR. DONEGAN:

Point of information, what if someone now, they're suspended now, and they pay --



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1 MS. NGUYEN:

2 Before the next Board meeting?

3 MR. DONEGAN:

4 -- their fee before the next year --
5 before the next meeting?

6 MR. ANDRESSEN:

7 I think they're still suspended. We
8 just voted to approve the suspension list. Until we
9 say --

10 MR. DONEGAN:

11 Right. Okay. I just wanted to be sure.

12 MS. MAGEE:

13 If they pay the money, does Vicky need
14 to notify them that this does not necessarily mean that
15 their license is renewed?

16 MR. BORRELLO:

17 Well, as of right now, we suspended
18 them. The Board suspended them.

19 MR. DONEGAN:

20 Well, not even that. It's an automatic
21 suspension by statute.

22 MS. MAGEE:

23 Let's say Vicky gets back and they
24 sent --

25 MR. BORRELLO:



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1 Checks in the mail.

2 MS. MAGEE:

3 -- some money, does Vicky need to notify
4 the people, "Yes, you paid, but..."

5 MR. BORRELLO:

6 I think she still needs to notify those
7 people so they can come before the Board and advise if
8 they have practiced court reporting while they're
9 suspended.

10 MR. DONEGAN:

11 I mean, we have 80 people. This is the
12 most we've ever had.

13 MR. BORRELLO:

14 We have 116 people.

15 MR. DONEGAN:

16 I'm talking about --

17 MR. MARCELLO:

18 That's after special efforts have been
19 made to inform people. That's not even the Board's
20 call. It's an automatic suspension by operation of law.

21 MR. BORRELLO:

22 Right.

23 MS. MAGEE:

24 Okay.

25 MR. DONEGAN:



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1 So make plans that the next meeting is
2 going to be long.

3 MS. HOLMES:

4 I think we should send something to
5 them, because if you read this, it just says, "The
6 suspension shall not be terminated until all delinquent
7 fees have been paid." If I received something like
8 that, I would probably say, "Hey, I paid my money, so
9 I'm no longer suspended."

10 MR. MARCELLO:

11 Right.

12 MS. MAGEE:

13 Right. That's why I wanted to make sure
14 that you need to notify them.

15 MR. MARCELLO:

16 It would be useful to have a copy of it.

17 MR. DONEGAN:

18 Let David just clarify with Vicky.

19 MS. NGUYEN:

20 I can e-mail it to you, Mr. Marcello,
21 and if you want to make any revisions as necessary.

22 MR. DONEGAN:

23 Yeah, because Kimya is right, the way
24 it's worded.

25 MS. HOLMES:



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1 Yeah. "Oh, I paid my money. I'm good."

2 MR. BORRELLO:

3 David, maybe if you could look at that
4 and make some revisions and then send it to us.

5 MR. DONEGAN:

6 Inquiring whether you've practiced.

7 MR. BORRELLO:

8 Any further discussion as to the
9 suspended list?

10 MS. MAGEE:

11 No.

12 MR. BORRELLO:

13 Okay. All right. At this time, I'm
14 going to make a motion that the Board go into
15 executive --

16 MS. MAGEE:

17 Can we maybe do these other things and
18 then we can?

19 MR. BORRELLO:

20 Y'all want to move on to -- well, it's
21 just...

22 MR. DONEGAN:

23 What other things?

24 MS. MAGEE:

25 New Business, Scheduling.



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1 The only new business item I have, and
2 we discussed --

3 MR. BORRELLO:

4 Well, we have some new business anyway.

5 MS. MAGEE:

6 Okay.

7 MR. BORRELLO:

8 You want to make a motion to go out of
9 turn?

10 MS. MAGEE:

11 Yeah, to go out of order.

12 MR. BORRELLO:

13 Is there a second?

14 MS. PUTNAM:

15 Second.

16 MR. BORRELLO:

17 Okay. All in favor?

18 (Several members respond "aye.")

19 MR. BORRELLO:

20 Okay. Motion passes without opposition.

21 New Business. I'm going to make a
22 motion very quickly that we add something to the agenda.
23 This is the 2018 CSR committee assignments proposed.
24 This was proposed by Judge Bonin, so I'm going to go
25 ahead and list those committee assignments.



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1 2018 CSR committee assignments,
2 Secretary will be Vincent Borrello. Compliance and
3 Discipline will be Kimya Holmes, Chair, Milton and
4 Suzette on that committee. Also, Finance and Operation,
5 John Andressen, Chair will be Ms. Holmes, and
6 Mr. Borrello. Licensing and Continuing Education, Ms.
7 Magee will be Chair -- I'm sorry. John, you will
8 continue to chair Finance. Licensing and Continuing
9 Education, Ms. Magee will chair along with Mr. Donegan
10 and myself. Research and Planning Committee, Ms.
11 Methvin will chair along with Ms. Putnam and Mr. Donegan
12 on the committee. Ad Hoc Subcommittee to Promote
13 Efficiency in Court Reporting, Ms. Magee as official,
14 Mr. Donegan as freelance and Mr. Andressen as CDR.
15 Advisory Committee on Access to Justice, Mr. Andressen
16 will chair. Advisory Committee on Future of Profession,
17 Ms. Methvin will chair. Advisory Committee on
18 Intraprofessional Relations, I will be the Chair of that
19 committee. 2016 Legislative Advisory Committee -- that
20 would be 2018, I guess. Okay -- will be Mr. Donegan.
21 Special Committee on E-Signatures, E-Filing, our
22 cochairs will be Ms. Putnam and Mr. Donegan.

23 Okay. So I will make a motion to accept
24 the committee assignments.

25 Is there a second?



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1 MS. MAGEE:
2 Second.
3 MR. BORRELLO:
4 All right. All in favor?
5 (Several members respond "aye.")
6 MR. BORRELLO:
7 Motion passes without opposition.
8 Okay. Any further new business?
9 MS. MAGEE:
10 The only thing, we discussed last night,
11 that letter from the Governor, we really need to nail
12 that down about the military spouses.
13 MR. MARCELLO:
14 Right.
15 MS. MAGEE:
16 We discussed it. I thought we had
17 ironed it out.
18 MR. BORRELLO:
19 A while back, right.
20 MR. MARCELLO:
21 We had taken it up, and I'm not sure why
22 it didn't...
23 MS. PUTNAM:
24 I think we finalized the language.
25 MR. BORRELLO:



1 I thought we did. We did a lot of --

2 MR. DONEGAN:

3 I thought maybe we said we didn't have
4 to make it a rule. Maybe that's why it fell, you know.

5 MS. MAGEE:

6 We need to.

7 MR. MARCELLO:

8 Well, let's see. I was asking for some
9 feedback at the time. Let me see if I...

10 MR. DONEGAN:

11 I was thinking about it last night. I
12 said maybe we decided not to make it a rule and just
13 incorporate what the Governor was asking.

14 MR. MARCELLO:

15 So I don't know why. I have a letter
16 here from April the 28th of 2013 that is an analysis of
17 the act requirements and seeking some feedback. It went
18 beyond the specific issue of military spouses. It also
19 had to do with military programs of training. That's
20 part of the act as well, if you had been functioning as
21 court reporters in the military pursuant to training
22 they received there. And I -- you know, my file, this
23 seems to be the last time we dealt with it was in April
24 of 2013, so...

25 MS. PUTNAM:



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1 Is it in a position to take --

2 MR. DONEGAN:

3 That's why I thought we had, you know.

4 MS. MAGEE:

5 I don't think we've had anyone
6 requesting, so we haven't had to --

7 MR. MARCELLO:

8 I think we do need to do it as a rule,
9 and why don't I try to prepare a draft that we can
10 consider at the next Board meeting.

11 MS. PUTNAM:

12 Okay.

13 MR. BORRELLO:

14 Okay. Sounds good.

15 MR. DONEGAN:

16 There shouldn't be any controversy.

17 MR. BORRELLO:

18 Okay. Scheduling of the next Board
19 meeting, being that we have the suspended list, how -- I
20 think we should probably meet once again in February
21 taking into consideration we have Mardi Gras the first
22 couple of weeks, so either that Friday, February 23rd --
23 well, that's still the week of Mardi Gras. I think we
24 might run into a problem with Board members maybe being
25 out of town.



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1 MR. MARCELLO:

2 13th.

3 MR. BORRELLO:

4 13th is Mardi Gras.

5 I mean, if you-all feel y'all will be
6 okay --

7 MS. PUTNAM:

8 I can't on the 16th.

9 MR. DONEGAN:

10 Go to the end of February.

11 MR. BORRELLO:

12 So either maybe February 23rd, that
13 Friday, or the following week, March 2nd, that Friday.

14 MS. MAGEE:

15 Isn't there a qualifying exam on the
16 23rd?

17 MR. BORRELLO:

18 Is it?

19 MS. NGUYEN:

20 Yes.

21 MS. MAGEE:

22 Can we move it to the 22nd?

23 MS. NGUYEN:

24 If not, we can do March 1st or that
25 first week of March.



1 MS. MAGEE:
2 Okay. Because I can't do the 2nd, so
3 the 23rd --

4 MS. METHVIN:
5 I can't do the 2nd.

6 MS. MAGEE:
7 We can do the 3rd.

8 MR. BORRELLO:
9 I can do the 23rd. And I'm not trying
10 to say we need to schedule it around me, but just in the
11 event that Judge Bonin won't be able to make it and I
12 have to chair the meeting, I will not be available until
13 late in the afternoon on February 23rd, but, I mean, we
14 could go ahead and do the morning and --

15 MS. MAGEE:
16 Yeah.

17 MR. DONEGAN:
18 I think we just have to have as many
19 people as possible if we're going to deal with the
20 suspensions.

21 MS. NGUYEN:
22 It's going to be in New Orleans.

23 MS. MAGEE:
24 I can do it at 1. That's fine.

25 MR. BORRELLO:



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1 Okay. Let me ask you, is 2 o'clock
2 pushing it?

3 MS. MAGEE:

4 No.

5 MR. BORRELLO:

6 Because I may finish up court around 1
7 o'clock. So let's go ahead and set that for -- that's
8 okay with everyone? You okay with that?

9 MS. PUTNAM:

10 Yeah. 2 o'clock.

11 MR. BORRELLO:

12 2 o'clock, February the 23rd.

13 MS. NGUYEN:

14 Okay. Do you want to do committees
15 before then? If we start committees earlier, you know,
16 if we start at 2 o'clock, we can stay there throughout,
17 you know, the afternoon. I don't know how late.

18 MR. DONEGAN:

19 Do committees about 11.

20 MR. BORRELLO:

21 Whatever y'all wish. I may not be able
22 to be at the committee, but I don't think that's a
23 problem. And I don't think really the E-Signature
24 Committee is going to be that long because I think we
25 are going to have all of that ironed out, so...



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1 MR. DONEGAN:

2 Out of town people, y'all can just get
3 the hotel that night if y'all don't want to go back
4 after the meeting.

5 MS. METHVIN:

6 And where is it going to be?

7 MR. BORRELLO:

8 Meeting will be in New Orleans this
9 time.

10 MS. METHVIN:

11 A Friday night in New Orleans? Okay.

12 MR. DONEGAN:

13 That might be better for the Judge to
14 attend, too.

15 MR. BORRELLO:

16 Yeah. Being later on in the evening
17 with his court docket, yeah, that might be better for
18 him, also.

19 So the meeting will be on the 23rd, and
20 why don't committee chairs go ahead and e-mail, go ahead
21 and e-mail Vicky on the times they wish to set their
22 committee, and, of course, it would have to be
23 staggered, you know, just throughout the day.

24 MS. MAGEE:

25 Okay.



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1 MR. BORRELLO:

2 We'll move on to -- is there any public
3 comments before we move to executive session? We'll
4 return back from executive session just to advise we're
5 out of executive sessions, but any comments? Phil?
6 Ma'am?

7 (No response.)

8 MR. BORRELLO:

9 Okay.

10 MR. MARCELLO:

11 Let me make, for the benefit of the
12 Board and public, a point that relates as well to the
13 Governor, not about military spouses in this instance,
14 but fee increases. The Board has talked at various
15 times about the possibility of increasing the fees, and
16 it is likely to be a subject of discussion across the
17 board in this upcoming legislative session, the special
18 session, which looks like it might happen in the late
19 part of February.

20 MR. BORRELLO:

21 Right.

22 MR. MARCELLO:

23 So I had communicated previously with
24 the Governor's office. The Board is in agreement. I
25 will renew that communication in the run-up to the



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1 special session to suggest that this Board, like a lot
2 of other state boards, probably hasn't had a fee
3 increase in a good, long time, and if they can address
4 that in some sort of in globo manner with legislation in
5 the upcoming special session call, that would be
6 helpful.

7 MR. BORRELLO:

8 Absolutely.

9 MS. MAGEE:

10 Definitely.

11 MR. DONEGAN:

12 Are we going to have time discuss it,
13 David, before the special session, the Board?

14 MR. MARCELLO:

15 Well, here's how it might work. The
16 discussion probably would be most pertinent after the
17 special session, and if the increase in fees is
18 authorized, because the typical way that it applies is
19 that the statutes set a cap up to which Boards over a
20 period of time can receive.

21 MR. BORRELLO:

22 Right.

23 MR. DONEGAN:

24 Right.

25 MR. MARCELLO:



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1 So the request to increase that
2 statutory cap is not a decision on the part of the CSR
3 Board to increase fees. That would be done subsequently
4 if the statutory authorization is made. So, but,
5 certainly the Board could discuss at any time it chose
6 to the current circumstances.

7 MR. DONEGAN:

8 Yeah. I was just wondering the window
9 that we had to discuss it. So you're saying it would be
10 authorized in the special session. The regular session
11 would take it up then?

12 MR. MARCELLO:

13 Well, you wouldn't -- the authorization
14 in special session would be sufficient for the Board
15 then to move administratively to increase fees. You
16 wouldn't need to go back through the legislative
17 process.

18 MR. DONEGAN:

19 Okay.

20 MR. BORRELLO:

21 Okay. Yeah. That sounds good.

22 MR. DONEGAN:

23 Yeah. That's definitely needed.

24 MR. BORRELLO:

25 Definitely.



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1 Okay. I'm going to make a motion that
2 we move into executive session to discuss the pending
3 litigation.

4 MR. ANDRESSEN:

5 Second.

6 (Whereupon the Board enters executive
7 session.)

8 MR. BORRELLO:

9 All right. I will make a motion to
10 return back into public meeting out of executive
11 session.

12 Is there a second?

13 MR. DONEGAN:

14 Second.

15 MS. PUTNAM:

16 Second.

17 MR. BORRELLO:

18 All in favor?

19 (Several members respond "aye.")

20 MR. BORRELLO:

21 With that, any comments from the public?

22 Ma'am?

23 (No response.)

24 MR. BORRELLO:

25 All right. Is there a motion to



1 adjourn?

2 MS. METHVIN:

3 So moved.

4 MS. PUTNAM:

5 Second.

6 MR. BORRELLO:

7 All right. All in favor?

8 (Several members respond "aye.")

9 MR. BORRELLO:

10 Thank you very much.

11 (Meeting concludes at 11:34 a.m.)

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12 That the transcript has been prepared in
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