



FCRonline

OFFICIAL PUBLICATION OF THE FLORIDA COURT REPORTERS ASSOCIATION

FEBRUARY/MARCH/APRIL 2012



2012 Annual Convention

“face Your fears”

June 29-July 1, 2012 • Hilton Clearwater Beach Resort • Clearwater Beach, Florida



U.S. Legal Support continues its tradition of proud partnership with the Florida Court Reporters Association and recognizes its 2011 "Rock Stars of Reporting"...

Jennifer Gaul ~ Emily Mann Distinguished Service Award

Robin Merker ~ Immediate Past President

Sandi Estevez ~ President Elect

Janet McKinney ~ Treasurer

...and Congratulations to our newest Florida Professional Reporters:

Heidi Kay-Harmer (Orlando)

Nikki Lloyd (Jacksonville)

Roxana Lofley (Tampa)

Brooke McGoy (Jacksonville)

Terri Miller (Fort Myers)

Anneliese Ramos (Orlando)

Michelle Jewell (Miami)

Angela Steele (Miami)

Court Reporter Opportunities

We are looking for five new reporters in our Miami office. Sign-on bonus paid with excellent earning potential. One to five years' experience preferred - student and new reporter mentoring our specialty!

Contact Sandi Estevez
sestevez@uslegalsupport.com
www.uslegalsupport.com

ATTENTION ALL QUALIFIED FLORIDA CART PROVIDERS!

CART Committee Chair Lisa Johnston would like all qualified Florida CART providers to send her your e-mail address and experience and training in providing CART to your consumers.

Please e-mail your information to:
Lisa Johnston, RMR, CRR, CCP, CBC
CART Committee Chair
lisaprovidingcart@gmail.com



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Florida Court Reporters Association
 2012 Annual Convention

**"Face Your
 Fears"**

June 29-July 1, 2012 • Hilton
 Clearwater Beach Resort •
 Clearwater Beach, Florida

By Rick Levy, RPR, FPR,
2011-2012 President



Goals Set... Goals Accomplished!

Well, it has been four months since I became President in Altamonte Springs, and while it has been a relatively quiet time for FCRA it certainly has not been a time without activity and work behind the scenes. I embarked on my Presidential journey knowing we, as an organization, have goals we hope to accomplish and membership numbers we would like to achieve. I still hope to achieve these tasks and many others that come my way. I am four months into a role that I will fill for a year and am proud to say we are moving in the right direction.

As I stated back in September, one of our main goals was to have the proviso language removed from the State Budget so those reporters who handle work in the criminal arena can have their rates restored and be able to earn a modest income once again. I am happy to report that we have been working closely with The Fiorentino Group, our lobbying firm, and they have had many meetings with some very influential people, both in Tallahassee and throughout the state, who are now very aware of our issues and have expressed their willingness to help us in any way they can. We are cautiously optimistic that our issue will be discussed in the upcoming legislative session and we hope to have some good news for you in the next few months.

Many FCRA members and Board of Directors have been very diligent in helping us gather information for this issue, and for that I am very appreciative. We are all working very hard to get these rates restored and hopefully allow this item to be laid to rest for the future.

Once we accomplish this goal we will hopefully be able to focus our efforts on certification and everything that goes along with it. While I do not want to get too far ahead of myself I do want the membership to know that this IS and always will be on our radar screen. We are monitoring what has happened in the past and what other states are doing in this regard as well.

Certification has been an issue for many years and just this month an issue arose where the topic of certification re-appeared. Some of you may not have heard the recent news or seen the recent Miami Herald article, but a Miami reporter was unable to transcribe trial proceed-

ings and the defendant was afforded a new trial due to the reporter's failure to produce the transcript. While for some this may seem like an egregious error it unfortunately can happen to anyone if the necessary steps are not taken to protect against a lost record.

While certification would not have prevented this occurrence or any other past, present or future failure, it would hold those unfortunate reporters more accountable for their actions and allow Florida court reporters to be viewed in a much higher regard.

All of us here at FCRA are also busy working with our committees to accomplish various tasks. Our Membership Committee is actively trying to encourage past members to maintain their membership while also trying to attract new members to our organization. All of us at FCRA are trying our best to better our profession in many ways including, but not limited to, promoting steno reporting, encouraging Realtime reporting, educating the legal profession of the pitfalls of accepting gifts from Court Reporting firms and maintaining high ethical standards.

Does the profession in our state have issues? You better believe it. However, we are doing what we can to help Florida be a better place to be a court reporter and to be viewed as a leader amongst our peers nationally.

We have plenty of work ahead of us but I am confident that along with the current Board of Directors we will do our best to further these matters for discussion and hopefully be able to report great news in our future.

Plans are also well underway for our FCRA Annual Convention in Clearwater Beach that is scheduled for June 29 to July 1. We hope you will be able to attend and continue to make FCRA the great association that it has been for the past 50 years.

Once again, thank you for the opportunity to lead FCRA this year. I hope to accomplish not only the goals set forth in this message but the many other goals we have set out to accomplish in 2012.

Happy New Year to you all and looking forward to seeing many of you in Clearwater in late June.



By Christy Aulls Bradshaw, RPR, FPR
FCR Online Editor

Accepting the Baton

Can you raise your right hand?

I, Christy Aulls Bradshaw, do solemnly swear to do the best job possible as FCRA's new Magazine Editor. That being said, I learned this morning that I missed my first deadline of the new year, in my new position. The panic has set in. I have decided that for my first article, I want to tell you the story of how I got to where I am today.

I grew up in a family of lawyers. My father was a judge for 31 years; my uncle, cousin, husband, brother-in-law and late father-in-law were or are all in the practice of law. Growing up, from the time I was eight, I was always encouraged by my father to be a court reporter. He used to always tell me that court reporting was a wonderful, rewarding career, and that most court reporters married lawyers, which is what I was supposed to do.

When I was a teenager, I was introduced to a lovely court reporter in Orlando, Candy Morgan, who owned her own agency. She was asked by my father to try to convince me that I should be a court reporter. Of course, at that time, I wanted nothing to do with the career, snubbed Candy, and went on my merry way. Boy, do things change!

Who would have ever thought that "I" would become a court reporter, be an RPR, an FPR, a firm owner, a board member of FCRA, a member of the FPR board, now the Magazine Editor...and, yes, marry an attorney? I would have never dreamed this would be me. (And BTW, he was not yet a lawyer, but in law school when we got married.)

It turns out that what our parents tell us as children is usually right. From the beginning of my senior year, meeting a court reporter at career day, I knew this is what I wanted to do. This month marks 18 years since I began reporting. That is hard to believe.

Now... for "The Rest of the Story."

In 2000, I decided to start my own court reporting agency. It started in the loft of my parents' lake house on Lake Weir, outside of Ocala. I had no employees and no office, but I had a cell phone and a husband studying for the Bar Exam, who would run out of his classes to answer, "CAB Reporting, how may I help you?" The paralegals loved him.

2006 was the year my confidence grew. I decided to attend NCRA's Firm Owners Conference in Sarasota. Not knowing what I was doing, I first met Jennifer Gaul, who I knew was active in FCRA. Jennifer Gaul also introduced me to Susan Wasilewski, who had just started her own business the month

before. These were people I really fit in with. That weekend, both Susan and Jennifer encouraged me to become more active in FCRA and the profession.

Taking their advice on being more active, the next year I began attending career day at a couple of high schools, which I have done every year, I was the key note speaker at a court reporting graduation, and then I began trying to figure out how I could do more for this career that I love.

The year Susan Wasilewski was president of FCRA, I began to realize that there indeed was more I could do and more I wanted to do. As much as I loved reporting, I also enjoyed running my business, talking to the students, and I found myself wanting to take that next step in my career. At that time, I just didn't know what that next step was.

Last year, 2011, my dear friend, Susan England, filled out a form for FCRA nominating me as a board member. I could have killed her. I laughed it off, and then the next thing I know I was being interviewed. Thank God it was via Skype, because nobody could tell I broke out in hives. Knowing I had bombed the interview, I figured that was the end of my "career in politics" for the time being. Then came the call and the email. I was asked to be Northern Director, a member of the FPR board, and the Magazine Editor. OMG... that's all I could think. Now what was I going to do.

The past eight months have been wonderful. I absolutely love the FPR board, have learned to speak in board meetings without breaking out in hives, and am attempting to put out my first magazine. (After missing my first deadline.)

I tell you this story for a reason: Each of us as court reporters have the ability to make a difference in our career. It could be as small as encouraging a high school student to become a court reporter, mentoring a court reporting student or a new reporter, submitting an article about an experience that others will learn from, or as much as speaking to your peers or becoming a board member. Whatever you choose to do is always appreciated and always helpful.

FCRA is a fantastic organization. It has taught me so much. The people I mentioned in this article have played a large role in who I have become and what I want to do in the future to make a difference. I hope as the new Magazine Editor, I will not let you down.

As Louise Pomar said in her last article: She is passing the baton and now I am going to run with it, hopefully all the way to the finish line.

IMPORTANT NEWS FROM FCRA

Advertising Special

Contract to advertise in 8 issues (2 years) of this magazine and get a special 15% discount on top of our low rates! Call FCRA Headquarters today at 407-774-7880.

Needful People

Need a job? Need a reporter, agency, owners? Contact Placement Chairman Sandi Nargiz at 850-878-2221 or fax: 850-878-2254 or email: snargiz@comcast.net



WANTED!

Your stories to share with other reporters. Submit an article and receive .15 CEU points if published in *FCR Online*. Email your story to christy@cabreporting.com.

MARK YOUR CALENDAR!

FCRA Annual Convention

Hilton Clearwater Beach
Clearwater Beach, FL
June 29 - July 1, 2012

Address Changes

ADDRESS CHANGED? PHONE NUMBER CHANGED?

Fax your changes to Headquarters at 407-774-6440 as soon as possible!

ARE YOU ON FACEBOOK?



If so, join the FCRA Group by looking up Florida Court Reporters Association...all the latest updates right at your fingertips!

Order Your Florida Manual

Stay up to date on Florida Rules and Procedures. Call 407-774-7880 to order your electronic version of the Florida Manual.

Just \$75.00!

DON'T MISS E-FLASHES!

Be sure your email address is current. Call FCRA Headquarters and give them your email address today (407-774-7880) or email your changes to bking@kmgnet.com.

Stenograph Special

Get last line pricing with Stenograph supplies as a member of FCRA and FCRA receives a rebate.

Upcoming Florida Professional Reporter (FPR) Test Date

Friday, June 29, 2011,
in Clearwater Beach, Florida, at
FCRA's Annual Convention!

WEB SITE SPONSORS WANTED



Call Holly
Kapacinskas at
386-255-2150

ARE YOU MOVING? CHANGING A PHONE NUMBER? CHANGING A FAX NUMBER? CHANGING OR GETTING AN EMAIL ADDRESS?

If so, let FCRA Headquarters know right away. Simply fax 407-774-6440 today to make any necessary changes to the information we have on file for you!



**FCRA
BULLETIN
BOARD**



Upcoming Events CALENDAR 2012

May 5

NCRA RPR, RMR, CRR, CBC, CCP Skills Test
Registration: March 6 – April 6, 2012
Testing Sites Available Nationally
Information posted on www.ncraonline.org

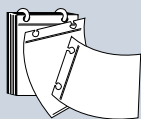


Jun 29 - Jul 1

FCRA 51st Annual Convention
Hilton Clearwater Beach Resort
Clearwater Beach, FL
Information to be posted on www.fcraonline.org



Please notify Christy Bradshaw, Editor, at Christy@cabreporting.com, of any upcoming events that you would like to appear in the Upcoming Events Calendar.



FCR Online Deadline Dates

(Summer) May/June/July April 5, 2012 (Winter) Nov/Dec/Jan Oct. 5, 2012

Publication Date May 12, 2012 Publication Date Nov. 12, 2012

(Fall) Aug/Sept/Oct..... July 5, 2012 (Spring) Feb/Mar/Apr Jan. 5, 2013

Publication Date Aug. 12, 2012 Publication Date Feb. 12, 2013



INTERESTED IN BEING A SPONSOR OF FCRA'S WEBSITE?

Contact Holly Kapacinskas at hollykap@att.net
today for all the details.

CALL FOR NOMINATIONS

The FCRA Nominating Committee will meet to interview a slate of nominees for the following positions of the Board of Directors.

President-Elect (One-year term)

Vice President (One-year term)

Secretary (One-year term)

Treasurer (One-year term)

Northern Director (Two-year term)

Southern Director (Two-year term)

Director-at-Large (One-year term)

Director-at-Large (One-year term)

The election of the FCRA Board of Directors will take place at the 2012 Annual Convention. The committee hopes you will take this opportunity to participate in the nominating procedure by submitting names of potential candidates for consideration by the Nominating Committee. The following are some of the qualities we look for in potential FCRA officers and directors:

LEADERSHIP: Interest, objectivity, decision-making capabilities, knowledge and experience, reliability, ability to inspire

ADMINISTRATIVE TRAITS: Courtesy, humility, friendliness, tact and diplomacy

ABILITY: Communication skills, initiative, professional image, maturity, association experience

Thank you for taking the time to be a part of the future of your Association!

Submit your nominations by **March 31, 2012** to:
Robin L. Merker, RPR, FPR, Chair, Nominating Committee
By Mail: 62 W. Palm Avenue, Lake Worth, FL 33467
By Fax: 561.967.8528 • By E-mail: rlmerker@att.net

I recommend the following FCRA member for consideration as a potential candidate for the position of:

Name: _____

I support the candidate for the following reasons: _____

May the Nominating Committee contact you by phone or email if further information is needed about the candidate?

Yes No Office Phone: _____ Home Phone: _____

FCRA Member: _____ Date: _____

(Please photocopy this form for additional potential candidate recommendations or provide on separate sheet.)

Join us for FCRA's 2012 Annual Convention



This year over 150 court reporters will meet in Clearwater Beach for the FCRA 2012 Annual Convention. Convention Co-Chairs, Jennifer Gaul & Sandi Estevez have made it their highest priority to provide excellent, cutting-edge educational sessions and have a full exhibit hall with the latest in products and services.

Some features of the convention include:

- Florida Rules & Ethics Certification Seminar
- Full day of Software Training
- Information Exchange
- New seminar by Soni Dimond

Some Highlighted Sessions include:

- Nancy Varallo and the GTMO StenOps Team
- Bad Grammar/Good Punctuation
- Ed Varallo Presents Shorthand for the 21st Century
- Florida Notary Law for Court Reporters

Learn concrete take-aways you can implement upon the conclusion of the Convention. Come and be a part of your organization and learn what is on the horizon for Court Reporters. Register now! By the time you leave the Convention, there will be no doubt that the FCRA Annual Convention is the place to connect with colleagues, exchange ideas and reaffirm our profession's mission.

Watch your email for details about registering!



2012 Annual Convention REGISTRATION FORM

June 29 - July 1, 2012 • Hilton Clearwater Beach Resort • Clearwater Beach, Florida

(USE ONE FORM PER PERSON) • PLEASE PRINT OR TYPE



Save time, go to
www.fcraonline.org to register online!



Name (please print or type): _____ FPR #: _____

Nickname for Badge: _____

Firm: _____ Designation (RPR, CRR): _____

Address: _____ NCRA #: _____

City/St/Zip: _____ NVRA #: _____

Telephone: _____ Fax: _____

Email: _____

Method of Reporting: Stenographic Voicewriter Gregg Pittman Other _____ Update my permanent record with this address

Type of Reporter: Freelance Manager Firm Owner Official Federal Teacher Student

2 BREAKFASTS, LUNCH & SATURDAY NIGHT PARTY INCLUDED!

(DOES NOT INCLUDE PRE-CONVENTION FPR COURSE ON FRIDAY)

Full Registration Fee Includes: Friday, Saturday and Sunday sessions; continental breakfasts; refreshment breaks; handout materials; Networking Happy Hour, Saturday Luncheon, and Saturday Night Party. Teacher/Student registration does not include Saturday night party.

GRAND TOTAL

(including registration fees)

REGISTRATION

	On or Before 5/31/12	After 5/31/12 & On-Site
FULL CONFERENCE		
FCRA Member	\$375.00	\$425.00
FCRA Non-Member	\$675.00	\$725.00
Teacher/Student Member* (50% discount)	\$187.00	\$212.00
Teacher Non-Member*	\$277.00	\$302.00
Student Non-Member*	\$222.00	\$247.00

*Does not include Saturday Night Party. Please purchase separately.

FRIDAY ONLY (Software Training)

FCRA Member	\$175.00	\$225.00
FCRA Non-Member	\$325.00	\$375.00

Please check one: Stenograph Eclipse ProCat

SOCIAL EVENTS (includes badge, access to all food functions & exhibit hall)

Events Only

I will sponsor a student (student name): _____ \$50.00

ADDITIONAL TICKET PURCHASE**:

Saturday Night Party	\$85.00
Saturday Lunch	\$55.00

Total Cost of Extra Tickets (1 set included in all full registrations): = \$ _____

**Tickets are non-refundable.

- First time at an FCRA Convention.
- I am a new FCRA member since October 2011.
- I do not permit FCRA to provide my address to exhibitors.
- I have dietary restrictions (please indicate below).

Emergency Contact Name: _____

Phone: _____

PAYMENT INFORMATION:

After 6/25/12, all registrations including payment must be made on-site. If you are not a member we will automatically charge your credit card the non-member rate. By signing this form, you are authorizing us to do so.

Check enclosed payable to FCRA for \$ _____

Charge to my MasterCard Visa AmEx

in amount of \$ _____

Account #: _____

Exp. Date: _____

Cardholder's Name: _____

Signature: _____

Credit Card Billing Address: Same as above

Address: _____

City/St/Zip: _____

CANCELLATION POLICY: Cancellations with Full refunds will be made through MAY 31, 2012. Only WRITTEN or FAXED cancellations will be accepted. A \$150 administrative charge will be made for cancellations received between June 1-8, 2012. NO REFUNDS WILL BE MADE AFTER JUNE 8, 2012. **STUDENT/TEACHER REFUND POLICY:** Cancellations with full refunds will be made through May 31, 2012. A \$50 administrative charge will be made for cancellations received between June 1-8, 2012. No refunds will be made after June 8, 2012. Those who fail to show and fail to cancel will receive NO refund. Cancellation refunds will be processed within 30 days after the conclusion of the Convention.

TO AVOID DUPLICATE CHARGES, DO NOT MAIL THE ORIGINAL REGISTRATION FORM IF YOU HAVE FAXED IT TO FCRA HEADQUARTERS!

In accordance with the Americans with Disabilities Act, please notify the FCRA office if you have any special needs.

Complete and return this form with payment to:
FLORIDA COURT REPORTERS ASSOCIATION

222 S. Westmonte Drive, Suite 101 • Altamonte Springs, FL 32714
407-774-7880 • Fax (credit card payments only): 407-774-6440
FCRA Tax ID: 59-1091007



❖ ❖ FPR REGISTRATION ❖ ❖ FCRA Florida Rules & Ethics Certification Seminar Registration Form

Save time, go to www.fcraonline.org to register online!

Friday, June 29, 2012 • 8:30 am - 5:00 pm
Hilton Clearwater Beach Resort • Clearwater Beach, Florida

FPR CERTIFICATION COURSE

- Member Fee — (\$199)
- Member Fee (FPR & Convention) — (\$424)
- Non-Member Fee — (\$499)
- Non-Member Fee (FPR & Convention) — (\$724)

FPR Refresher Course (Current FPRs ONLY)

CE units can be earned and applied towards your FPR CEU requirements once per cycle.

- Member FPR (Course/CE Only) — (\$149)
- Member FPR (Course/CE Only & Convention) — (\$374)
- Non-Member FPR (Course/CE Only) — (\$449)
- Non-Member FPR (Course/CE Only & Convention) — (\$674)

EACH CLASS IS LIMITED TO THE FIRST 100 WHO REGISTER. DOES NOT INCLUDE ANNUAL CONVENTION REGISTRATION UNLESS YOU HAVE CHOSEN THE CONVENTION PACKAGE OPTION ABOVE. NO-SHOWS WILL BE BILLED!

- Check Enclosed (by mail only)
- Charge my MasterCard/Visa/American Express below

Name: _____

Designation: _____ Manager/Firm Owner Reporter Instructor Student Scopist

Nickname: _____

Company: _____

Address: _____

City/St/Zip: _____ NCRA # _____

Telephone: _____ NVRA # _____

Fax: _____ FPR # _____

Email: _____

- Update my permanent record with this address.
- Add Hard Copy of Florida Manual® (\$75.00)

Registration = \$ _____ + **\$50** if registered after 5/31/12 + **\$75** hard copy of Florida Manual® = \$ _____

Please charge my credit card in the amount of: \$ _____
(FCRA Accepts American Express, VISA, or MasterCard ONLY) Note: If you are NOT a member and register at the member rate, by signing this form you are giving FCRA permission to charge the non-member rate to your credit card as well charge \$50 if signing up after 5/31/12.)

The FPR registration fee includes the full day course (0.5 CEUs), Exam Fee (\$50), Electronic Copy of the Florida Manual® (\$75), handouts, first year maintenance fee (\$200 - nonmembers), breakfast, and two breaks.

FPR Annual Maintenance fee includes access to your transcripts 24 hours a day, administration of your transcripts, and access to the FPR help line. This fee is set annually by the FCRA Board and is currently \$200 for non-members. The fee is waived for all active members.

All CEs earned during the Annual Convention may be applied toward your 3.0 FPR points — provided you pass the Florida Rules & Ethics exam on Friday. SEPARATE REGISTRATION REQUIRED FOR ANNUAL CONVENTION (INDICATE ABOVE). IF YOU ARE CURRENTLY AN FPR, 0.5 CEs WILL BE APPLIED TOWARD YOUR CURRENT FPR CYCLE (can only take once per cycle).

Account # _____

Exp. Date _____

Cardholder's Name: _____

Cardholder's Signature: _____

Credit Card Billing Address: Same as above

Address: _____

City/St/Zip: _____

CANCELLATION POLICY: Full refunds will be given up to May 31, 2012. Refunds less a \$50 Administration Fee will be given from June 1-8, 2012. No refunds will be given after June 8, 2012.

Mail or fax with payment to FCRA, 222 S. Westmonte Drive #101, Altamonte Springs, FL 32714 Phone: 407-774-7880, Fax: 407-774-6440. FCRA Federal Tax ID#: 59-1091007



MEMBERSHIP APPLICATION

Florida Court Reporters Association

*Name (Please print) _____

*Company _____ Owner Co-owner Manager

*Mailing Address _____

*City/State/Zip _____ NCRA # _____ NVRA # _____

*Telephone: Home (____) _____ Office (____) _____ FAX (____) _____

CHECK ONE: OK to publish home phone number in directory. DO NOT publish home phone number!

*E-mail address _____ Website Address _____

*METHOD OF REPORTING: Stenographic Voicewriter Gregg Pittman Other _____

*TYPE OF REPORTER: Freelance Official Deputy Official Federal Teacher Student Other _____

*DESIG: CSR (List State(s) other than FL) _____ FAPR FPR RPR RDR CMRS RMR CLVS CRI CRR CPE

*Asterisk indicates required information.

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As You Enter the Profession: How FCRA Can Help

By Robin Merker, RPR, FPR, and Anthony Trujillo

These past few months FCRA's Court Reporting Schools Committee has been reaching out to students and schools across the state and we will continue to do so. It's been gratifying to meet with the students and teachers and bring a little of the real world mindset into the school environment. However, as we connect, we've been reminded, just as when we were in school, that for many students their primary concern is, quite frankly, getting out of school and starting work. That's perfectly understandable, but passing your last 225 wpm testimony speed test isn't all it takes to make it in your career, and graduation is not the end of your journey. There are plenty of challenges and continual learning in your future, and FCRA would like to help you as you meet these challenges. We want to be your resource for strength and help as you develop in your professional career.

Court reporting schools thoroughly prepare you with grammar, medical, and legal courses, along with getting you to that all-important 225 speed. Many of your teachers are former court reporters who bring their enthusiasm for the profession to the classroom. Not only have they been your teachers, but in many cases they have been your mentors and cheerleaders as well. As you get closer to leaving school, and in that first couple of years out in the field, wouldn't it be nice to have that same resource out in the working world?

If you would like to have a mentor — a working reporter — to be a resource for your questions and concerns as you finish school and enter the profession, we can help. Contact me at rlmerker@att.net and I will help you connect with a mentor who will give you the support you need as you develop your professional skills.

As Court Reporting Schools Chair, I am calling on my fellow reporters to step up and mentor a student or new

reporter. Many of you have been doing this informally all along, but it's time to develop a list of those willing and eager to develop the next generation of FCRA's Rock Star Reporters. And if you've only been reporting a few years, it wasn't that long ago you were starting out — you have plenty to offer that struggling student and new reporter!

Can you be a mentor? Contact me at the email address above and I'll

put you on the list!

Although I knew this article was going to be focused on the need for mentoring our students and newer reporters, it was Tony who so eloquently put it: "It is absolutely critical for survival in the first few years of being in the profession to seek out a mentor, and it is through our organization that our students can draw that strength and support."

Thanks for Everything Your Association Does for Us!

By Bo Bohannon, DPL, Principal & Managing Director, Tallahassee Office, The Fiorentino Group, Government Relations and Business Development

As the 2012 legislative session winds down, state lawmakers are working steadily to move pending legislation and finalize the state budget for the coming year. Recently, House and Senate leaders announced an agreement on allocations for the 2012-2013 state budget. This announcement officially clears the way for members to spend the remaining days of session in budget conference, where negotiations will take place and any differences between the two chambers will be reconciled. Members will then send the budget to the Governor for his approval.

On the legislative front, with a very limited amount of time left, many policy proposals have either died in committee, or gained a significant amount of steam in order to make final passage before Sine Die.

2012 Issue Update: Our team held numerous meetings over the past several months with key Senate and House members to discuss the detrimental budget proviso "fee" language put in place in the 2010 budget. We used these opportunities to educate legislators about the negative impact this egregious language has on Florida's Court Reporters. During our work leading up to session, as well

as our efforts over the past several weeks, members have agreed that the language should be removed, or altered, in order to restore a more favorable business environment for Criminal Court Reporters in Florida.

Our recent meetings have included House and Senate leaders, as well as appropriations chairs and staff in both chambers. In our Senate meetings, we received strong support for removing the proviso language from the budget. On the House side, members have agreed that the language is detrimental, but have not committed to completely remove it. Instead, House members have decided to increase the existing fees currently in proviso to amounts that are more acceptable. As of today, the Senate has removed the proviso language from their budget proposal. The House proposal still contains the language.

The 2012 Budget Conference recently began as well. This process is where we hope to achieve success by having the language removed from the budget completely. We will be closely in tune with the ongoing budget negotiations and will continue our advocacy efforts on behalf of your Association.

Please Tell Me My Car Battery Isn't Dead!



By Lisa B. Johnston, RMR, CRR, CCP, CBC

You've been in an all-day deposition or you're leaving a long day of sitting in court. You're exhausted and finally get to your car. You can't wait to get home, take your shoes off, maybe even have that glass of wine you've been thinking about.

Crank. Crank. "Oh, no. Please tell me my car battery isn't dead!" Honk your horn. If it is weak or you hear nothing, you've got a dead battery.

There are three main objectives in jump-starting a car. The primary goal is not to have a disaster right there in the parking lot. Objective number two is not to damage either car's electrical system. And number three is to get your car's dead battery started.

- Make sure you have the right supplies. You'll need jumper cables. Size matters — look for thick ones, at least four-gauge and 20-feet long. And, of course, you'll need a vehicle with a good battery to help you out.

- Position the car with the good battery. Make sure the car is close enough (but not touching) so that the cables reach from one battery to the other. Make sure both cars are off.

- Connect the cables. Attach one of the jumper cables' two red (positive) clamps to the dead battery's positive terminal (which should be red as well, but look for a + sign to be sure). Attach the other red clamp to the positive terminal on the live battery. Attach one of the black (negative) clamps to the live battery's negative terminal (which should be black, but look for a - sign). Connect the other black clamp to an unpainted metal area, like a bolt, on the dead car's engine (not the negative terminal on the dead battery nor the car's body). And never let the red cables touch the black cables.

- Start your engines. Turn on the good car first. Then start the dead car's engine. If it doesn't crank right away, wait two or three minutes and try again. Once the dead car starts, leave it idling and disconnect the cables in reverse order: black from your car; black from live battery; red from live battery; red from your car.

I hope this helps to getting you home quickly for that much-needed glass of vino.

Ciao!

When Hiccups Happen

By Dawn Leslie, Office Manager of CAB Reporting, Inc.

Ever wonder what happens to a transcript, once it is out of the reporter's hands?

The court reporter has spent days proofing, transcribing, reading, searching, and editing, preparing their transcript for its final destination, the attorney's hands. But how does it get there and how does that reporter get paid for all of his/her hard work and dedication? I'll tell you — Team Production, that's how.

In an office, like the one I work in, that has three people handling the scheduling, the confirming, the everyday office business, the setup, the clean down, the everyday errand run around, the "Can I get you some coffee or something to drink," the "Thank you for calling CAB Reporting," the copying, the scanning, down to the room planning, the printing, the filing, and all the other tasks involved in the everyday life of a court reporting agency, it's a fine thing to have a reporter turn in a transcript and have it ready to bill without any hiccups. I know myself, and Christy Bradshaw (the CAB Reporting, Inc. owner) love the finer things in life, but too many times hiccups tend to become the "bull in a china shop" and the finer things get busted all to pieces. Luckily we have the dedication and determination to get the transcripts to the clients and we figure out how to piece things together so that they make sense upon arrival.

Let's take, for example, a simple transcript from Court Reporter Horn. Reporter Horn would like for Team Production at CAB Reporting to provide Attorney Smith with an Original & Certified Copy...with a Condensed Transcript and Index...

oh, and 14 color copies and 82 black and white copies of exhibits. By the way, Reporter Horn has brought in her printed copies with her exhibits at 1:30 pm on a Tuesday and Attorney Smith requested delivery for the very same day, no later than 3:00 p.m.

Well, luckily for Team Production, Attorney Smith's office is three blocks away. On the other hand, here comes the bull...I mean Hiccup.

Team Production now has to drop what they are doing and get into gear. Printing has to be done, copying, scanning, billing. It all has to be done in about an hour. But wait... Reporter Horn forgot to tell Team Production that Attorney Smith wasn't on the notice, and therefore wasn't on the job for her to turn the job in. HICCUP.

Reporter Horn has just bumped into a glass shelf that is very delicately displaying three porcelain tea cups. Now Team Production has to stop and catch the tea cups before they hit the floor and shatter. Whew, crisis averted.

Continuing on... wait, Reporter Horn is now stopping on the way out the door to notify Team Production that copies were made during the job. She quickly scribbles a number on a Post-it and darts out the door on her cell phone. HICCUP.

There goes the glass shelf. The billing isn't right. HICCUP.

The reporter is no longer available in person to ask questions to. HICCUP.

The copy machine is on the fritz. HICCUP.

Three other reporters have since come in with jobs that need to go out in the next couple of hours. HICCUP.

Now that the tea cups have actually hit the floor and each cup has broken into three pieces, Team Production has to very cleverly piece the tea cups back together:

The tea cup trimmed in jade, with lovely printing, took a phone call to fix. Team Production simply called Reporter Horn and made sure that the number she wrote down for the copies made during the job wasn't to be doubled, or even tripled, depending on many copies were made for the attorneys during the deposition.

The tea cup trimmed in gold, with tiny flowers, took a little longer to fix, as it required a phone call, a fax, and a follow-up call to get a signed order form from Attorney Smith stating that, in fact, he had ordered the transcript, as Reporter Horn neglected to get the order on the record.

The third tea cup took the most time, this is the tea cup that was trimmed in diamonds and pearls, decorated with a delicate gold-leafed design, and it was the only one of its kind. This cup would require precision and accuracy as well as a delicate touch. Piecing together the billing that was done so incorrectly that starting over and carefully putting the pieces back together was the only way it would be done right.

Now, things have settled and the end is near. But WAIT! Reporter Horn

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ETHICS AND PROCEDURES CORNER

Read or Waive - Clarifying Online Chatter

By Shirley P. King, RPR, CLVS, FPR, Ethics Honorary Chair (with excerpts of article by Judy Everman)



There has been considerable chatter on our court reporters list serve forum regarding whether it is the reporter's duty to discuss reading or waiving the witness review of the transcript with either the deponent or the parties. Some reporters have been chastised by the attorneys for reminding the parties about the option and others have been chastised for NOT reminding them about the witness review option. What's a poor reporter to do?

FEDERAL CASES: Upon review of the following, you will note that in Federal cases, there is no right to read and sign the transcript. If it is NOT mentioned, the reason is that it does not apply here. There is no need to insert the waive/not waived stipulation parenthetical into the transcript; however, you WILL need to note in the Certificate of Reporter if witness review was or was not requested.

It is not your duty to remind any attorney to do anything one way or the other here. To do so in these Federal Cases would risk inserting yourself into the proceedings and perhaps draw the wrath of a client.

STATE OF FLORIDA CASES: Because our Florida Rules state that the witness must be afforded the opportunity to review their testimony UNLESS IT IS WAIVED, the court reporter MUST FURNISH the witness that opportunity. This means that unless it is addressed at the deposition, you, the reporter, must conclude that the review is NOT WAIVED.

As court reporters, we have found it most expedient in State cases to remind the attorneys to inquire of the witness, re: read or waive, to save ourselves the trouble of the read and sign follow-up, which is time consuming. Because Rule 1.310 (e) Witness Review is so specific that it must be addressed, I cannot conceive of a situation where this would or could be construed as inserting ourselves into the proceedings, as long as all you are doing is asking if anyone wants to address the read or waive provision. Any attorney can object to anything at any time, so to say they would never object is not prudent. But you should not feel as though you are walking on eggs to bring it up.

The following is Page 517 of our Florida Manual, 2010 Edition, and is an excerpt of an article written by Judy Everman a few years ago. Be sure to go to the end to see THE REST OF THE STORY.

READ OR WAIVE FEDERAL CASES: Federal Civil Procedure Rule 30(e) - Review by Witness; Changes; Signing. If requested by the deponent or a party before completion of the deposition, the deponent shall have 30

days after being notified by the officer that the transcript or recording is available in which to review the transcript or recording and, if there are changes in form or substance, to sign a statement reciting such changes and the reasons given by the deponent for making them. The officer shall indicate in the certificate whether any review was requested and, if so, shall append any changes made by the deponent during the period allowed.

WHAT THIS MEANS IS:

1. The deponent or party must ask to read before the deposition is concluded. Counsel does not have to explain that the deponent has a right to read or can waive that right because there is no right.
2. The form waiver stipulation paragraph does not apply.
3. The reporter's certificate must state if review of the transcript was or was not requested.
4. The deponent has 30 days to read after notification by the reporter.
5. Any changes in form or substance and the reason for making them is listed on a separate sheet of paper which is attached to the transcript.

STATE CASES: Florida Civil Procedure Rule 1.310(e) Witness Review. If the testimony is transcribed, the transcript shall be furnished to the witness for examination and shall be read to

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or by the witness unless the examination and reading are waived by the witness and by the parties. Any changes in form or substance that the witness wants to make shall be listed in writing by the officer with a statement of the reasons given by the witness for making the changes. The changes shall be attached to the transcript. It shall then be signed by the witness unless the parties waived the signing or the witness is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within a reasonable time after it is furnished to the witness, the officer shall sign the transcript and state on the transcript the waiver, illness, absence of the witness, or refusal to sign with any reasons given therefore....

WHAT THIS MEANS IS:

1. The transcript must be furnished to the deponent to read unless waived by the deponent and parties.
2. The form waiver stipulation paragraph does apply.
3. The deponent must read the transcript within a reasonable time. (Recommended using 30 days per the Federal Rule.)
4. Any changes in form or substance and the reason for making them is listed on a separate sheet, which is attached to the transcript.
5. If the deponent does not read the transcript, the reporter must note that on the transcript and why, if known.

AND NOW FOR THE REST OF THE STORY, as Paul Harvey would say.

At this point in our 2010 *Florida Manual*, the following portion of Judy Everman's article was truncated. I am sure that you will find the rest of the article quite informative. I keep it handy as it is very detailed, and cov-

ers some of the more unusual situations that we deal with.

WHAT IS ENCOMPASSED IN "FURNISHING" THE TRANSCRIPT TO THE WITNESS?

The Florida Bar Committee Note to Rule 1.310(e) of the Rules of Civil Procedure states that the word "furnishing" "is intended to permit the parties and court reporter to handle such situations on an ad hoc basis as is most appropriate." That means, whatever everybody agrees to do is what you do."

HOW WE HANDLE ALTERNATIVE SITUATIONS IN MY OFFICE: THE DEPONENT IS A PARTY

represented by an attorney who orders a copy: We ask the attorney representing the deponent if they wish to handle reading and signing from their copy at their office. Unless there is a logistical problem, they almost always prefer to do so.

AS A FOOTNOTE, I should tell you about an experience I had where an attorney called my office somewhat upset because his client, who spoke limited English, was very shaken up because she had received a notice from our office to come in to read and sign her deposition. He explained that his client had no idea what it was all about because he had simply stated on the record that he would not waive reading and signing on behalf of his client. He pointed out further that when the deponent is represented by an attorney, the reporter should not be making direct contact with the deponent but, instead, should be notifying their attorney when the transcript is ready. I gave that a lot of thought and felt his position may have some merit, whether he ordered a copy or not, so, out of an abundance of caution, I have instructed my reporters that if no arrangements are made at the

time the deposition is taken, or the attorney cannot be reached following the deposition, they should address the notice to the deponent in care of their attorney. That way you have notified the deponent through his counsel, while retaining the original transcript in your office.

THE DEPONENT IS AN EXPERT WITNESS

engaged by an attorney who orders a copy: We look to that attorney and the expert witness as to what arrangements they would like to make. Ninety-five percent of the time the attorney engaging the expert will want to send a photocopy to their office or will ask the reporter to do so at a nominal fee so the expert will not lose valuable time coming to the reporter's office.

THE DEPONENT IS A FACTUAL EXPERT WITNESS

who was or is involved in treating the plaintiff: We look to the attorney who hired us as to what arrangements all counsel and the witness would like to make for reading and signing of the transcript.

REPORT THE ARRANGEMENTS FOR READING AND SIGNING ON THE RECORD.

In all of the above situations, whenever possible, report these arrangements on the record for future reference. When the transcript is ready for delivery, attach a letter with errata to the cover of the transcript copy going to the attorney handling reading and signing reminding him that he has agreed to handle reading and signing. Bind a copy of the letter in the rear of the original transcript and all other copies so when your client calls you and asks where the errata sheet is, you can refer them to the transcript and/or letter, thereby absolving yourself of all responsibility.

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THE DEPONENT IS A NON-PARTY AND CALLS YOUR OFFICE TO MAIL THE ORIGINAL TRANSCRIPT TO THEM: We will not do so unless agreed to by all counsel.

Remember, you are responsible for the integrity of the original transcript and original exhibits unless released from that responsibility by all counsel.

WHEN YOU DO HANDLE READING AND SIGNING make sure you get the witness' phone number and mailing address (it may come in handy for spellings, anyway), and tell them you will notify them when the transcript is ready to be read at your office.

WHAT ABOUT THE ATTORNEY OR PARTY WHO WANTS THE ORIGINAL TRANSCRIPT SENT TO THEM FOR READING AND SIGNING BUT DID NOT ORDER A COPY?

All of us have encountered situations where the deponent's attorney does not order a copy of the transcript but wants the original sent to counsel's office or directly to the deponent/party for reading. This frequently involves a situation where the deponent resides out of the area and coming to the reporter's office is not practical.

A second situation arises when the court reporter elects to cover a deposition in a county outside the reporter's office and arrangements should be made for the deponent to read the transcript in the county where their testimony was given. When this happens, our office has been one hundred percent successful in contacting a reporting agency close to the deponent's residence that is willing to handle reading and signing in their office. We send the original transcript to them and a letter to the deponent notifying them to go to that office to read their deposition.

If an attorney still insists that the original transcript be furnished to them—and we know what they are going to do, don't we?—we advise them that we are not in the business of furnishing access to our services without compensation. If they go into the "demand mode" and threaten to go to the judge, we refer them to the rule set out below: Rule 1.310(f)(2) Upon payment of reasonable charges therefore the officer shall furnish a copy of the deposition to any party or to the deponent. If they say they will just get a photocopy from opposing counsel, we refer them and opposing counsel to the rule and Florida Bar Committee.

Note set out below: Rule 1.310(g) Obtaining Copies. A party or witness who does not have a copy of the deposition may obtain it from the officer taking the deposition unless the court orders otherwise.

The Florida Bar Committee Note to Rule 1.310(g) states: requires a party to obtain a copy of the deposition from the court reporter unless the court orders otherwise. Generally, the court should not order a party who has a copy of the deposition to furnish it to someone who has neglected to obtain it when the deposition was transcribed. The person should obtain it from the court reporter unless there is a good reason why it cannot be obtained from the reporter.

I interpret these two rules to say that, generally, a judge should not order a court reporter to furnish a copy of a deposition to an attorney unless reasonable charges have been paid, and opposing counsel should not furnish a photocopy unless counsel cannot obtain it from the court reporter.

• KNOW THE DEPONENT'S RIGHTS

All of us have heard attorneys explain to deponents that they have the right to read the deposition, but they cannot change their testimony, they can only note errors made by the reporter.

In *Feitner v. Internationale Nederlanden Bank, N.V.*, 622 So.2d 123 (Fla. 4th DCA 1993), the plaintiff made sixty-one changes on the errata sheet. Some of the reasons listed incorrect answer, unintelligible question, additional information discovered after the deposition. Because these changes were substantial, the court permitted defense counsel to reopen the plaintiff's deposition for questioning on the changes on the errata sheet and production of documents.

The Fourth District's opinion states, in part: "Rule 1.310(e)... permits a deposition witness to make changes 'in form or substance' to a transcribed deposition by listing them in writing with the reasons given for making the changes...Accordingly, the deponent can make changes of any nature, no matter how fundamental or substantial." "However, if the changes are substantial, the opposing party can reopen a deposition to inquire about the changes."



SLEUTHING THE NET

By Donna M. Kanabay, RMR, CRR, FPR • donna@kanabay.com

WHACKED OUT

Let's have some fun (for a change.) On the morning of my deadline, having wasted a good amount of time the day before as I stared (blankly) at a blank screen, I spent two hours this morning aimlessly wandering the 'net, searching for inspiration. *Something* led me to the concept of Wacky Websites. Once I started to explore that, I realized that I'm really not going to get much work done today. Research for the column is a tough, time-consuming job, but somebody's gotta do it...

I start with www.creativepro.com, their "Wacky Web Site of the Week" archive. Subtitle, "Because we all need a little weirdness in our lives." I'll buy that. Nay, I subscribe to that!

"If you're not ready to be productive after the December holidays, waste time with the Amazing Fact Generator."

Oh yeah, this is definitely where I'm at right now! <http://mentalfloss.com/amazingfactgenerator/>

20 minutes later – has it really been 20 minutes!? – I've learned, among other things, that:

Before the invention of Nylon bristles in the late 1930s, tooth brushes CAUSED tooth decay and disease because the hollow shafts of the hog hair bristles in use up until then tended to *retain* bacteria.

In early drafts of Truman Capote's *Breakfast at Tiffany's*, Holly Golightly was named Connie Gustafson.

And *then*, I happened upon a factoid of *real* interest to me:

Al Capone's brother was a cop.

Al Capone is a subject I'm a bit fond of, for sentimental reasons. When I was a teenager, we lived in the *coolest* house in town, rumored to be built by or at least owned at some point by Al. Seriously. It's been written up in the *St. Pete Times* several times. Disclaimer: When we owned the house it did not have those tasteless ghastly sculptures, or the fountain. Nor was the front door blood red. (Dad's office was that extension off to the right J. I can still see him sitting there at his desk by that front window, dictating.)

'Capone House' still haunts

By SUSAN TAYLOR MARTIN, Times Senior Correspondent
Published October 16, 2007



This Shore Acres home, supposedly built in 1926 by gangster Al Capone, is now in foreclosure.

[Susan Taylor Martin | Times]

Okay, definitely time to move on!

This is actually kind of cool. "See skateboarders become human paintbrushes."

<http://www.designboom.com/weblog/cat/10/view/15616/d-face-spraypaint-skateboarding-at-ridiculous.html>



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SLEUTHING THE NET



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There is no shortage of material on the topic “whacky websites.” Google returned 32 million hits. Time to check out another one, <http://www.compukiss.com/articles/wacky-websites.html>, which lists some interesting possibilities. Explore them at your leisure! From the site:

“Odd? Weird? Off-beat Web sites? The Internet has them all! Today I’d like to share with you just a few of the unusual Web sites that can be found on the Internet.

“Let’s start off at the [Bad Fads Museum](#) for a look at some of the worst fads, including leisure suits, pillbox hats, [fad diets](#), mood rings, and goldfish swallowing. While we are talking about fads, a Web site called [CrazyFads.com](#) has all the fads grouped by decades. Do you remember dance marathons from the twenties, [Betty Boop](#) from the thirties, silly putty from the forties, or [hula hoops](#) from the fifties? (I was the hula hoop champion of my entire neighborhood!!)

“Now that you’re feeling a little nostalgic, head over to the [How Old Were You When](#) Web site. Enter your birth date and the Web site returns your age as well as famous people and how much older or younger they are than you. It also tells you how old you were when certain events like the Kennedy assassination and the fall of the Berlin wall took place. You can even find out how old you were when a certain song or movie was popular. How old were you when Patti Page sang The Doggie in the Window or when Old Yeller hit the movie screen?

“If by chance, you don’t remember what day of the week you were born on, you can find that out at the [Learn What Day You Were Born On](#) Web site.

“The Internet has its own crazy fads. Those of you who were online a few years ago may remember the original hamster dance. The Web site which featured rows of animated hamsters swaying to annoying music attracted more than 70 million people. The old [Hamsterdance Web site](#) is still in existence, and it is as much fun as ever.

What would an article like this be without at least one artistic website? Visit the [Museum of Bad Art](#) where you

can see works of art acquired from thrift stores and plunked from [garbage cans](#).

“No article about off-beat Web sites would be complete without a mention of [The Onion](#). This [newspaper satire site](#) is sharp-witted and sometimes caustic, but certainly worth at least a quick click.

“And if you like political satire, be sure to visit the Web site of the [Capitol Steps](#). This musical satire group lets you download or stream some of their latest songs that have to do with current political events.

“Next time you have some extra time for surfing why don’t you rummage around the Web and find a few more off-beat Web sites? You are sure to find plenty of unusual sites. Some will make you wince while others will make you smile, but all are sure to be entertaining.”

YouTube, of course, presents all kinds of mind-and-time-wasting possibilities for wandering, but I hope everybody has seen one of my personal favorites, which was recently dubbed #2 in the 10-best list for 2011. (Or #1, depending on which list you’re looking at.)

<http://www.thestar.com/entertainment/article/1104651-top-10-youtube-videos-of-2011>

My husband and I “discovered” this video months ago when it was featured on Good Morning America as their video of the week, and I got so tired of him asking me to pull it up for him that I finally burned it to a DVD so he could watch it whenever he wants. (Yup, you heard that right: He does not Do Computers. But he IS capable of inserting a DVD into the living room DVD player. As long as everything works exactly as it’s supposed to right outta the box.)

Another popular site that’s making the rounds recently is www.wimp.com, which has some very interesting offerings. One of our favorites is “The World’s Tiniest V-12 Engine.” It’s long, but it’s a fascinating time-lapse

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SLEUTHING THE NET

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video log of a master craftsman at work. <http://www.wimp.com/tiniestengine/>. I may well have to burn that one off for my husband too.

Oh, yes, indeed; lots of options for mindless wandering at Wimp.com! Be sure and check out the Fred Astaire piece! (If it doesn't show up on the front page, just use the Search box for "Fred Astaire" and you'll get to it. I'd seen it before, but I never get tired of watching the Master.)

The subject matter runs the gamut. Here's a list of the most recent postings:

- Jan 4 - Vinnie Jones' funny CPR PSA.
- Jan 4 - Controlled quantum levitation on a Wipeout track.
- Jan 4 - 22 dogs live in this house.
- Jan 4 - Goalkeeper Tim Howard scores from 100 yards out.
- Jan 4 - Girls singing fail: Watch until end.

- Jan 3 - Elephants reunited after 20 years.
- Jan 3 - The MacGyver of photography?
- Jan 3 - Pelicans and flying rays.
- Jan 3 - Snoop Dogg helps Price Is Right contestant win a car.
- Jan 3 - Kid drops some sick beats.

- Jan 2 - Can you figure out how this video was made?
- Jan 2 - Vending machine win.
- Jan 2 - Creative use of packaging tape.
- Jan 2 - One brave little dog.
- Jan 2 - Grandmother plays the guitar.

To close this (and to maybe actually try to get some real work done today!) there is *plenty* of Weirdness out there. All you need is the time to waste – and the patience to wade through the duds to find the gems. Which you will then post to your friends, who will then post to their friends, who will all then post to THEIR friends, with the result being that all of us will get the link of the latest hot site, oh, maybe 15 times in two days.

PS: I'd like to thank my personal editor, who I'm sure would prefer to remain anonymous, for her usually last-minute emergency skilled hand and eye on my rough, raw work. She's saved me from myself more times than I can count. (And seriously chewed me out the *one time* I was trying to be considerate when I knew she was really busy, and didn't send the column to her before publication. Not a mistake I'll ever make again.)

So thank you, dear friend. You know who you are.

And the reason that paragraph is so awkward is because, of course, I added it after she'd returned the polished product back to me, oops.

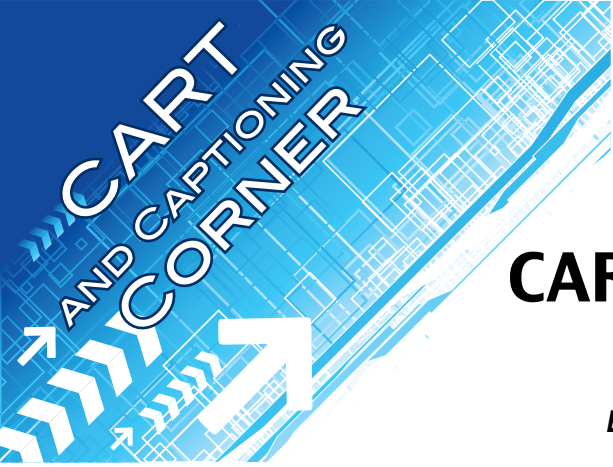
When Hiccups Happen

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has called and notified Team Production that she forgot to bill the copy. What? Another attorney, another form to get signed, another set of exhibits to create, another invoice to do. HICCUP!!!!

And now you get the similarity between a court reporter in the office and a bull in a china shop.

When hiccups happen, it slows things down, it causes problems, anxiety and sometimes depression. It truly is a reflection of the court reporting agency when production is held up. And regardless of the amount of time a court reporter spends on his/her transcript the final product comes from Team Production, and if the minor details, the gold-leafing and hand painting, are not handled properly, the final product, those delicate tea cups on a shelf, are what the attorneys remember the next time they go to book a reporter.



CART Providers and Captioners: Know Your Audience

By Lisa B. Johnston, RMR, CRR, CCP, CART Committee Chair

Realtime broadcast captioning has traditionally been used by deaf and hard-of-hearing individuals to allow viewers to read what is being spoken. In addition to this core audience, viewers who benefit from realtime captioning include those learning English as a second language; children learning to read or improving their reading skills; patrons of restaurants, bars, health clubs, airports, or other public facilities who are not able to hear the TV audio due to background noise; anyone living in a noisy area such as near a busy street; and anyone wishing to view a program without using audio.

Hearing loss ranges from mild to profound. The distinctions between the terms "deaf" and "hard of hearing" are based on the individual's preferred language (spoken or sign) rather than on the actual degree of hearing loss. Deaf and hard-of-hearing individuals may use hearing aids, cochlear implants, or other assistive listening devices.

Useful definitions:

deaf: This term is generally used to describe individuals with a severe to profound hearing loss, with little or no residual hearing. Some deaf people use sign language, such as American Sign Language (ASL), to communicate. Others use speech to communicate using their residual hearing and hearing aids, technical devices or cochlear implants, and/or lipreading.

culturally Deaf: This term refers to individuals who iden-

tify with and participate in the language, culture, and community of Deaf people, based on sign language. Deaf culture does not perceive hearing loss and deafness from a pathological point of view, but rather from a socio-cultural point of view, indicated by a capital "D." Culturally Deaf people may also use speech, residual hearing, hearing aids, lipreading, and gesturing to communicate with people who do not sign.

deafened or late-deafened: These terms describe individuals who grow up hearing or hard of hearing and, either suddenly or gradually, experience a profound loss of hearing. Late-deafened adults usually cannot understand speech without visual clues such as captioning, computerized notetaking, lipreading, or sign language.

hard of hearing: This term is generally used to describe individuals who use spoken language to communicate. Most hard-of-hearing people can understand some speech sounds with or without hearing aids and often supplement their residual hearing with lipreading, hearing aids, and technical devices.

Deaf Culture: Culture results from a group of people coming together to form a community around shared experience, common interest, shared norms of behavior, and shared survival techniques. Such groups seek each other out for social interaction and emotional support.

(Reprinted from Captioning Community of Interest with permission from NCRA)

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Nancy Varallo RDR, CRR, FAPR (Dear Nancy)

Dear Nancy



Nancy Varallo, FAPR, RDR, CRR, owner of The Varallo Group, offers customized business development and administrative services to court reporters and reporting agencies. Nancy has been a court reporter since 1979, has trained hundreds of court reporters, and has fielded thousands of questions from reporters. Please ask your

question at www.dearnancy.com.

Dear Nancy: I have prepared myself for interactive realtime. I think I'm ready. My agency owner, however, overlooks me for those jobs. How can I convince her I'm ready? Signed, Overlooked

Dear Overlooked: You've got me humming John Fogerty's song "Centerfield":

*Oh, put me in, Coach - I'm ready to play today;
Put me in, Coach - I'm ready to play today;
Look at me, I can be Centerfield.*

A freelance office resembles a baseball team. There are the all-stars, the everyday players, and the bench — ready to fill in at a moment's notice. Bench players need to be ready every day, even though they aren't often called on.

You've worked to get yourself ready. Great! Remind the coach you're ready, and eager to get in the game. Show her you've attended realtime seminars. Get certified: CRR. (Of course, you already have the RPR.) Ask (don't demand) for the chance to prove yourself.

By the way, how do you know you're ready? A high tran rate is excellent, but what about accuracy? Punctuation? Ability to do global defines on the fly, so your interactive realtime steadily improves as the job progresses? Do you appreciate the value of prepping for a RT job? Make sure your agency owner knows you want prep material (the complaint, answers to interrogatories, a prior transcript) to look over so you can be prepared for the job. The lawyers you work for will be favorably impressed by your conscientiousness — and so will your boss. The best tool for testing your readiness is a red pen. Print out a draft and proof it. How many errors per page are there? It's a great visual aid to help you highlight areas that need improvement.

As a firm owner, I look to my all-stars when I assign realtime

jobs. I know they will prep for the job, their software and hardware is up to date, and they will be able to assist the attorney getting hooked up, if need be. (And, trust me, you will be looked to by the attorneys to get them set up and ready to go.) And my first-stringers have their certifications and take CE seriously. Their attitude? Always positive, confident, never whiny. They aim to please. The reporters on my bench lack one or more of these exemplary characteristics.

Talk to your firm owner; ask her how you can get off the bench. With the talent, skills, certifications, and the right can-do attitude, she'll want you in the line-up!

Dear Nancy: I'm a solid writer, but haven't provided realtime for attorneys. My firm now advertises that all its reporters are realtime-ready, on any job; the lawyers need only ask. Frankly, this scares me! You never know what a job will be like, and I'm not one to provide a service that isn't "just so." But the message from the firm owner is clear: Be ready! Can you give me some advice to help me to "be ready" every day on my job? Signed, Not Ready for Prime Time

Dear Not Ready for Prime Time: See Overlooked (previous). She's looking for your job!

Your question actually highlights a dilemma agencies face: how to compete. If the best reporters distinguish themselves from all others by their ability to do interactive RT, and fast-turnaround drafts, then we (the agency) want to advertise that that's who we are. Hire us!

We take it as an article of faith that stenographic writers are superior to all other forms of making the record (Voicewriters and Stenomaskers in particular) because of our ability to provide quality realtime output. Realtime has been with us for two decades. (My husband, Ed Varallo, published his Realtime Writer's Manual in 1992.) Students learn RT in school. You can't escape the many RT seminars on offer. NCRA has RT certifications. So every stenographic reporter is realtime ready, every day, on every job. Right?

Well, maybe not. Maybe some of us have been happy to let the firm's all-stars do the RT heavy lifting while we set the bar lower for ourselves. But let me not place blame. Nevertheless, the uncomfortable truth is that too many reporters have not upped their game to meet the

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Dear Nancy

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standards of the topflight court reporters of today. The all-stars in my agency look forward to arriving on a job and being asked, "Can you hook up to me today?" You bet! Extra bucks per page!

How to be RT ready on short notice? First, of course, you need to write cleanly. Then all things are possible. You can make yourself a clean writer by practicing -- not for speed, but for clean execution. Practice a bit below your comfortable speed, until you can write that speed cleanly; then notch up your practice speed a bit, not more than 10 wpm. Clean writing is an acquired skill, and you can do it! Make sure you use enough briefs to cut down the many strokes you will have to write each day. Fewer strokes = fewer misstrokings = cleaner notes. Each time you work on a job in a particular subject-matter area (accident reconstruction, asbestos, banking & finance, construction, environmental), keep a discrete job dictionary containing entries, and special briefs, specific to that subject. They are then available to be looked over

before any job you go on.

Ask for a prior transcript for every job you go to. Read it, and prepare your job dictionary before you get to the job. Create easy-to-write briefs for the vocabulary you see. No prior transcript? The Internet is a great place to research the case. Can't find the lawsuit? Research the company and read about its key players. What do they manufacture or sell? Look up the witness. Is he an expert? GoogleScholar.com is a great resource to find scientific articles and literature references.

I know this sounds like a lot of work, but it's what our most competent writers do. For them, preparation is part of the job - every day. You wouldn't go to bed without brushing your teeth. Don't go to a job without preparing for it. Your notes will be cleaner, your editing time reduced - and your clients will be well satisfied. If the client is happy, your agency owner is happy. Sounds like a win-win to me.

FCRA welcomes the following new members

(Includes all members who joined as of February 12, 2012)

PARTICIPATING MEMBERS

NAME	CITY	SPONSOR
Callahan, Holli Lynn	Atlantic Beach	Melanie D. Simpkins
David, Colleen	Jacksonville	Melanie D. Simpkins
Greco, Carol	Tampa	Susan Riesdorph
Jewell, Michelle	Coral Springs	Sandra Estevez
Reyna, Jan	Hollywood	Catherine Phillips
Rodgers, Deborah	Wellington	Jennifer Gaul
Stark, Debbi	Weston	Janet L. McKinney

STUDENT MEMBERS

Carpenter, Cathy	Fort Myers	Debby Kirshen
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ASSOCIATE MEMBER

Gastright, Jeanne	Kennesaw, GA	Sandra Nargiz
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VENDOR MEMBER

George, Taressa	Titusville	Susan Wasilewski
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