



# FCR *Online*

OFFICIAL PUBLICATION OF THE FLORIDA COURT REPORTERS ASSOCIATION

FEBRUARY/MARCH/APRIL 2010

## 2010 MID-YEAR CONFERENCE



June 11-13, 2010 • Buena Vista Palace • Lake Buena Vista (Orlando), Florida

# U.S. LEGAL SUPPORT

## *Congratulates*

*Janet McKinney, FCRA 2009/2010 Secretary/Treasurer*

*Sandi Estevez, FCRA 2009/2010 Director at Large*

*Jennifer Gaul, FCRA 2009/2010 Immediate Past President*

U.S. Legal Support is dedicated to the professional development of its court reporters and staff through its support of FCRA and the Florida Professional Reporter Certification Program.

Please join us in congratulating these court reporters and support staff who recently demonstrated their commitment to excellence by achieving FPR certification status:



*Lourdes Alvarado*

*Maria Bartlet*

*Joey Beauregard*

*Terri Becker*

*Teresa Bell*

*Barbara Bolton*

*Janine Carroll*

*Susan Chastek*

*Ira Cohen*

*Charlotte Crandall*

*Paul Cunningham*

*Cassandra D'Ambrosio*

*Christine deMoraes*

*Elizabeth Drumm-Walters*

*Michelle Eak*

*Jeanette Fiducia*

*Linda Fitzgerald*

*Darlene Grandinetti*

*Debra Gravina*

*Shannon Gregory*

*Sandra Guadagno*

*Donna Gunion*

*Bruce Hurwitch*

*Colette Jackson*

*Melissa Kallas*

*Shirley King*

*Patricia Lanosa*

*Jillian Marino*

*Lois McInnis*

*Crickett Morrison*

*Teri Naar-Cohen*

*Debra Nelson*

*Marc Nichols*

*Jacob O'Connor*

*Janis Pessamato*

*Jane Petersen*

*Margaret Phillips*

*Amory Ranck*

*Dana Riccobono*

*Kimberley Ross*

*Niomi Ross*

*Angela Saxon*

*Victor Selvaggi*

*Aurora Sloan*

*Debbie Stark*

*Brooke Stuart*

*Dana Sturdevant*

*Marsha Travis*

*Roger Watford*

*Sally Wilhelm*

*Vertina Yeargin*

*Congratulations are extended to those who passed the first NCRA Realtime Systems Administrator exam on August 6, 2009, at NCRA's annual convention in Washington, D.C.*



*Richard Applebaum*

*Nancy Paulsen*

*Robyn Barrera*

*Christine Phipps*

## FCRA OFFICERS & DIRECTORS

### President

Susan D. Wasilewski, RPR, CRR, CCP, CMRS, FPR  
 1525 S Florida Ave Ste 4 • Lakeland, FL 33803  
 sdwrpr@aol.com

W: 863-686-9898 • Cell: 863-698-8831 • FAX: 863-686-9797

### President Elect

Robin L. Merker, RPR, FPR  
 62 W Palm Ave • Lake Worth, FL 33467  
 rimerker@att.net

W: 561-309-6493 • Cell: 561-309-6493 • FAX: 561-967-8528

### Vice President

Rick Levy, RPR, FPR  
 44 W Flagler St, #1200 • Miami, FL 33130  
 rickelevy@aol.com

W: 305-358-8188 • Cell: 954-294-4142 • FAX: 305-358-8187

### Secretary/Treasurer

Janet L. McKinney, RPR, FPR, CLR  
 1370 Seabay Rd • Weston, FL 33326  
 jjwor@msn.com

W: 954-658-3485 • FAX: 954-385-3805

### Northern Director

Tara Slocum, CRR, RPR, CSR, FPR  
 1416 E Robinson St • Orlando, FL 32801  
 tara@orangereporting.com

W: 407-898-4200 • FAX: 407-898-4955

### Central Director

Holly Kapacinskas, RPR, CRR, FPR  
 223 Caddle Ct • DeBary, FL 32713  
 hollykap@comcast.net

W: 386-255-2150 • FAX: 386-668-2925

### Southern Director

Tanya Ward English, RPR, CRR, CCP, CBC, FPR  
 5571 SW 94 Ave • Ft Lauderdale, FL 33328  
 tanya@floridarealtime.com

W: 954-767-6363 • FAX: 954-990-4443

### Directors at Large

Sandra Estevez, CSR, FPR  
 One SE 3rd Ave, #1250 • Miami, FL 33131  
 sesfevez@uslegalsupport.com

W: 305-373-8404

### Immediate Past President

Jennifer Gaul, CMRS, FPR  
 3130 NE 190 St #102 • Aventura, FL 33180  
 jgaul@uslegalsupport.com

W: 305-373-8404 • Cell: 305-613-1610 • FAX: 305-373-2568

### Editor

Louise Pomar, RPR, FPR, CERT\*D  
 25 Rosewood Ave • Ormond Beach, FL 32174  
 LBP1958@aol.com

W: 386-313-4570 • Cell: 386-852-5026 • FAX: 386-313-5417

### Executive Director

Tina Kautter, CAE  
 222 S. Westmonte Drive, Ste. 101  
 Altamonte Springs, FL 32714

W: 407-774-7880 FAX: 407-774-6440

tkautter@kmgnet.com

## Table of Contents

### DEPARTMENTS

President's Message .....	4
Editor's Notes.....	5
Bulletin Board.....	6
Upcoming Events Calendar .....	20

### TALLAHASSEE REPORT

Florida Supreme Court Judicial Branch Records Management Committee.....	10
---	----

### ARTICLES OF INTEREST

Patron Saint of Court Reporting Saint Cassian of Tangiers .....	11
---	----

### ASSOCIATION BUSINESS

2010 Mid-Year Conference .....	7
Arlene P. Sommers Award Nomination Form .....	8
Emily Mann Distinguished Service Award Nomination Form.....	9

### FCRA SPOTLIGHTS

October & November 2009 NCRA Test Results.....	12
--	----

### STUDENTS CORNER

"Foe Paws" .....	13
President Wasilewski's Speech to the December 2009 Graduating Class of Orlando Stenotype Institute .....	14-15

### ON THE JOB

Ask Mr. Modem .....	16
Mr. Modem's DME Sites of the Month.....	17
Ethics and Procedures Corner .....	18
Streaming Realtime Captioning - Options .....	19
Google Doodles.....	21-23

### FCRA WELCOMES

Welcome New Members .....	24
Membership Application .....	25

By Susan D. Wasilewski, RPR, CRR, CCP, CMRS, FPR  
2009-2010 President



## What's in Store for FCRA in the 2010 Year?

As we come through the holidays we can't help looking forward into the New Year and wonder about what good things the future year holds for us. Hopefully, successes will come our way as we move beyond these tumultuous economic times.

FCRA has looked ahead also. We look to 2010 with plans for expanding the website, upgrading our manual, improving the FPR program, and analyzing some of our bylaws in light of the expanding use of digital technologies in our court systems.

First, I'd like to thank Rick Greenspan, FAPR, RDR, CRR, Palm Beach Gardens, for all his years of service to this association as Webmaster. Rick began managing the website around 2001 and has done most of the development and upkeep himself. He still serves as Webmaster and will be leading us through the upcoming changes. As a member, you should know that the cost savings to the association because of Rick's generous volunteering has been tremendous. Thank you, Rick!

It is said that volunteers are not paid -- not because they are worthless, but because they are priceless. Rick has been an inspiration to me on many levels and his example of an association volunteer will be hard to follow.

The FCRA Committee on Professional Ethics will continue its work on the FCRA manual. Many hours have already been spent poring over the current 300-plus pages with an eye toward a new layout that will make an already invaluable compilation of information even easier to navigate. The committee's tasks include integrating new and changed rules into the new edition. The committee will resume its efforts in the upcoming months with a goal of a new manual rolling out this summer.

As the rules change, so will the FPR program. The manual and the FPR do go hand in hand. Many hours of prep time go into every FPR examination day. Many more will be needed as the program evolves with the manual. Training fellow professionals is a hefty responsibility and one not taken lightly by the presenters on test day. I can say from experience that it's an exhausting, yet rewarding, day for all of us at the speakers table. As always, the committee will strive to present the best and latest information to FPR test-takers and the membership as a whole.

Now let us consider one of the biggest issues for stenographers and voice writers in Florida and FCRA: What is the way forward for us in light of digital reporting technologies in our state?

Recently, the FCRA Board of Directors, Past Presidents, and others met with Dave Wenhold to consider what FCRA's future might hold. Dave is NCRA's past Director of Government Relations and Public Policy and cofounder of Miller/Wenhold Capitol Strategies.

Several of those present were actively involved in a similar debate at the national level. Obviously, digital reporting is a tough topic for stenographers to discuss, but most of us seemed to come to a similar conclusion. We have to figure out a way to move forward as an association of stenographers, voice writers, and digital court reporters.

There are many logical reasons for FCRA adopting this sort of strategic plan: We have legislation that defines court reporting in Florida as stenography, digital recording and voice writing; we have all three methods working in the state, some within the same agency and/or courthouse; we have digital reporters working and managing some of the biggest systems in our courts. How do we move forward as court reporters in Florida without including all of Florida's court reporters?

Sounds logical, right? But I didn't always feel this way. It's taken me years to come to this conclusion. It's me knowing what I know now that makes me feel the way I do. Maybe if you knew what I knew, you'd feel the same way...but maybe not.

But it's not about what I feel or what I want to happen. It's about you, the member -- the individual and the majority. My job is to teach you what I know and let you decide.

FCRA wants to hear what its members have to say. I am inviting all of you to come and join us in June in Orlando. We will be presenting important information that you ought to know, and we'll be discussing our bylaws and trying to sort out what is the best way forward. We need your help. We need your input...now more than ever.

# Editor's Column



*I have decided to dedicate the space reserved for the editor's column to a very humble attorney that I had the pleasure of working with in the criminal courts in Flagler County for the last 24 years. Irwin Connelly, Division Chief of the Public Defenders Office in Flagler County, retired December 31, 2009. He has now begun his "second career" in an area that has always been very near and dear to his heart: helping children. This is an area that has always been a passion of mine as well. Read the article below to learn more about the person who was known affectionately by many people around the courthouse as simply "Ir." Reprinted from the January 13, 2010, edition of The Daytona Beach News-Journal, By Frank Hernandez, Staff Writer*

## RETIRING PUBLIC DEFENDER STARTING EARLIER TO PREVENT MISTAKES

BUNNELL — The boy who cried wolf could have used the services of a public defender. Ideally, one like Irwin Connelly, who recently retired as the division chief of the Public Defender's Office in Flagler County.

The 64-year-old Connelly would tell new attorneys in his office about the Aesop's fable, some versions of which have the wolf devouring more than just the sheep.

"We represent the little boy that cried wolf," Connelly said. "We have to believe the kid every single time. The rest of the village doesn't have to, but we have to. If you think about what happened to the little boy, his punishment far outweighed his crime — he got eaten by a wolf.

"Our job is to believe him every single time and defend him every single time and not let the rest of the village make a big mistake."

As a public defender, Connelly fought to prevent big mistakes for more than 30 years until he retired on Dec. 31. But he isn't stopping. He's going to continue working to keep people out of jail. He's just going to start earlier, by reaching boys and girls in preschool before they ever get into trouble. Connelly is working on a project to teach mothers and fathers parenting skills, provide health screenings for children, and encourage parents to read to their sons and daughters during the critical preschool years so the child is not behind upon entering elementary school.

Studies have shown that reading to a child helps keep him or her out of the criminal justice system in later years, Connelly said.

"The motivation for me is seeing grandchildren and even great-grandchildren of clients that I represented 30 years ago coming into the criminal justice system as defendants," Connelly said.

Connelly wants to break that cycle with what his group is calling "The Early Learning Center Parents as Partners" program. Connelly hopes to have the program running soon at the Adult Education Early Learning Center of Excellence at Bunnell Elementary. Connelly envisions the project involving the educational system, justice system, law enforcement and businesses.

The idea started with Connelly, who with the help of former Flagler County School Board member Jim Guines, took his vision to Marta Barber, program manager of the early learning center, which serves 250 children ages 6 weeks to 5 years. Barber liked what she heard. Barber and another program manager, Joannie Davis, joined Connelly's project. It was something they had always wanted to do at the center, she said, so she was happy to join the effort. A school system staffer is looking at finding grants to help fund the program.

"Irwin is pulling a lot of community resources together, fundraising so that we can provide the workshop for the parents, provide possible play space for parents to play with their children, getting books for parents to read to their children," Barber said.

"We are focusing on doing parent workshops, getting parents volunteering with their children in schools in the early years, and encouraging them to proceed in the elementary school years, middle school years, high school years. Follow them through the entire educational career of the child," Barber said.

The center would also teach parents about practicing positive speech and positive reinforcement with their children, she said. "We just want to be a support system with their parent," Barber said.

Connelly said a child who doesn't develop his or her reading skills isn't developing brain-power either. He likens it to not allowing a child to develop physically.

"If you have an infant and from the time it was born you taped its arms to its side and four years later undid the tape and told it to go out now and compete and do all the other things that the other kids are doing, the kid would never catch up," Connelly said. "The muscles and nerves would

*Continued on page 7*

## 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? Contact Placement Chairman Sandi Nargiz at 850-878-2221 or fax: 850-878-2254 or email: [snargiz@comcast.net](mailto: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 [lbp1958@aol.com](mailto:lbp1958@aol.com)

## MARK YOUR CALENDAR!

### FCRA Mid-Year Conference

Buena Vista Palace  
Lake Buena Vista, FL  
June 11-13, 2010

## 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 FCRA Headquarters at 407-774-7880 to order your Florida Manual on CD.

Just \$50.00!

## Watch the FCRA Website for Updates!

[www.fcraonline.org](http://www.fcraonline.org)

## 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

June 11, 2010,  
in Orlando, Florida, at  
FCRA's Mid-Year Conference!

## WEB SITE SPONSORS WANTED



Call Rick Greenspan at 954-340-2557 for details.

## 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](mailto:bking@kmgnet.com) (use FCRA in the subject line).

**FCRA  
BULLETIN  
BOARD**

## 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 MID-YEAR CONFERENCE

By Sandi Estevez, CSR, FPR, Mid-Year Conference Chair



Mark your calendars for the FCRA Mid-Year Conference being held June 11-13 at the beautiful Buena Vista Palace Hotel & Spa located inside the Walt Disney World Resort, across the street from Downtown Disney, the Marketplace and Downtown Disney's West Side.

If you are not currently a Florida Professional Reporter (FPR), be sure to sign up for the Florida Rules & Ethics Certification Seminar and examination being held on Friday June 11th from 8:30 a.m. to 4:00 p.m. FCRA presents this one-day seminar which will cover Florida's Rules of Court as they apply to court reporters, as well as showing how the NCRA Advisory Opinions apply. You'll also receive guidelines for read and sign procedures, appeal designation procedures and parenthetical construction. This seminar and exam sold out at the last conference so be sure to take advantage of early registration.

To make your hotel reservations for the 2010 Mid-Year Conference, either visit the Buena Vista Palace website at [www.buenavistapalace.com](http://www.buenavistapalace.com) or call 1.866.397.6516. Be sure to ask for the Florida Court Reporters Mid-Year Conference room rates of \$129.00. The Buena Vista Palace Hotel & Spa is located at 1900 Buena Vista Drive, Lake Buena Vista, Florida 32830.

We look forward to seeing you in Orlando. Stay tuned for more information regarding your FCRA Mid-Year Conference!

## Editor's Message

*Continued from page 5*

never develop properly."

Connelly is a parent. He and his wife, Brynn Newton, who works for the public defenders office in Volusia County handling appeals for the 5th District, have a 29-year-old son, Padraic Connelly. He did not follow in his parents' legal footsteps but instead is an actor and manages a coffee shop in Chicago. He is also a member of an improv troupe called Whirled News Tonight.

Irwin Connelly graduated from the University of Florida law school in 1973 and joined the Public Defender's Office in Lake City that year. In 1977, he became a part-time public defender in Flagler County.

Connelly also served as Flagler Beach city attorney for eight years. Around the mid-'90s Connelly closed his private practice in Flagler Beach. He said the "great people" at the courthouse swung his decision toward "full-time public defending."

When it came time to retire, Connelly's colleagues, clerks and others at the courthouse knew of his plans to help children. They gave Connelly a trove of books to give to parents and their children.

On Tuesday, some of the colorful books were scattered across a table at the early childhood center. Among the titles: "The Very Hungry Caterpillar," Dr. Seuss' "ABC" and "Goodnight, Moon."

Connelly hopes that sharing these books with children now will preclude those kids from ever having a different kind of book — the Florida Statutes — thrown at them.



Check us out on  
Facebook!

Join the Group:

Florida Court Reporters  
Association

# Nominations for Arlene P. Sommers Award for Outstanding Achievement in Education

- **Has an outstanding educator played a role in your reporting career?**
- **As a student, has a teacher's leadership and dedication helped motivate you to achieve your goals?**
- **Has a fellow teacher's example helped you to become a better teacher?**
- **As an administrator, do you want to show your appreciation and admiration for your outstanding educator?**

If so, you have the opportunity to see that that teacher is given the recognition he or she deserves by nominating him or her for the Arlene P. Sommers Award for Outstanding Achievement in Education. (Guidelines are set forth below.)

Nominations must include biographical data that lists outstanding achievements in and out of reporting, the number of years in reporter education, special interests and talents,

publications and awards, etc. Humorous stories about your nominee are also appreciated.

Nominations must be received by Robin Merker, RPR, FPR, 62 W. Palm Avenue, Lake Worth, FL 33467; 561-968-4410 or fax: 561-967-8528; rlmerker@att.net by APRIL 30, 2010. Students, fellow faculty members, administrators, or FCRA members are all eligible to submit nominations.

# Arlene P. Sommers Award for Outstanding Achievement in Education

## I. ELIGIBLE APPLICANTS

Those teachers, tutors, or administrators engaged in a court reporting educational program in the State of Florida approved by the award committee, or any other person who has made a significant contribution to the education of court reporting students.

## II. NOMINATIONS

- To be mailed to Robin Merker, Committee Vice Chair for forwarding to the Arlene P. Sommers Award Committee.
- Nominations for each year shall be open beginning January 1st of each year, and close April 30th of the corresponding year. Nominations must be received by Robin Merker, Committee Vice Chair, no later than April 30th.
- Nominations may be made by teacher, student, school administrator, or by any member of FCRA.
- Nomination to be in letter/resume format, accompanied by support documentation.

## III. SELECTION

Nominations to be considered by the Arlene P. Sommers Award Committee by the June Board meeting, and the selection is to be made by the committee with the approval of the FCRA Board.

## IV. AWARD

- Recommendation by the committee to FCRA Board to select the recipient.
- The recipient will receive, in addition to the monetary gift, a physical award.
- Recipient of this award and the school shall be notified no fewer than 30 days prior to the announcement/presentation of the award at the Annual Convention, if possible. If not, notification can be made by mail immediately following the Annual Convention.



# Emily Mann Distinguished Service Award

The Emily Mann Distinguished Service Award shall be bestowed by FCRA upon a person who possesses exceptional qualifications and experience in the field of shorthand reporting, while contributing in a meritorious manner to the welfare of FCRA; and has served the Association in at least two (2) of the following categories:

- (1) Served the Association with active participation on committees and/or on the Board of Directors of the state association.
- (2) Contributed to the profession in areas of teaching, editing of publications or other contributions which have been designed for the advancement of shorthand reporting.

- (3) Contributed important books, papers or other written material dealing with the profession.
- (4) Contributed seminars for the state association for members, such seminars having received the approval of BAPR for continuing education points.
- (5) Aided in the advancement of the profession by working in liaison with The Bar, the media, judicial groups, and/or educational institutions.

Please submit all nominations to Robin Merker, RPR, FPR, via fax (561) 967-8528 or e-mail [rlmerker@att.net](mailto:rlmerker@att.net) by May 31, 2010, to be awarded at the 2010 Annual Convention.



## Emily Mann Distinguished Service Award Nomination Form

**Deadline is  
May 31, 2010!**

I, \_\_\_\_\_, hereby nominate \_\_\_\_\_  
to receive FCRA's EMDSA Award for the following reasons: (Please include criteria nominee has met. Use separate page if necessary.)

---



---



---



---



---



---



---



---



---



---

Mail this form to Robin Merker, RPR, FPR, EMDSA Committee Chair,  
62 W. Palm Avenue, Lake Worth, FL 33467.  
Phone: (561) 968-4410 • Fax: (561) 967-8528  
Email: [rlmerker@att.net](mailto:rlmerker@att.net) • **DEADLINE: MAY 31, 2010**

## Tallahassee Report

### FLORIDA SUPREME COURT JUDICIAL BRANCH RECORDS MANAGEMENT COMMITTEE

Opinion Number: 09-04 • Date of Issue: December 8, 2009

#### ISSUES:

A. With regard to grand jury proceedings, how long must the court reporter's work product be retained?

B. Does Rule 2.430(k), Florida Rules of Judicial Administration, apply only to trial jurors' notes, or does it also apply to grand jurors' notes?

ANSWER: Court reporter work product for grand jury proceedings must be retained for ten years. Grand juror notes must be retained for two years.

FACTS: The inquirer notes that various subsections of Florida Rule of Judicial Administration 2.430 could arguably apply to retention of a court reporter's work product with regard to a grand jury proceeding. See Rules 2.430(c)(1)(E); 2.430(e), Fla. R. Jud. Admin. The inquirer also notes that Rule 2.535(h)(6) (formerly Rule 2.535(g)(4)), addresses the disposition of the "court reporters work product" in grand jury proceedings. Finally, the inquirer notes that under Rule 2.430(k), "all juror notes" are to be destroyed "at the conclusion of the trial. . . ." The inquirer asks whether this will also apply to notes taken by grand jurors.

DISCUSSION AND ANSWER: Although Rule 2.430, Florida Rules of Judicial Administration, sets out retention schedules for court records, nothing in that rule directly or expressly addresses the subject matter of the present inquiry -- court reporter's notes and juror notes resulting from a grand jury proceeding. Rule 2.535(h)(6), requires that the court reporters work product, with regard to grand jury proceedings, "shall be filed with the clerk of the court under seal." This provision, like those in Rule 2.430, does not directly answer the inquiries here.

The Committee has concluded that the specific questions here are, however, addressed in the Judicial Branch Records Retention Schedule for Administrative Records (Retention Schedule) adopted by the Florida Supreme Court as an appendix to the Florida Rules of Judicial Administration. That Schedule contains a category for "Grand Jury Notes" and a category for "Grand Jury Records." Under the former category, all "stenographic records, notes, and transcriptions made by the court reporter or stenographer during the grand jury session" must be retained ten years from the closing of the grand jury session. This rule appears to apply without regard to whether the court reporter's notes are transcribed. Accordingly, the retention period for court reporter's work product is set at ten years. The Committee realizes that Rule 2.430(e)(1) provides a two-year retention period for "original notes or electronic records" made by court reporters, or persons act-

ing as court reporters, where an original transcript has been prepared. Nevertheless, because the Retention Schedule directly addresses grand jury notes, rather than addressing the same by implication, the Committee adheres to the ten-year retention period contained in the Retention Schedule.

No rule of court specifically references notes made by grand jurors. Nevertheless, the Retention Schedule previously noted does contain a record series entitled "Grand Jury Records," which are then defined as "jury summons, requests for recusal, juror payments, information to juror's employers, lists of jurors, jury questionnaires, and other records related to a grand jury." Under the schedule, these matters must be retained for two years. Again, the Committee recognizes that Rule 2.430(k) provides for immediate destruction of jury notes. The text of the rule, however, indicates that this is limited to the notes of a petit jury, because destruction is conditioned upon the conclusion of the trial. Moreover, the Committee notes that the Retention Schedule does contain a separate category for "Juror Notes" and this category, which also provides for immediate destruction, is limited to "written notes taken by jurors during civil or criminal trials." The Committee, therefore, feels bound by the broad language of the Retention Schedule pertaining to "other records related to a grand jury," and determines that grand juror notes must be retained for two years.

REFERENCES: Rules of Judicial Administration 2.430(c)(1)(E), 2.430(e), 2.430(e)(1), 2.430(k); Rule of Judicial Administration 2.535(h)(6); and Judicial Branch Records Retention Schedule for Administrative Records (Retention Schedule)

The Judicial Branch Records Management Committee is expressly charged with the responsibility to provide guidance to records management officers through informal advisory opinions. See *In Re: Judicial Branch Records Management and Retention Program*, AOSC 08-5, as amended, December 15, 2008.

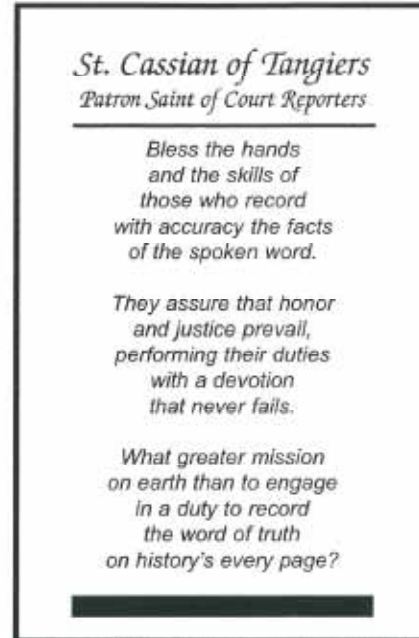
Participating Members: Charles J. Kahn, Jr., Judge, First District Court of Appeal; Robert Conrad Palmer, Esquire; Cheryl Strickland, Clerk, St. Johns County - 7th Judicial Circuit; and Brenda T. Lippy, Operations Analyst, Department of State

For further information, contact Judge Charles Kahn, Chair, Judicial Branch Records Management Committee, First District Court of Appeal, Tallahassee, FL 32399-1850.

Copies furnished to: Inquiring Records Management Officer; Thomas D. Hall, Clerk of Supreme Court; All Committee Members; Florida Association of Court Clerks and Comptrollers; Clerks of the District Courts of Appeal; and Judicial Branch Records Officer

# PATRON SAINT OF COURT REPORTING SAINT CASSIAN OF TANGIERS

By Bill Parsons



Courtesy of [www.CourtReportersMuseum.Info](http://www.CourtReportersMuseum.Info)

"Death: Year 298 • Feastday: December 3rd

"St. Cassian is a martyr mentioned in a hymn by St. Prudentius, also called Cassian of Tangiers.

"He was a court recorder at the trial of St. Marcellus, the Centurian.

"Aurelius Agricola, deputy prefect in the Roman province in North Africa, conducted the trial.

"When the death penalty was imposed on St. Marcellus, Cassian threw down his pen and declared that he was a Christian. He was arrested immediately and put to death. Cassian is patron saint of modern stenographers.

"2000, Catholic Online. All rights reserved."

A Connecticut threesome, consisting of a court reporter, a priest and an artist/writer, teamed up in 2004 to create the first-ever patron saint's card/prayer card for court reporting's patron saint.

Court Reporter Bill Parsons approached Father Ed Nadolny of St. Stanislaus Church, Meriden, Connecticut, with the idea of producing the first-ever saint's card/prayer card for St. Cassian of Tangiers, the patron saint of court reporting.

Father Nadolny and artist/writer Joe Roy had teamed up in the past to produce a special line of greeting cards to express the sentiment "I'm sorry." Mr. Joe Roy is a very prominent, well-known Catholic artist with a long history

of providing religious drawings and captions for Catholic publications and for restoring church works of art.

Court Reporter Bill Parsons had read the article about the special greeting cards in his local newspaper and contacted Father Nadolny and Mr. Roy to ask them to make the first-ever saint's card for the patron saint of court reporting, St. Cassian of Tangiers.

The project exceeded all expectations when artist Joe Roy drew a fantastic picture of St. Cassian of Tangiers in front of a Greek temple writing notes in a book. Mr. Roy, being an accomplished writer, also wrote the special court reporter prayer/blessing for the patron saint's card.

Over 4,000 of the St. Cassian of Tangiers patron saint's card/prayer card have been distributed throughout the United States and worldwide. Although the cards are no longer available by mail, reporters and students alike may receive a printable download of the card by sending their requests to [williamparsons2@yahoo.com](mailto:williamparsons2@yahoo.com).

Just a note of special interest. Father Nadolny just celebrated his 50th year as a priest, and parts of his jubilee service are available on U-Tube. You may view his homily during the mass which was in honor of his 50th anniversary at <http://www.youtube.com/FNGoodNews>

To learn more about the history of the court reporting patron saint's card project, reporters may visit [www.CourtReportersMuseum.info](http://www.CourtReportersMuseum.info).

## October & November 2009 Test Results

Congratulations to the following persons who became certified as a result of the October 2009 RPR, RMR, RDR, CBC, and CCP written knowledge tests:

### CERTIFIED BROADCAST CAPTIONER (CBC)

Teresa DeCiancio, Middleburg, FL

Congratulations to the following persons who became certified as a result of the November 2009 RPR, RMR, RDR, CBC, and CCP skills tests:

### REGISTERED PROFESSIONAL REPORTERS:

Julia Alfonso, RPR, Miami, FL

Alexandria Arendell, RPR, St. Petersburg, FL

Kathryn Baker, RPR, Largo, FL

Patricia Diaz, RPR, Miami, FL

Victoria Fricano, RPR, Palm Harbor, FL

Yvette Hernandez, RPR, Pembroke Pines, FL

Marie Infante, RPR, Deerfield Beach, FL

Janice Jones, RPR, Pembroke Pines, FL

Nora Kelly-Meola, RPR, Auburndale, FL

Brandi Kent, RPR, CRR, CBC, Ocala, FL

Melody Roush, RPR, Jacksonville, FL

Celena Soto, RPR, Jacksonville, FL

Dana Sturdevant, RPR, Maple, FL

Anthony Trujillo, RPR, Kissimmee, FL

### CERTIFIED REALTIME REPORTER:

Jerrold Lefler, RPR, CRR, Palm Harbor, FL

# “FOE PAWS”

By Lisa Selby-Brood, RPR

To all students (and any reporters who want to take a look, I won't tell!), this goes back to an article in the FCRA archives from October/Nov/Dec 2002.

If you know my story, you know that I came back to reporting after a 17-year hiatus, and this was one of those great articles that I think was written by the King/Everman team. I never forgot it. I've copied it; I've carried it around; I've given it to students.

Bottom line, it's about not looking stupid in print. There are a lot of words that look alike or sound alike, and we as reporters have to know the difference. That being said, the following is a little collection of mine, written in much the same format and hopefully the same spirit as the original. Needless to say, this is far from complete. I'm sure you have a list of your own, but here are a few of mine. I hope they help you.

**PROSPECTIVE** means possible, potentially. Think of a prospector. This comes to mind from a transcript I looked at (not my own) with the words "PERSPECTIVE JUROR" peppered throughout the entire voir dire. (A major boo-boo.)

**PERSPECTIVE** is how you look at things.

**DISPERSE** means to scatter or to spread out, as in to disperse troops or to disperse a crowd.

**DISBURSE** means to pay out money. Think disbursements.

To **ALLUDE** to something means to suggest or hint.

To **ELUDE** means to escape or get out of sight, as in to elude one's captors.

Your right or privilege to do something is your **PREROGATIVE**. It's not **PEROGATIVE**, but a lot of people will say it that way.

On that happy note, to repeat my predecessors, **IRREGARDLESS** is not a word! Neither is **SUPPOSABLY**. They're shooting for **SUPPOSEDLY**, although "supposable" is in the dictionary. Go figure.

If you are **PROSTRATE**, you are lying flat, as in prostrating oneself before God.

The **PROSTATE** is a part of the male anatomy. (For God's sake, don't jumble that one up!)

A **TENANT** is someone who rents from you.

A **TENET** is a principle or belief, as in we follow the tenets of Christianity. Don't put an extra "N" in there.

**RESCIND** means to annul, cancel or revoke, and it often comes out sounding like **RESEND**, but they're clearly not the same thing. Watch that one.

A **CARAT** refers to the size of precious stones, as in diamonds, and you may find it in some older dictionaries spelled with a 'K'.

It also refers to the weight of gold.

A **CARET** is this: (^), the little symbol over the number 6 on your keyboard, maybe because it looks like the carrot that we eat! (Isn't this a blast?)

Your **SOUL** is your inner being, as in poor damned souls.

**SOLE** can mean singular, as in sole survivor, or it can mean the sole of your shoes, or it can mean a certain type of fish.

**INCENSE** (accent on the second syllable) means to inflame to violent anger, as in I was incensed. However, **INCENSE** (accent on the first syllable) is the stuff that you burn that makes your room smell nice.

A **LONGHORN** is a type of steer with...you guessed it, long horns!

A **GREENHORN** is a novice, someone who doesn't know much about a certain subject. It probably originated in Texas, referring to somebody who didn't know what a longhorn was!

Here's an oldie but goodie. Kind of old fashioned, both of them. You may never hear them, but being a court reporter, I suspect you will at some point in your life. I remember I asked someone about this one a long time ago, and she gave me the incorrect one.

To **BESEECH** means to beg or to plead. I beseech thee, do not kill me. (I told you it was old fashioned!)

To **BESIEGE** means to lay siege to (see, it's in the word) or surround with armed forces.

And finally, my favorite. (I always have to end my articles with a real life story.)

**IRRELEVANT** means immaterial, doesn't apply. It's used a lot in objections.

**IRREVERENT** means disrespectful, especially in a religious sense.

**IRREVALENT** means nothing at all! Just a deponent who watched too many reruns of Perry Mason or something and really thought he knew what he was talking about. Almost every other question, he responded, "That's irrealent. I don't have to answer that." (Did I mention he was pro se?) After the deposition the attorney walked out scratching his head and said to me, "What was he saying?" (And yes, it went into the transcript like that, followed by a 'sic' each time. Hey, I wasn't about to look like the idiot.)

Like I said, I'm sure every reporter could come up with a list of these. I strongly recommend you keep a good dictionary handy of synonyms, antonyms, homonyms, homophones or any other type of phones you can think of. Just familiarizing yourself with these words can make a huge difference in the type of work you put out and can save you a little embarrassment.

Till next time, KEEP PRACTICING!!!!

## PRESIDENT WASILEWSKI'S SPEECH TO THE DECEMBER 2009 GRADUATING CLASS OF ORLANDO STENOTYPE INSTITUTE

*This is a speech given to the graduating class of Orlando Stenotype Institute December of 2009 by President Susan Wasilewski. The audience included students, graduates, family members and faculty.*

"I asked my daughter, who is a college student just like you guys, what would you want to hear me say as a speaker at your graduation? She said, Mom, it doesn't matter, just keep it short. True story. No help at all.

"But what I would want to hear is: What is it really going to be like? Can you tell me what it takes to be successful? What should I watch out for?

"I will try my best to answer those three questions, and then I'll sit down.

**"Let me start with, "What is it really like to be a court reporter?"**

"I can't tell all of you what your days are going to be like because I'm not a captioner or a full-time CART provider, but I can tell you what my days are like as a judicial court reporter doing civil and criminal work here in the state of Florida.

"As a judicial reporter, every day is different. Unless I'm in trial, I'm at a different location every day. Usually the setting is a very comfortable conference room with a nice view out the window, or a respectable hearing room or courtroom, but that's not every day. I've set my equipment up and written in the most interesting places: I've sat in people's driveways, at kitchen tables, at bedsides in hospitals. I've sat in sweltering courtrooms in the Bahamas. I've stood with a high-boy tripod beside a six-lane highway. I've written on that machine on a moving Greyhound bus, in the cooler at the morgue, in a storage unit next to a K-9 whose handler told me "don't make any sudden moves"... and I wrote very smoothly that day... I've written standing in a citrus grove, standing on railroad tracks. I'm proud to say I've written in a dozen of the courthouses here in our great state, and I've even had the pleasure of writing on Capitol Hill in Washington, DC. I've been so fortunate. Court reporting has taken me many places and has been very good to me.

"I've had the chance to work with some of the most interesting people. Of course, there are lawyers and judges and doctors and law enforcement folks, but I've sat with murderers, rapists, priests and nuns, engineers, astronauts, millionaires, and lots and lots and lots of regular Joes. I've reported adoptions and taken the testimony of the sick and dying. I even rode the elevator with Barack Obama, and what was I lugging on my back that day? My steno machine.

"As a judicial reporter, you will not know what your tomorrow will be like until 5:00 the day before. That's just how scheduling goes in this business. And you will never be quite sure when

you'll be done for the day. There's no way to tell most of the time. And if the transcript is expedited, well, your immediate plans have just been changed.

"It takes some getting used to...for you and the people who are close to you and that rely on you and that want to spend time with you. It will take everyone a little while to adjust to your new career, but it's worth it. It's a great profession, and those sacrifices will be worth it.

"You will be working at home a lot. Work will invade your "free" time like you've never known. But remember how lucky you are to be working from home. Most working people cherish their time at home.

"My advice is surround yourself with people who want to see you succeed. They'll support you and they will adjust to the fact that for you, every day is different.

**"Question two: So what does it take to be a successful court reporter? I'll name five things that I think are key.**

**"Number 1. Know the rules.** Join the associations, be it the National Court Reporters Association or the Florida Court Reporters Association, or both. Take the certification examinations, get your RPR, get your CRR, attend seminars, take the FPR examination here in Florida, get the manual, know what your job is and what it isn't. It's tricky being in the midst of litigation. Knowing the rules can save you from yourself.

**"Number 2. Know how your equipment works.** Your machine is an extension of you now. Your equipment is a direct reflection on you. Keep it maintained. Read the manuals. Be prepared and always have a backup. That is what professionals do...always have a backup.

**"Number 3. Know your software.** You'll be spending quite a bit of money on technology. Learn it. Know it. Keep it updated. Use it to its fullest extent. Knowing how your software works will save you precious time. Know how the built-in backup systems work. Learn the editing and realtime features designed to make your life easier.

**"Number 4. Keep up with technology.** Now, I'm not saying be a geek, but your CAT software or captioning software and the workflow that surrounds the production of your final product — and "final product" can mean clean captions or paper transcripts or streamed text over the Internet, whatever it is — it will have to interact with other technologies. Windows, Vista, Word, Excel, LiveNote, Summation, E-Transcripts, Adobe Acrobat, Explorer, Google, Outlook, DropBox, Whalemil, serial ports, comports, encoders, Bluetooth, these could all be part of the toolbox of a court reporter. But my real point

*Continued on page 15*

# PRESIDENT WASILEWSKI'S SPEECH TO THE DECEMBER 2009 GRADUATING CLASS OF ORLANDO STENOTYPE INSTITUTE

*Continued from page 14*

is, the technology never stays the same. It's always evolving. You must stay tuned in to the technological changes going on around you.

**"Number 5. Have the right attitude.** This is important. Every assignment is an opportunity. I say that a lot. Anything can happen. I say that a lot too. But I truly believe by being positive, saying yes, being willing to learn how to improve on the things you do right and learning from the things you've done wrong will make you a better reporter. And if you measure success financially, having the right attitude can make you a wealthier reporter too.

**"So I've come to the final question: "What should I watch out for?"**

"Watch out for Bad Habits. They can wreck you: I shouldn't have to mention lateness, but I will for the sake of our record here. You cannot be late...just don't be late. You should arrive early for every assignment. A half-hour early is probably about right. If it's an on-site CART job or an on-site captioning assignment, it could be much more than that.

"Deadlines are important. Missing a transcript deadline is like breaking a promise. Missing a transcript deadline can upset the whole chain of deadlines that follow. Clients don't forget when you put them in a jam over a late transcript. They don't understand when you're using all this technology, why does it take so long to get a transcript? Put yourself in their shoes.

"And remember this: For the longest time, your competition for transcript production was other stenographers. It's not that way any longer. There are digital recording companies out there and they use "quicker transcript turnaround" as a selling point. Be aware of how important your performance is and how it reflects on the entire court reporting profession.

"Though you are lucky to be working at home, you've got to be self-disciplined about getting things turned in on time. Or if you do CART or captioning work, planning for adequate preparation time will be crucial. It's a reflection on your professionalism, and it directly affects your success.

"Another reflection on your professionalism is how you dress yourself. Ladies and gentlemen, my advice is be conservative. You don't want to be the only blooming flower in a room full of weeds. That was told to me when I was in court reporting school, and I've never forgotten it.

"There are dress codes for court. I tell reporters that work for me they must wear jackets in court. It's a sign of respect, and it's a way of paying tribute to the dignity of your profession. Be conservative.

"Another bad habit is talking too much: You have a duty to

not repeat the things you hear. Your job is to write it down, not spread it around. Some things you hear, you will carry them to your grave. Some things are public record, but many times you will find yourself in circumstances to hear things that are not to be repeated. Your ethics require you to not divulge the information you hear while reporting proceedings, and it's important that you honor that duty.

"If you happen to have the opportunity to do criminal work, I know that you will hear things that you don't want to hear...and you won't want to repeat, and yet they will stay with you forever. That is one of the negatives of this job: sometimes you have to process some pretty horrific things. But an accurate record is never more critical than when criminal justice and civil liberties are at stake. Never will your job be more important. Working in criminal court will make you hug your kids tighter and appreciate the good people in your life even more.

"So develop good habits, meet your deadlines, show up early, say yes to assignments that might not seem so wonderful and carry with you a can-do attitude, because you never know what kind of opportunity an assignment might lead to.

"In closing, let me say that I'm so very proud of all of you. You've chosen a very noble profession. I love what I do, and I have traveled the world doing it. I hope that you find the reward in it that I have."

## FCR Online Deadline Dates

(Summer) May/June/July ..... April 5, 2010  
Publication Date ..... May 12, 2010

(Fall) Aug/Sept/Oct..... July 5, 2010  
Publication Date ..... Aug. 12, 2010

(Winter) Nov/Dec/Jan ..... Oct. 5, 2010  
Publication Date ..... Nov. 12, 2010

(Spring) Feb/Mar/Apr ..... Jan. 5, 2011  
Publication Date ..... Feb. 12, 2011



## The Case of the Missing Gigabytes

**Q. I have a Dell, 160GB hard drive. While checking the size of the drive in My Computer, I discovered that my C: drive has three partitions: a 71MB, a 4.27GB, and a 144.67GB. Adding those three together, I get a little over 149GB, so there seems to be approximately 10GB missing. Where did it go?**

A. The apparent discrepancy is caused by differences in the units of measure associated with megabytes and gigabytes, one unit being rounded off, and the other not being rounded off. (Anybody getting a headache yet? If not, keep reading.)

Disk capacity is measured using decimal kilobytes (KB), megabytes (MB), and gigabytes (GB). In decimal units, 1KB equals one thousand bytes, 1MB equals one million bytes, and 1GB equals one gazillion bytes — okay, okay, just kidding. It equals one trillion bytes. But for file sizes, memory, and just about everything else computer related, for some strange, mysterious, and eternally confusing reason, we use binary kilobytes, megabytes, and gigabytes. In binary units, 1 KB equals 1,024 bytes, 1MB equals 1,048,576 bytes, and 1GB equals 1,073,741,824 bytes.

To convert your disk's 160GB decimal to binary units used by the rest of Windows, you have to divide by 1.073741824. Let me see if I can do it in my head. Nope. Not a prayer. Breaking out the official Mr. Modem simulated plastic slide rule (with faux Naugahyde sheath), the result is approximately 149GB -- which is close enough to what you calculated. So when all is said and done, there really are no missing gigabytes. Mystery solved.

**Q. I've been a subscriber of your excellent weekly newsletter for years, but I've never seen this question addressed: I suffer from RSI (Repetitive Strain Injury), so I have to find keyboard shortcuts for most of what I do at the computer. When reading articles online, every Web site requires a mouse to click the "Next Page" link. How can I move to the next page by keystroke instead of mouse click?**

A. Using the Web pretty much assumes you are using a mouse, though that does pose a problem for many people in your situation. There is a way around it, however, by pressing the TAB key. Repeatedly pressing the TAB key will move from one link on the page to the next. When it reaches the link you want (such as "Next Page"), press ENTER to execute the action. SHIFT+TAB reverses direction through the links which may be faster if the link you're targeting is near the bottom of the page. Pressing the END key takes you to the bottom of a page; the HOME key takes you to the top.

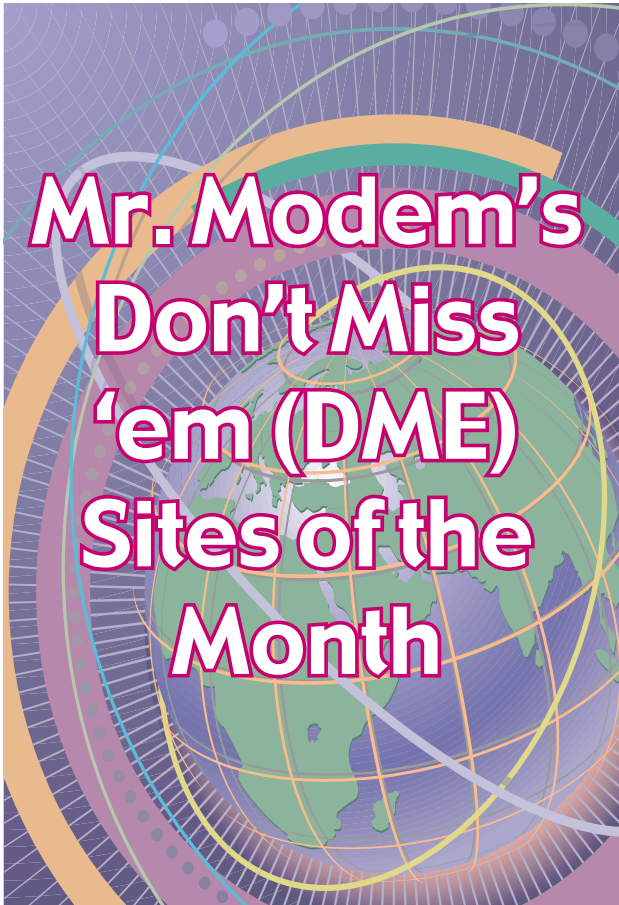
**Q. I have one telephone line and dial-up access to the Internet. Is there a way for me to be notified of an incoming call while I'm online, so I can go offline and answer the phone?**

A. BuzzMe.com ([www.buzzme.com](http://www.buzzme.com)) is a service that will display a window when an incoming call arrives, so you can then decide whether to accept the call or reject it. There are several BuzzMe services available that range in price from \$14.99 per year to \$47.90 per year. The BuzzMe Notify service provides notification of incoming calls. Complete information can be found on the BuzzMe.com Web site.

**Q. Sometimes I receive an email of an appointment in Outlook. Is there a way to forward this to myself on a certain day so that when I open my email, it will serve as a reminder?**

A. After you compose or prepare to forward a message, instead of clicking Send, click the Options button (on the Send menu bar). Under Delivery Options select "Do not deliver before:" Date/Time options will appear from which you can select and schedule the date and time when the message should be sent. Close the Options menu, then send the message. The email will be saved in your Outbox and will be sent when the date and hour match the scheduled date and time selected.





**AllMyFaves:** A colorful, NASCAR-like search engine that includes what AllMyFaves considers to be the best sites in each of 41 categories. The categories aren't listed alphabetically, which would be helpful, but AllMyFaves gets an "A" for originality, regardless. Try it a few times and it will grow on you. [www.allmyfaves.com](http://www.allmyfaves.com)

**Seafood Watch:** A program of the Monterey Bay Aquarium (oh, the irony), created to raise consumer awareness about the importance of buying seafood from sustainable sources and to provide reliable fish facts to help us make informed purchases. Use the Seafood Search to find your favorite seafood's rating. Ratings range from "Good" to "Call the paramedics!" Each fish selected includes a consumer note, health alerts, and a summary. Hint: If you're planning to have giant scallops tonight, you might want to think twice about that. [Ixnay on the alloppscay. http://tinyurl.com/22r7zn](http://tinyurl.com/22r7zn)

For plain-English answers to your questions by email, plus great computing tips, subscribe to Mr. Modem's award-winning WEEKLY newsletter. Subscribe using Promo Code 1046 and receive a free month with your six-month subscription! To view a sample issue or subscribe, visit [www.MrModem.com](http://www.MrModem.com).

## FCR Online Contributing Editors

*Sandi Estevez, CSR, RPR*

*Donna M. Kanabay, RMR, CRR, FPR*

*Shirley King, RPR, CLVS, FPR on behalf of  
the 2009-2010 Professional Ethics Committee*

*William Parsons*

*Lisa Selby-Brood, RPR*

*Richard A. Sherman (Ask Mr. Modem)*

*Tanya Ward-English, CBC, RPR, CCP, CRR*

# ETHICS AND PROCEDURES CORNER

## ETHICS AND PROCEDURES CORNER

By Professional Ethics Committee: Honorary Chair: Shirley King, Co-Chairs: Jennifer Gaul and Susan Wasilewski; Members: Cindy Bender, Louise Johnson, Paulita Kundid, Cathy Phillips, Betty Sue Vincent, and Donna Kanabay

**THE OOPS! FACTOR:** It's a new year! Hopefully this year will be a better one for our economy than the last. While we have our fingers and toes crossed for that one, this is a good time to review your transcript formats — all of them. Today, however, we will concentrate on the Certificate of Reporter requirements.

**THE PROBLEM:** When we first started with computers, it quickly became obvious that no matter how hard we were trying, we occasionally "forgot" to change the specifics in the routine merged-in pages of our transcripts.

**PERCEIVED SOLUTION:** Hating mistakes as we do, we started tweaking our formats, taking out as many transcript specifics as we could. Among those was "review was or was not requested," "foregoing pages 1 through (insert last page number)," and some even deleted the name of the witness on the final Certificate of Reporter, and then there were the photocopied signatures to avoid all that signing.

**NOW THE "OOPS" FACTOR:** Suddenly clients are noticing these omissions and are using them to try and keep transcripts out of the case and/or threatening action against the reporter for not complying with the rules.

**YES, THERE ARE RULES WE MUST FOLLOW:** Check out your Florida Manual again, please. On the Certificate of Reporter Format page (see above), all those little boxes with lines pointing to the Certificate tell you each of the rules that requires inclusion of this information in the certificate. In the case of the page numbers, we have printed our logic for including this as well.

The new year has always been an opportunity for new resolutions. If it has been some time since you actually compared your Cert page to the one in the manual, please make one of your resolutions to review your formats for consistency with the Federal and Florida Rules of Court. If you have any questions on any of them, you may contact one of us and we will gladly help you.

### CERTIFICATE OF REPORTER FORMAT

CERTIFICATE OF REPORTER

STATE OF FLORIDA )  
COUNTY OF BREVARD )

I, Alice Accuracy, Registered Professional Reporter, Florida Professional Reporter, do hereby certify that I was authorized to and did stenographically report the deposition of (NAME OF WITNESS); that a review of the transcript (WAS/WAS NOT) requested; and that the foregoing transcript, pages 1 through (INSERT LAST PAGE NUMBER BEFORE CERTIFICATE), is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, or attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this \_\_\_ day of \_\_\_\_\_, 2003 at Melbourne, Brevard County, Florida.

(ORIGINAL HAND SIGNATURE, NO SIGNATURE STAMPS)  
(BLUE INK RECOMMENDED)

Florida Rule of Civil Procedure 1.300 Persons Before Whom Depositions may be taken (a). Persons Authorized. "Depositions may be taken before any notary public or judicial officer or before any officer authorized by the statutes of Florida...."

Federal Rule of Civil Procedure 30 (e) states: "The officer shall indicate in the certificate...whether any review was requested...."

Specifying the last page number discourages someone else from reformatting your ASCII to increase the number of pages

Except for conforming the language to the first person this is a quote from the Florida Rule of Civil Procedure 1.300 (d). Persons Disqualified.

Florida Rule of Civil Procedure 1.310 (f) states: "... the officer shall certify on each copy of the deposition that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness." Florida Rule of Civil Procedure 1.310 (f)(3) states: "A copy of a deposition may be filed...." If a copy is filed, it must bear your original hand signature to meet the requirements of a 'certified' transcript."

Florida Statute 90.108, "Introduction of Related Writings or Recorded Statements," "(2) The report of a court reporter, when certified to by the court reporter as being a correct transcript of the testimony and proceedings in the case, is prima facie a correct statement of such testimony and proceedings." At one time the language here required notarization of the reporter's signature on each certificate to be able to file it in court - FCRA was instrumental in having the language modified to eliminate the notarial requirement, and at the same time adding the language that our signature would be considered prima facie evidence so we would not have to testify in court as to the correctness of a transcript. (Use blue ink so there can be no doubt your signature is original - blue ink does not photocopy well.)

# STREAMING REALTIME CAPTIONING — OPTIONS

*By Tanya Ward English*

There's a lot of buzz about captioning and internet video these days, thanks mostly to YouTube's announcement of free automatic captioning on its website. While the jury is still out on how successful that technology will eventually be for recorded video, the automatic voice-recognition technology is years – probably decades – away from being able to caption live content with any accuracy.

If video content is recorded in advance, there are many ways to accurately caption that video for the internet and/or for broadcast. A realtime solution is not required, unless there simply is not enough time to have the video captioned or transcribed and synchronized. It's when the event is being broadcast live and is unscripted that you truly need a streaming realtime solution.

I want to show you an example of streaming realtime captioning that was done using "traditional" captioning, like you see on television. I will also discuss some of the other ways you can stream live text to the internet using realtime transcription, realtime captioning and the technology that exists today.

The examples of realtime captioning you will see here are generated by trained professional realtime captioners – actual people – who write on a stenography machine like you see court reporters use in the courtroom or in a deposition. There are also very good realtime captioners who use their voice and voice-recognition software coupled with the same type of Computer-Assisted Translation (CAT) software that the steno captioners use. It should be noted that the realtime voicewriters are every bit as skilled and highly trained as the steno captioners. Please don't confuse "voicewriters" with "automatic voice recognition" like YouTube and others are using.

## LIVE WEBCASTING WITH REALTIME CAPTIONS

The Federal Communications Commission (FCC) is holding hearings on broadband accessibility and recently held one of the meetings at Gallaudet University in Washington, DC. The FCC webcast the hearing live, with high quality realtime captioning. Here's a clip of the compelling testimony by Marlee Matlin, who presented at that hearing. Not only is this clip an example of wonderful realtime captioning; the message is something that everyone that produces internet video should hear. (So watch it all if you have the time.)

Realtime captioning involves mixing the text file with the video, which is done through special captioning software and a piece of hardware called a captioning encoder. The encoder is placed in the video stream before the video is broadcast to the internet. The realtime captioner in the example was listening to the speaker (in this case the voice of Ms. Matlin's interpreter) and producing the nearly flawless captions, including punctuation, as the words were spoken. The captioning you saw was not edited or corrected at



***Marlee Matlin testifies at FCC hearing***

all. The text was sent from the captioner's computer to the encoder, where it was mixed with the video.

Because the captioning is visible on the video at all times and cannot be turned off, the captions in this example are open captions. If the captions had been hidden in the video until the viewer turned them on (like most of the television programming that is captioned), the captions would be classified as closed captions.

## STREAMING TEXT ALONGSIDE STREAMING VIDEO

Another way of streaming realtime text to the internet with video (without any special captioning software or hardware) is to stream the text in a window alongside the video in a webcast. The streaming text window may be resized and positioned anywhere the viewer (or the webcaster) chooses, and the font and background colors may be adjusted as well. While some may choose colors and fonts that are aesthetically pleasing and complementary to their website, others may make their choices for entirely different reasons. Large and bold fonts may be combined with high-contrast colors (like yellow letters on a black background) for persons with low vision; very small fonts may be chosen by someone who wants to just monitor what is being said and scan large amounts of text without having to scroll up and down.

It should be noted that the particular streaming realtime text in the next example was accessible by screen readers, which are used by persons who are blind. (This actual demo is not accessible to screen reader software because it is simply a video made to illustrate what the streaming text looks like when shown alongside a video.)

*Continued on page 20*

## STREAMING REALTIME CAPTIONING — OPTIONS

Continued from page 19



David Hoffman: I had a fire nine days ago. My archive is 175 films. My 16 millimeter negative. All my books, my dad's books, my photographs. I had collected. I was a collector, major, big-time. It's gone.

Here is a link to an example of live streaming text alongside a video:

### STREAMING REALTIME TEXT WITH VIDEO

**Choosing a Method:** There are other ways to stream realtime text of live

events to the internet, but if you need it accurate and streamed in real time, all methods involve using skilled realtime writers. Whether you choose realtime captioning or streaming text, you should hire a professional if you want good results.

Your choice of methods may depend on what equipment and software is available; it may depend on your audience. If your audience consists of a large number of individuals who are deaf or hard of hearing, they

may find the traditional captioning most accessible, since the text is actually in the video picture, and they can watch the video and the captions without looking back and forth or up and down as much. If the event is also being broadcast on television, the

captioning option may make more sense. (It is possible to simultaneously send closed captions to the television broadcast and open captions to the internet, by the way.)

If your audience uses screen readers or has vision problems, the streaming text window may be a better choice. If you want to give your viewers the option of seeing the streaming realtime text alone or alongside the video, in a separate window, choose the streaming text.

If you have questions or need more information, please comment below or contact me through the [www.transendia.com](http://www.transendia.com) website.

*Tanya Ward English is a founder and the technology officer of Transendia and its parent, Realtime Transcription, Inc. She is a realtime captioner with a history of advocacy for persons with hearing loss.*

## UPCOMING EVENTS CALENDAR 2010

- |              |  |
|--------------|--|
| Feb 26 – 28  | CLVS Seminar/Forum, Trial Presentation Program & CLVS Production Examination<br>Ritz Carlton Coconut Grove, Miami, FL<br>Information posted on the NCRA website <a href="http://www.ncraonline.org">www.ncraonline.org</a>       |
| Mar 12 – 14  | NCRA Mid-Year Conference & Realtime Systems Administrator Program<br>Hyatt Regency San Francisco, San Francisco, CA<br>Information posted on the NCRA website <a href="http://www.ncraonline.org">www.ncraonline.org</a>         |
| April 5 – 17 | NCRA Written Knowledge Tests • Exams Offered: RPR, RMR, RDR, CCP, CBC, and CLVS<br>Registration: March 1 – 31, 2010<br>Information posted on the NCRA website <a href="http://www.ncraonline.org">www.ncraonline.org</a>         |
| May 1        | NCRA Skills Tests<br>Registration: March 1 – March 31, 2010<br>Information posted on the NCRA website <a href="http://www.ncraonline.org">www.ncraonline.org</a>   |
| June 11      | FCRA's Florida Professional Reporter (FPR) Seminar & Certification Exam<br>Buena Vista Palace, Walt Disney World, Orlando, FL<br>Information posted on the FCRA/FPR website <a href="http://www.fcrafpr.org">www.fcrafpr.org</a> |
| June 11 – 13 | FCRA Mid-Year Conference<br>Buena Vista Palace, Walt Disney World, Orlando, FL<br>Information posted on the FCRA website <a href="http://www.fcraonline.org">www.fcraonline.org</a>  |

Please notify Louise Pomar, Editor, [lbp1958@aol.com](mailto:lbp1958@aol.com), of any upcoming events that you would like to appear in the "Upcoming Events Calendar."

# Google Doodles

By Donna M. Kanabay, RMR, CRR, FPR.

The Google logo and the Google Doodles have become firmly embedded in our cultural consciousness, and we often puzzle over what their relevance is, even as we marvel at their cleverness and creativity.

An outside contractor was hired for the Halloween 1999 Doodle and about a year's worth of subsequent Doodles, and while they were slightly more sophisticated than the first one, they were still very basic:

The Google Doodle made its debut on August 30, 1998, as a tribute to the Burning Man Festival. It was designed by Google co-founders Larry Page and Sergey Brin to notify users of their absence in case the servers crashed. (Think about that for a moment; I mean *really* think about it. Google was "closed" so the guys could take a few days off.)



2000 saw all the major holidays being honored, and the first week of May was marked with the first "serial" Doodle, a collection that unfolded over several days:

On November 26<sup>th</sup>, 1998, they tried one for Thanksgiving:



Compare the 1998 Doodle to the most recent Thanksgiving, aired on November 26, 2009:



Most of 1999 passed without any new Doodles (or "Goodles," as I like to call them,) until Halloween:



Continued on page 22

# Google Doodles

Continued from page 21



Goodles have honored a wide variety of people, places, things and events over the years, including a series for each Olympics, with a different sport honored each day; birthdays of notables such as Claude Monet, showing a distinctly Impressionistic flavor; holidays, American and global; and even a Dilbert series, in May of 2002:

Don't ask me what a UFO has to do with the first week of May. Instead, compare the May 2000 series to the series that first piqued my curiosity and interest in the Doodles, starting on September 5<sup>th</sup>, 2009:



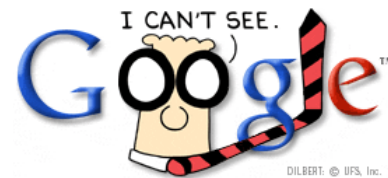
And continuing on September 15<sup>th</sup>:



And culminating on September 21<sup>st</sup>:



The occasion? H. G. Wells' birthday!



By 2000, it was clear that things needed to be taken to a higher level, as the Doodles were taking hold as a phenomenon. Dennis Hwang, who was an intern at Google (and is now the Webmaster,) was tagged to try his hand for the French Bastille Day:



The Goodles (Doogles?) have not been without controversy. The CBS Evening News made a stink on October 9, 2007, about Google's honoring the 50<sup>th</sup> anniversary of Sputnik. The third "hit" of my Googling the phrase "Google logo controversy" yielded the heading, "How Google's Cute 'Doodles' Became Satan's Pawn." The link takes you to a discussion alleging that the Doodle below – touting the discovery of a potentially significant fossil – "offends (take your pick) America, Muslims, Christians, Christmas and creationism." (Their quote, not mine!)

He designs all the special logos to this day, with the exception of the occasional guest contributor.

Continued on page 23

# Google Doodles

Continued from page 22



As I finalize this to send off to our editor, I *must* clip today's to you! (January 4, 2009.)



Wait for it, now...



[Advertising Programs](#) - [Business Solutions](#) - [About Google](#)

It's Isaac Newton's birthday ☺.

Watch Hwang create a doodle in this time-lapse video: <http://www.youtube.com/watch?v=TOOY0xuQ3TU>

Love them or hate them, there's no question that Google, and the Doodles, are thoroughly assimilated into our lives. Personally, I'm glad. I'm fascinated by them and in awe of the imagination and skill that brings them to us.

If you click on the Doodle on the Google homepage, you can read about that day's offering. For more in-depth information (and all of the Doodles since they began in 1998) click on About Google, then More Google, then Google Logos.

Last, in case you're wondering, no, I didn't spend hours laboring over the heading for this column. I *wish* I had that kind of skill! You can create your own custom Google lettering at [www.gogologo.com](http://www.gogologo.com).

But I do confess, I couldn't resist trying my hand at something a little more challenging. Ladies and gentlemen, may I present...a Stenoogole:



The article goes on to express my own sentiments about how far the Doodles have evolved over the years: "Looking back though the Doodles, we're most impressed not with how controversial they are but with how far they've come. Early drawings from 1999 look like something quite possibly thrown together by Larry or Sergey during a coffee break." (Little did they know!) "2009's images, by contrast, are real works of art. They are also surprisingly eclectic. What other company would celebrate René Magritte's birthday, Dr. Seuss, and the Large Hadron Collider? If these are Satanists, they're Satanists with exquisite taste."

There is a "Doodle 4 Google" contest. Partnering with the Smithsonian's Cooper-Hewitt National Design Museum, schoolchildren from K through 12 are invited to submit entries. First prize: A \$15,000 scholarship and a \$25,000 grant to the school for a computer lab – and the winning Doodle is on the Google page for 24 hours. 2009's winner, "A New Beginning":



You can explore the contest, as well as some of the history of the Doodles at <http://www.google.com/doodle4google/>. It's worth a visit just to see the State and Regional finalists' entries. And there's an interesting interview with Dennis Hwang on the History page.

Always be sure to run your mouse over, and/or click on, a Doodle: Sometimes there are little surprises "inside." This year's New Year's offering spelled out the words "Happy New Year 2010" if you moused over it. Halloween's morphed each time it was clicked:

# FCRA welcomes the following new members

(Includes all members who joined as of November 1, 2009)

## PARTICIPATING MEMBERS

NAME	CITY	SPONSOR
Askins, Debbie	Tampa	Susan Wasilewski
Betz, Tammy	Ft Myers	Gail M. Lawson
Clark, Coleen	Miami	Paulita Kuldig
Cline, Tami	Plant City	Susan Wasilewski
DeSanti, Michelle	Royal Palm Beach	Susan Wasilewski
Gulker, Tamara	Melbourne	Jeannette Gross
Jones, Janice	Pembroke Pines	Jennifer Gaul
Merritt, Chancellor	Pembroke Pines	Tom Hughes
Neel, Mary	Tallahassee	S. DiBenedetto-Nargi

## ASSOCIATE MEMBERS

Balian, Robert	San Mateo, CA	Susan Wasilewski
Stein, Judith	Jacksonville	Beverly Flowers Lown

## STUDENT MEMBERS

Gale, Mayenda	Fort Walton Beach	Jennifer Gaul
---------------	-------------------	---------------



You can now earn up to 3.5 CEUs with Dictionary Jumpstart!

**50% OFF SALE!**

Go online to [www.dictionaryjumpstart.com](http://www.dictionaryjumpstart.com) and purchase our new publication, **"DRUG SPELLER; 2009"** and we'll send you a coupon for 50% off any DJ Module! Hurry! Offer ends soon!

Visit [www.dictionaryjumpstart.com](http://www.dictionaryjumpstart.com) today to download your FREE demo of Dictionary Jumpstart! It's easy to enter the 650 entries in less than an hour!

[www.dictionaryjumpstart.com](http://www.dictionaryjumpstart.com)  
[www.drugspeller.com](http://www.drugspeller.com)  
 517-410-2209

## State of the Art Seminar Room available NOW in St. Augustine!

- Convenient Location
- Comfortably seats 16
- Laptop, document camera, T-1 access, audio visual teleconferencing
- Professional, private environment
- Ideal for depositions, meetings, and presentations requiring the latest audio visual technology

The Bailey Group has been providing insurance, benefits, and financial products in Northeast Florida for over 45 years. Further assisting our community, we would like to add "meeting specialists" to our list of business services. With our quality facility and equipment, we will make your next meeting/event memorable.



Contact Shelly Cheney, 904.461.1800 or 866.826.1800 for scheduling, pricing and availability.

1200 Plantation Island Drive, Suite 210  
 St. Augustine, FL 32080





# MEMBERSHIP APPLICATION

## Florida Court Reporters Association

\*Name (Please print) \_\_\_\_\_

\*Company \_\_\_\_\_  Owner  Co-owner  Manager

\*Mailing Address \_\_\_\_\_

\*City/State/Zip \_\_\_\_\_ NCRA # \_\_\_\_\_

\*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.

I make application for Membership as a: (CHECK ONE)

**PARTICIPATING MEMBER** .....\$150.00  
Open to anyone engaged in active practice of official or general court reporting by either stenographic or voicewriter method. (Please indicate method above.)

**STUDENT MEMBER** .....\$35.00  
Open to any student of shorthand reporting who is endorsed by a court reporting training program instructor or director.

**RETIRED MEMBER** .....\$45.00  
Open to any participating member in good standing who has retired from the active practice of shorthand reporting.

**ASSOCIATE MEMBER** ..... \$60.00  
Open to the following: teachers of shorthand or shorthand reporting, anyone officially connected with a school or college conducting a shorthand reporting course, any non-member retired from active shorthand reporting, anyone professionally associated with or employed by a member of FCRA whose application is endorsed by a participating member in good standing, and anyone qualifying for Participating membership, but residing outside of Florida.

**VENDOR MEMBER**.....\$125.00  
Open to any firm or corporation engaged in selling products or services to FCRA members.

**PRO BONO:** Are you interested in donating time to the Pro Bono Program?  
 Yes  No

**FLORIDA MANUAL:** The guide to court reporting in Florida — sample forms, guidelines, and rules of court. Cost for members: \$50.00. Subscription to updates: \$25.00.

**MEMBERSHIP DIRECTORY:** Searchable geographical and alphabetical members' listing in Member's Only section of our website.

**LEGISLATIVE/LEGAL FUND:** Your dues include only regular monitoring of legislative, regulatory, and administrative activity for things that could adversely affect the court reporting profession. Without member donations to this fund, the Association cannot pursue any legislative/legal activity and may not be able to protect our profession.

The dues year is November 1 through October 31. Annual dues must accompany application. Those joining in August, September, or October of a given year will be paid through October 31 of the following year. Dues payments are deductible by members as an ordinary and necessary business expense. In accordance with Section 6033(e)(2)(A) of the Internal Revenue Code, as amended, members of the FCRA are hereby notified that an estimated 5% of your FCRA dues will be allocated to lobbying and political activities, and therefore are not deductible as a business expense.

### For Administrative Use Only

Date Rec'd \_\_\_\_\_ Ref # \_\_\_\_\_  
Amount \_\_\_\_\_ Computer \_\_\_\_\_

I hereby make application for membership in the Florida Court Reporters Association and pledge myself, if accepted, to abide by the requirements of the Bylaws and Code of Professional Responsibility of the Association as they are now and as they may be amended in the future.

My signature below constitutes my consent to receive faxes, email, and other communications from FCRA or on behalf of FCRA.

Signature of Applicant

Date

Signature of Sponsor

Name of Sponsor (Please print or type)

### PAYMENT ENCLOSED FOR:

Membership Dues \$ \_\_\_\_\_

Florida Manual on disk:  
\_\_ copies @ \$50.00 each  
(Includes 7% sales tax + handling) \_\_\_\_\_

One-year subscription  
to Florida Manual Updates  
\_\_ subscriptions @ \$25.00 each  
(Includes 7% sales tax + handling) \_\_\_\_\_

Legislative/Legal Fund Donation: + \$25.00

**TOTAL ENCLOSED:** \$ \_\_\_\_\_

Check # \_\_\_\_\_  MasterCard  VISA  AmEx

Account # \_\_\_\_\_

Exp. Date: \_\_\_\_\_

3- or 4-digit Security Code: \_\_\_\_\_

Amount to charge: \$ \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Make check payable to FCRA and mail to FCRA Headquarters, 222 S. Westmonte Dr, Ste 101, Altamonte Springs, FL 32714  
Telephone 407-774-7880 • FAX 407-774-6440 (for charge payments only) • www.fcraonline.org

# building bridges

Across Tampa Bay and Across Florida

Your Client!                      Your Client  
Your Reporter!                      Our Reporter

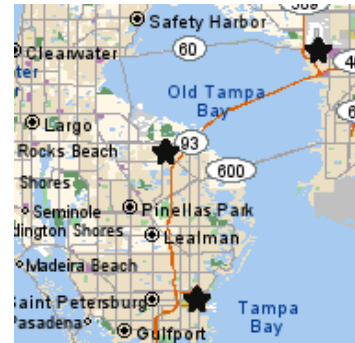
or

***in our offices!***

*All the questions they can ask...*

*All the candy you can eat...*

*Such a Sweet Deal!*



**The concept is simple:** Why not share resources among reporting firms, to everybody's benefit? Given the critical reporter shortage, and the expense of maintaining multiple locations, we all need each other!

Bring your own client to one of our strategically located offices and pay a reasonable fee for the full use of the offices and all our amenities and courtesy supplies. Or, send your client to us: We'll take good care of them and pay you a reasonable percentage for the referral!

All locations are private offices; the space leased only by our firm.  
No shared suites or other tenants using the space, services, or equipment.

Our flagship office is located on the concourse level of  
**Tampa International Airport**

***FLY IN*** ≡  
≡ ***FLY OUT***

**Other offices:**

**Feather Sound Square,\* Clearwater**

15 mins from Tampa International Airport

*\*videoconferencing at this location*

**Downtown St. Petersburg**

Next door to the Judicial Bldg.

**Kanabay Court Reporters; Tampa, St. Petersburg, Clearwater**

**PO Box 178; St. Petersburg, FL**

**(727) 821-3320      Fax: (727) 898-5701      Tampa Line: (813) 224-9500**

**www.kanabay.com**

**e-mail: dmkh@kanabay.com**