

Florida Court Reporters  
**FCRA**  
Association

# FCRonline

OFFICIAL PUBLICATION OF THE FLORIDA COURT REPORTERS ASSOCIATION

NOVEMBER/DECEMBER/JANUARY 2012



Rick Levy, RPR, FPR, 2011-2012 President



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

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



# Coming Together as an Association

*Below is the speech delivered by newly-installed FCRA President Rick Levy at the Annual Convention Business Luncheon in Altamonte Springs, Florida, on September 17, 2011.*

Show of hands...who out there in the audience wants to be up here at the podium giving this speech??? I do!! Thank you to FCRA, the general membership, nominating committee and staff.

First of all, let me say that I am humbled and deeply honored to be chosen to have the pleasure to lead this wonderful and talented group of reporters who make up this Association as we celebrate 50 great years.

As your President, I have high hopes for this year. Along with myself and the wonderful board that went through the Nominating Committee, I truly feel we have great leadership in place for a successful year.

As we prepare for this upcoming year, our collective focus is going to be on some major areas of priority for FCRA.

With the hard work and dedication of our Board of Directors and those who have been chosen to serve on the various committees, I know that this is going to be a year of tremendous accomplishment, success, and growth.

One thing which we cannot lose sight of is that FCRA is and always has been a volunteer organization.

Those who serve all have jobs, families, children, and other various hobbies. We do the best we can in budgeting our time and efforts, but really need the support of membership in these difficult times.

Do we face challenges as an Association, as a profession? You better believe it!

If it's not the tape recorder, if it's not Digital Audio Recording, if it's not the recent economic downturn, if it's not contracting, if it's not an aging membership with declining student enrollment, if it's not reporter apathy, if it's not declining membership, if it's not gift-giving, then what is it? To which I say: let's come together as an Association, let's promote professionalism, let's embrace and promote realtime to judges and litigators, let's educate our clients of our great skills, let's be proud of our profession, and let's all promote membership in our Association as the power really is in the numbers.

Does the Board of Directors, including myself, have all the answers? No. But we, as a united group, together can overcome these and any other obstacles placed in our path.

**MEMBERSHIP:** This is a critical year to say the least. Last year the dues increase was presented to the membership, was voted on and passed overwhelmingly. Now we must follow through and be strong and support our Association.

Please, I urge those here today to spread the word back home in your offices and in your courthouses about where we are and where we are going and the challenges that lie ahead.

To pay what amounts to \$25 per month to help keep your profession alive and well is just not too much to ask in my opinion.

**GOVERNMENT RELATIONS** has been a huge item on our agenda. I pledge, along with our Board and the hard-working Government Relations Committee, to push forward along with our lobbyists to continue to have a presence in Tallahassee and to continue to fight for our criminal court rates and strive to prevent them from going lower in the future.

Where are we headed? That, my friends, is the question. Do we stand idle and let our future be dictated for us, or do we take control of our future and ensure prosperous times ahead? I prefer the latter, and I hope you do too!

We must fight on and increase membership and involvement in our fine Association. It takes a continued group effort with the same collective goals in mind.

As you can see, there are challenges we face. I have confidence that we can and we will win the battle, but only if we come together for the good of the Association and our profession.

I urge you to go back to your home offices and tell your colleagues who are not here this weekend what you learned here, what you saw here, and what our message is. It's our jobs, our profession, and our livelihoods at stake.

I am excited to have been selected by the Nominating Committee to lead this great Association and will do everything in my power to achieve our goals.

There are wonderful people in this audience who care deeply about FCRA. Count me among them!

I look forward to this year; and because you're here today, I know you do too.

Thank you all, and ROCK ON!



By Louise Pomar, RPR, FPR, CERT\*D,  
FCR Online Editor

# Passing of the Baton



Six years ago I was approached by Cathy Phillips, now one of the past presidents of FCRA, and asked if I would take on the responsibility of being editor of FCRA's official quarterly publication, *FCR Online*. My words to

cedures Corner, but also individually writing excellent articles for the magazine. Donna Kanabay has written 33 articles for the Sleuthing the Net column. Each article has been very educational and delightful to read with its creative, albeit technical, content. Gayl Hardeman, Tanya Ward English, and now CART Chair Lisa Johnston have provided useful information for CART and Captioning providers who belong to our Association.

The person who completed my success story as editor is the very competent, very creative, and very valuable layout editor, Elaine York. Elaine is very gifted in her field, and her creative touch is the real reason so many of you have congratulated me on how awesome the magazine looks. Each quarter when I have sent Elaine the articles, photos, etc., for the magazine I simply say, "Do your magic!" What would I have done without you, Elaine?

So with some sadness, but much confidence in my successor, I am happy to pass the baton to Christy Aulls Bradshaw, RPR, FPR. Christy has made a personal commitment to take on the responsibility as editor of *FCR Online*. Just as Cathy Phillips held the belief that I was the person for the job, so is my belief of Christy. She has been in the court reporting profession since 1994, owns her own firm, CAB Reporting, Inc., has been recently elected and accepted the position of Northern Director on FCRA's 2011-2012 Board of Directors, and will do an excellent job in keeping the caliber of our Association's magazine as high as it can be.

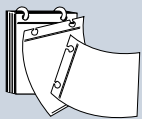
Please join me in welcoming Christy Bradshaw as the new editor of *FCR Online*.

her were something along the lines of "Wow! Me? Do you *really* think I am capable of putting together a magazine of the type caliber that past editors had prepared and distributed?" And that is when and where I found my "niche" in the Association.

However, as the saying goes, all good things must come to an end. It is time for me to stretch again, explore my passions and God-given talents, and see where I can use those talents to the fullest. No, I am not retiring from this beloved profession of ours; and no, I am not walking away from this great Association of ours. I said it is time for me to stretch, not end.

The secret of my success is greatly attributable to the contributing editors of the magazine who filled the pages each quarter with informative articles relating to the court reporting profession. There are too many of you to personally thank in this column, but I truly have appreciated all of your participation and dedication in making the magazine a success.

Many thanks go out to Judy Everman and Shirley King for tirelessly contributing not only to the Ethics and Pro-



## FCR Online Deadline Dates

(Spring) Feb/Mar/Apr ..... Jan. 5, 2012  
Publication Date ..... Feb. 12, 2012

(Fall) Aug/Sept/Oct..... July 5, 2012  
Publication Date ..... Aug. 12, 2012

(Summer) May/June/July ..... April 5, 2012  
Publication Date ..... May 12, 2012

(Winter) Nov/Dec/Jan ..... Oct. 5, 2012  
Publication Date ..... Nov. 12, 2012

# 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](mailto: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

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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](mailto: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



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## 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**

# Steps to Proper Notarization

## Official Statements on Webcam Notarization

Reprinted with permission from the American Association of Notaries

Written by Annie Butterworth Jones, Associate Editor

In January 2011, rumors that a new website had been established to provide online notarization services surged through notary forums and email lists. The American Association of Notaries (AAN) received emails that expressed concerns regarding this type of notarization process.

The site, which the AAN will not name, claimed that a citizen could receive instant notarization services if he or she had access to a webcam. The webcam would provide an opportunity for a video conference session between the citizen who needed notary services and a notary. According to the site, once the video conference was established and the citizen was "connected" to a notary, he or she would receive "legal" notary services.

According to promotional press releases that were published subsequently, a signer would go to the address of the website and create an account. The identification of the signer would be conclusively established during the account set up. To do so, the site's attendant would ask a series of questions that were based on public records. Theoretically, the answers to the questions were known only by the signer.

Once the signer's identity was established satisfactorily, the signer would transmit the document to the site's waiting notary, sign the document using his or her computer mouse, and the notary would electronically notarize the document.

The site and press releases also mentioned that the notary's computer captured the transaction and the signer's face on video and that the connections over which the transaction took place were "secure." The fee for the notarization service was stated to be \$14.99.

### NOTARIES' CONCERNS

Emails from notaries and attorneys appeared in our inbox and they all covered one or more of six concerns:

**-A webcam appearance is not the same as personal appearance.** Notaries said that there is no certain way to identify a person through a camera. Some notaries suggested that signers could be forced to sign the document by someone off camera.

**-The notary did not have an opportunity to view the original ID documents and that asking questions did**

**not fulfill ID requirements.** They felt strongly that using information from public records was not a lawful method of identifying a signer. Some mentioned that "public records" are available to the public, so they did not believe that the question/answer method could be a conclusive method of identifying a signer. Further, even though the notarization was conducted over a "secure" connection and was recorded, these measures would do little to stop a fraudulent transaction.

**-The website's stated fee of \$14.99 was higher than any state allows for a notary act.** The emails were accurate; there is no state in the union that allows a notary to charge \$14.99 for a single notarization.

**- Electronic notarization is not the appropriate method for all situations.** Electronic notarization cannot be used in a transaction in which the recipient needs a wet ink signature. For instance, one cannot sign a deed electronically if the recipient or the clerk's office does not have the software to verify that the deed has been signed by a certain person and a certain notary. Printed copies of electronic notarizations look like copies; it is quite possible that the notarization would be useless for the recipient.

**-The issue of stated venue.** Would the venue on the notary certificate be the venue of the notary or the venue of the signer? If a notary from New Jersey, for instance, notarized a document for a signer in Florida, what would the venue say? Since there are no laws in effect to allow webcam notarizations, it is impossible to determine which location is correct for the notary's certificate.

**- No state has laws in effect that allow webcam notarizations.** Would such a notarization be valid if this type of notarization was challenged and determined in the future to be illegal? If one of the online notarizations was attached to a document that became the subject of a lawsuit, would the notarization be voided once the court learned the method of notarization?

### OFFICIAL DECISIONS FROM STATES

When concerned notaries contacted their notary public administrators' offices, several strongly responded to discourage notarization through the use of webcams. One state even used the phrase "scam

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# Steps to Proper Notarization

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alert," and another state said that the information that was published on the webcam notarization website was "misleading." The AAN is aware of the following states that have made public statements about online notarization through the use of webcam:

**CALIFORNIA (March 2011)** "Online webcam notarization is invalid and illegal in the State of California. A private company claims to have the first online notarization website and has sent misleading information and made false claims to California notaries public concerning a new online notarization service. The web-based platform purports to allow a person to submit copies of identification over the Internet and to use a webcam in lieu of a personal appearance in front of a notary public. Appearance via webcam does not meet the requirements for notarization in California..."

**FLORIDA (May 2011)** "Thank you for contacting the Governor's Notary Section. The physical presence requirement at the time of notarization is still in effect per section 117.107(9), Florida Statutes and there are no exceptions to the presence requirement." (Via email.)

**NEVADA (JULY 2011)** "Customer Alert: Online webcam notarizations are not permitted in the State of Nevada. A person seeking a notarization is required to personally appear before a notary public and sign the document in the presence of the notary. Appearance via a webcam or other electronic medium such as Skype does not meet Nevada's law governing personal appearance. Please be aware of any online notarization service being offered by a private company..."

**NEW JERSEY (July 2011)** "NOTICE Concerning Online Notary Services Utilizing a Web Cam or other Video Equipment: The Division of Revenue requested legal guidance concerning the practice of online notarization services utilizing a webcam or other video in lieu of a personal appearance in front of a valid New Jersey Notary. It has been determined that New Jersey's statutes do not allow for this type of notarization."

**RHODE ISLAND (June 2011)** "ALERT - Please be advised that pursuant to state law, all Notary Publics authorized to by his Excellency the Governor, may exercise said powers 'within this state'. An individual completing an acknowledgment must do so "before" a person authorized to take acknowledgments under Rhode Island law, including Notaries Public. The Governor

of the State of Rhode Island and the Rhode Island Secretary of State have further set forth, by Executive Order, the requirement that the person completing an acknowledgment or seeking other services from the Notary Public must 'appear in person' before the Notary Public. Other electronic means of appearance, such as web cam and Skype, do not comply with the requirements of state law and the Executive Order."

**OHIO (July 2011)** "Scam alert: Online Notarization. Online webcam notarization" is invalid in Ohio, but at least one company is claiming to provide a web-based notary service to consumers throughout the U.S. Under Ohio law, if you need to get a document notarized to verify your signature on the document, you must be physically present with the notary public at the time you sign the document.

If you are not physically present (in person) with the notary public at the time of signing, the notarization is invalid and the document itself may become invalid..."

**OREGON (July 2011)** ONLINE WEBCAM NOTARIZATION is invalid and illegal in the State of Oregon. "A private company claims to have the first online notarization website and has false claims concerning a new online notarization service...It is important that Oregon notaries do not participate in this scheme. Clearly, Oregon notaries public who notarize in this fashion are breaking the law, and are subject to administrative and possibly criminal and civil sanctions. It is unclear if notarizations of Oregon citizens done remotely by notaries that are not in Oregon will be upheld in court."

**TEXAS (Jan 13, 2011)** "Thank you for bringing this to our attention. Performing a notarization without the signer personally appearing before the notary at the time of the notarization is a Prohibited Act. It is specifically cited as good cause for taking disciplinary action against your notary commission. Tex. Gov't Code Ann. § 406.009; 1 Tex. Admin. Code § 87.11(a)(16). Appearance by webcam or video conference is not personal appearance. Personal appearance means physically appearing in the presence of the notary." (Via email.)

**WISCONSIN (May 2011)** "...Online webcam notarization is invalid and illegal in the State of Wisconsin. A private company claims to have the first online notarization website and has sent misleading information and made false claims to Wisconsin Notaries Public concerning

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# Steps to Proper Notarization

ON THE  
NATIONAL SCENE

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a new online notarization service. The web-based platform purports to allow a person to submit copies of identification over the Internet and to use a webcam in lieu of a personal appearance in front of a Notary Public. Appearance via webcam does not meet the requirements for notarization in Wisconsin...

## VIRGINIA'S LAWS ON VIDEO CONFERENCING

Virginia lawmakers recently wrote laws regarding electronic notarization through the use of video conferencing, but the laws are not in effect.

VIRGINIA (March 2011) "Still NOT lawful in 2011... the provisions of this act relating to the use of video and audio conference technology shall become effective JULY 1, 2012..."

After July 1, 2012, the ID methods described are very strict according to the new law: "(i). In the case of an electronic notarization, 'satisfactory evidence of identity' may be based on video and audio conference technology, in accordance with the standards for electronic video and audio communications set out in subdivisions B 1, B 2, and B 3 of § 19.2-3.1, that permits the notary to communicate with and identify the principal at the time of the notarial act, provided that such identification is confirmed by (a) personal knowledge, (b) an antecedent in-person identity proofing process in accordance with the specifications of the Federal Bridge Certification Authority, or (c) a valid digital certificate accessed by biometric data or by use of an interoperable Personal Identity Verification card that is designed, issued, and managed in accordance with the specifications published by the National Institute of Standards and Technology in Federal Information Processing Standards Publication 201-1, "Personal Identity Verification (PIV) of Federal Employees and Contractors," and supplements thereto or revisions thereof."

## THE AAN'S POSITION

The AAN does not take positions on matters that are of a legal nature. We support the decisions and rules of the states' commissioning offices.

To determine whether or not webcam notarization is legal in your state, please contact your notary public administrator. You may refer to this article in your inquiry as long as the article is referred to in its entirety and credit is given to its source.

**Reader feedback is welcome!** The AAN appreciates input from readers. Email us at [info@usnotaries.com](mailto:info@usnotaries.com) or post on our [Facebook page](#). Do you have tips? Comments? We will find a place for your comments in one of our future newsletters.

**Comments? Questions? Suggestions for an article?** The American Association of Notaries strives to provide thought-provoking articles that cover situations facing notaries on a daily basis. If you have comments on this article, or a suggestion for a topic that you believe would be helpful to our readers, please let us know. Email us at [info@usnotaries.com](mailto:info@usnotaries.com).

**Notice of Disclaimer:** The information provided herein is not intended to be an authoritative statement of law. Notary laws differ from jurisdiction to jurisdiction and may be interpreted or applied differently depending on your state's statutes or situations. By providing this information, we are not acting as your attorney. We are providing this information based on long-established and recognized notarial standards and practices. If you have legal questions regarding acts or conduct as a notary public, please consult with an attorney or refer to your state's statutes or other appropriate legal resources.

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*Nancy Varallo RDR, CRR, FAPR (Dear Nancy)*

# Brown & Gallo, LLC, Reprimanded for Incentive Gift-Giving Violations

*Reprinted from the NCRA website - [www.ncraonline.org](http://www.ncraonline.org)*

In September 2011, the Board of Court Reporting of the Judicial Council of Georgia issued a public reprimand to Brown & Gallo, LLC, and a \$3,000 fine for its admitted unethical conduct with regard to incentive gift-giving. Brown & Gallo, LLC, "acknowledged that it had violated the Board of Court Reporting Code of Professional Ethics when it provided \$25 gas cards to 79 clients which exceeded \$50 in the aggregate per recipient in 2008 (sic)."

An administrative grievance was initially registered by the Georgia state Board of Court Reporting in September 2008. The grievance claimed that Brown & Gallo, LLC, violated the Board's Code of Ethics pursuant to Part I(H) stating, "The Code of Ethics prohibits the giving, directly or indirectly, of any gift, incentive, reward or anything of value to attorneys, clients, or their representatives or agents, except for nominal items that do not exceed \$50 in the aggregate per recipient each year."

In March 2010, the case was remanded to the state Superior Court, which ruled in favor of the Court Reporting Board. After counsel with its attorneys, Brown & Gallo accepted the public reprimand and a \$3,000 fine.

- [View the Judicial Council of Georgia press release.](#)



## Upcoming Events CALENDAR 2012

Jan 9 – 21	NCRA RPR and CLVS Written Knowledge Test Registration: December 5, 2011 – January 6, 2012 Pearson VUE Professional Centers Information posted on <a href="http://www.ncraonline.org">www.ncraonline.org</a>
Feb 5 - 7	NCRA Firm Owners Executive Conference Ritz Carlton, Palm Beach, FL Information posted on <a href="http://www.ncraonline.org">www.ncraonline.org</a>
Feb 24 - 26	NCRA TechCon 2012 Reston, VA Information posted on <a href="http://www.ncraonline.org">www.ncraonline.org</a>
May 5	NCRA RPR, RMR, CRR, CBC, CCP Skills Test Registration: March 6 – April 6, 2012 Testing Sites Available Nationally Information posted on <a href="http://www.ncraonline.org">www.ncraonline.org</a>
Jun 29 - Jul 1	FCRA 51 <sup>st</sup> Annual Convention Hilton Clearwater Beach Resort Clearwater Beach, FL Information to be posted on <a href="http://www.fcraonline.org">www.fcraonline.org</a>

**Please notify Christy Bradshaw, Editor, at [Christy@cabreporting.com](mailto:Christy@cabreporting.com), of any upcoming events that you would like to appear in the Upcoming Events Calendar.**

## 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 Sandi Estevez, [sestevez@uslegalsupport.com](mailto:sestevez@uslegalsupport.com) or by fax: 407-774-6440 by APRIL 30, 2012. 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

- A. To be mailed to Robin Merker, Committee Vice Chair for forwarding to the Arlene P. Sommers Award Committee.
- B. 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 Sandy Estevez, Committee Vice Chair, no later than April 30th.
- C. Nominations may be made by teacher, student, school administrator, or by any member of FCRA.
- D. 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

- A. Recommendation by the committee to FCRA Board to select the recipient.
- B. The recipient will receive, in addition to the monetary gift, a physical award.
- C. 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.
- D. Free Convention registration for recipient.

## FCRA 50TH ANNIVERSARY TOUR ROCKS ALTAMONTE SPRINGS!

By Diane T. Emery, CMRS, RPR, FPR



And when we say "Rocks," we mean it ROCKED!

Whew...another successful FCRA annual convention under our belts. And this one was really special – the 50th Anniversary Tour. Tour? Yes, the theme this year was "Florida Court Reporter Rock Stars," and stars we are!

The Conference: The weekend was jam-packed with celebrating the installation of our 50th FCRA board. "Seminars ranging from the challenges of reporting the very public Casey Anthony trial to technology and social media tools..." 2010-2011 President Robin Merker, RPR, FPR wrote in the program's welcome message. She went on to add that other topics would include "an update on lobbying efforts, the increasingly murky world of ethics, and the connection between rock and roll and reporting."

By the way, when we say the weekend was jam-packed with seminars, well, we're not just whistling Dixie – it was! Friday was devoted to the FPR Certification Seminar and FPR Exam with speakers, Paulita Kundid, FAPR, RPR, CLVS, FPR; Diane Emery, RPR, FPR; Jennifer Gaul, CMRS, FPR; and Cindy Bender, RPR, FPR.

Following that was the fastest fingers in the world Real-Time

Speed Contest.

On Saturday, the day started off with the "Xtreme Reporting" seminar with Nikki Peters, RPR, CRR, 9th Judicial Circuit (Orlando, FL) and Jean Dexter, RPR,

CRR, 9th Judicial Circuit (Orlando, FL). The case used as an example was the very public Casey Marie Anthony trial that turned out to be a triathlon of stamina and forensics in addition to having to navigate a media maze.

Now our adrenalin was pumping and next up was "Gadgets, Smart Phones, and Tablets, Oh My!" presented by Richard M. Georges, Esquire, of the law offices of Richard M. Georges, Esq., in St. Petersburg, FL. Here we learned about productivity tools and how to stay current with Internet privacy concerns. After a tour of technology, we were quickly brought back down to earth by the next session of "What Do Those Lobbyists Do and Why Should I Care?" presented by Dave Wenhold, CAE, PLC, Miller & Wenhold, Washington, DC. By the way, all of this took place BEFORE lunch!

After lunch we learned "How To Be A Rock Star Reporter" from Mark Kamp, Marvelous Mark Motivation & Music, Tampa, FL. Mark used a high-energy combination of music and audience participation to drive home the point that lessons from the world of rock 'n roll can easily translate over to the business world. Next up was "Ethics in the Law Office – Where Do Court Reporters Play a Part?" with speaker Donald

Bradshaw, Esq., Ocala, FL. Once upon a time ethics were simply black and white... not so anymore. Every day more and more gray area creeps in with gift-giving at the forefront.

Saturday closed with the 50th Anniversary Celebration Party. Nothing more to say there other than a good time had by all!! (Too hard to describe – you had to be there!)

The conference concluded Sunday morning with a session dealing with social media, "Building Your Business with Social Media" presented by Pam Gaylor, president of Cre8ive Strategies, and Nancy Howe, president of KnowHowe. Social Media (SoMed) is here to stay, and it's time to build your company and/or personal online presence now! The main point was that social media is the quickest, easiest and least expensive way to reach the largest amount of people with your message.

Reflections: Coming off the heels of the 2011 FCRA conference, I had some time to reflect and think about how proud I am of our profession and all of the hard-working court reporters out there. After all, this is one of the world's oldest professions dating back to the time of the Pharaohs in ancient Egypt. And, it has been a consistently important profession ever since as people will always need someone to keep the official record. But, while driving home, it suddenly dawned on me that most people don't really know us or what we're all "about." We play a really important role in and out of the courtroom, and it's time the world got to know "us"! So, here goes...

# FCRA 50TH ANNIVERSARY TOUR ROCKS ALTAMONTE SPRINGS!

By Diane T. Emery, CMRS, RPR, FPR

Who are we? We are the hard-working, patient, smart, professional-looking (and very attractive!), detail-oriented keepers of the official record. And, we don't take this lightly – it's a big responsibility. Think about it.

- We can't make mistakes – the repercussions would be, well... unpleasant and awkward to say the least. We have to love words, grammar and punctuation. We have learned to listen with a keen ear and have the unique talent of being able to concentrate and pay attention for long periods of time.

- We have to be flexible. We have to be willing to work long hours, late nights, weekends or whenever we are needed. And we have to be on time and always professionally dressed.

- We have to be able to handle stress. And deadlines.

- We have to be self-assured and precise.

- We have to continually re-educate ourselves and stay on top of any and all changes that may have an effect on the courtroom.

- We have to have a high moral character.

- And, last but not least, we have to have a sense of humor about ourselves.

I would be remiss if I didn't once again thank everyone who attended the conference, the speakers and everyone who works so hard all year, every year, to ensure that we all have an organization that informs, educates, and supports all of us Rock Star Court Reporters in Florida.



# FCRA 50TH ANNIVERSARY TOUR PHOTO HIGHLIGHTS



# FCRA 50TH ANNIVERSARY TOUR PHOTO HIGHLIGHTS



# FCRA 50TH ANNIVERSARY TOUR PHOTO HIGHLIGHTS





# FCRA 50TH ANNIVERSARY TOUR PHOTO HIGHLIGHTS



# FCRA Committee Assignments

Committee Coordinator (Per P&P)  
Diane T. Emery, CMRS, FPR

## CONVENTION COMMITTEE

Annual Conference 2012 Chair  
Jennifer Gaul, CMRS, FPR  
Annual Conference 2012 Co-Chair  
Sandra J. Estevez, CSR (CA), FPR

Member  
Janet L. McKinney, RPR, FPR, CLR

## ARLENE P. SOMMERS AWARD

(Per P&P)

Chair  
Arlene P. Sommers, RPR  
Vice Chair  
Sandra J. Estevez, CSR (CA), FPR

Members  
Robin L. Merker, RPR, FPR

## CART

Chair  
Lisa Johnston, RMR, CRR, CCP, CBC

Members  
Tanya Ward English, RPR, CRR, CCP,  
CBC, FPR  
Amie Renea First, RPR, CRR, CPE,  
CCP, CBC  
Gayl Hardeman, RDR, CCP, FAPR, FPR

## CHARTER & BYLAWS

Chair  
Jennifer Gaul, CMRS, FPR

Members  
Christy Aulls Bradshaw, RPR, FPR  
Diane T. Emery, CMRS, FPR  
Janet L. McKinney, RPR, FPR, CLR  
Robin L. Merker, RPR, FPR  
Robin W. Wierzbicki, FAPR, RPR, FPR

## COURT REPORTING SCHOOLS

Chair  
Robin L. Merker, RPR, FPR

Member - Orlando  
Amie Renea First, RPR, CRR, CPE,  
CCP, CBC  
Anthony Trujillo, RPR, FPR

Member - Daytona Beach  
Holly Kapacinskas, RPR, CRR, FPR  
Member - Ormond Beach

Brandi Kent, RPR, CBC  
Member - Aventura  
Joanne S. Lee, RPR, FPR  
Member - Tampa  
Lisa Selby-Brood, RPR

## EMDSA (Per P&P)

Chair  
Sandra J. Estevez, CSR (CA), FPR

Members  
Diane T. Emery, CMRS, FPR  
Jennifer Gaul, CMRS, FPR  
Donna M. Kanabay, RMR, CRR, FPR

## FINANCE & BUDGET (Per P&P)

Chair  
Sandra J. Estevez, CSR (CA), FPR

Members  
Diane T. Emery, CMRS, FPR  
Holly Kapacinskas, RPR, CRR, FPR  
Rick Levy, RPR, FPR  
Janet L. McKinney, RPR, FPR, CLR

## FUNDRAISING

Chair  
Holly Kapacinskas, RPR, CRR, FPR

Members - Ocala  
Kelly Owen McCall, RPR, FPR  
Catherine J. Phillips, RMR, CMRS, FPR

Members - Fort Lauderdale  
Donna Kadosh

Members - Key West  
Amy L. Landry, RPR, FPR  
Members - Miami/Aventura  
Jennifer L. Davis, FPR

Sandra J. Estevez, CSR (CA), FPR  
Members - Clearwater

Diane T. Emery, CMRS, FPR  
Members - Naples

Lori L. Bundy, RPR, CRR, FPR  
Barbara A. Frank, RMR, CRR, FPR  
Members - WPB  
Dawn Ramos Bachinski, RPR, CRR, FPR  
Terri Becker, RPR, FPR

## GOVERNMENT RELATIONS

Chair  
Susan D. Wasilewski, RPR, CRR, CCP,  
CMRS, FPR

Members  
Sandra J. Estevez, CSR (CA), FPR  
Jennifer Gaul, CMRS, FPR  
Donna M. Kanabay, RMR, CRR, FPR  
Holly Kapacinskas, RPR, CRR, FPR  
Paulita E. Kundid, RPR, CLVS, FAPR,  
FPR  
Rick Levy, RPR, FPR  
Kelly Owen McCall, RPR, FPR  
Rosa Naccarato  
Louise Pomar, RPR, FPR, CERT\*D  
Melanie D. Simpkins, RPR, CRR

# FCRA Committee Assignments

## INFORMATION TECHNOLOGY

Co-Chairs (Website)  
Richard Greenspan, FAPR, RMR, CRR,  
FPR

Co-Chairs (FCR On-Line)  
Christy Aulls Bradshaw, RPR, FPR

Members  
Amie Renea First, RPR, CRR, CPE,  
CCP, CBC  
Paulita E. Kundid, RPR, CLVS, FAPR,  
FPR  
Robin L. Merker, RPR, FPR  
Screener  
Jennifer Gaul, CMRS, FPR  
Rick Levy, RPR, FPR  
Susan D. Wasilewski, RPR, CRR, CCP,  
CMRS, FPR

## MEMBERSHIP/INFO EXCHANGE

Chair  
Sandra J. Estevez, CSR (CA), FPR

Members - Miami/Aventura  
Michael Benowitz, VP  
Jennifer L. Davis, FPR  
Donna S. Gunion, FPR  
Margaret Phillips, FPR  
Members -Key West  
Amy L. Landry, RPR, FPR  
Members -Orlando  
Holly Kapacinskas, RPR, CRR, FPR  
Paulita E. Kundid, RPR, CLVS, FAPR, FPR  
Anthony Trujillo, RPR, FPR  
Members -Fort Lauderdale  
Donna Kadosh  
Janet L. McKinney, RPR, FPR, CLR  
Members - Ocala  
Kelly Owen McCall, RPR, FPR  
Catherine J. Phillips, RMR, CMRS, FPR  
Members - WPB  
Dawn Ramos Bachinski, RPR, CRR, FPR  
Terri Becker, RPR, FPR

Members - Naples  
Lori L. Bundy, RPR, CRR, FPR  
Barbara A. Frank, RMR, CRR, FPR  
Members - Clearwater  
Diane T. Emery, CMRS, FPR

## NCSA DELEGATES

Annual  
Diane T. Emery, CMRS, FPR  
Sandra J. Estevez, CSR (CA), FPR

## NOMINATING (Per P&P)

Chair  
Robin L. Merker, RPR, FPR

Members  
Jennifer Gaul, CMRS, FPR  
Richard Greenspan, FAPR, RMR, CRR,  
FPR  
Donna M. Kanabay, RMR, CRR, FPR  
Paulita E. Kundid, RPR, CLVS, FAPR,  
FPR

## PLACEMENT

Chair  
Sandra L. Nargiz, RPR RMR CRR FPR  
CSR (GA)

Members  
Dawn Ramos Bachinski, RPR, CRR,  
FPR  
Barbara A. Frank, RMR, CRR, FPR

## PR TASK FORCE

Chair  
Paulita E. Kundid, RPR, CLVS, FAPR,  
FPR

Members  
Holly Kapacinskas, RPR, CRR, FPR  
Kelly Owen McCall, RPR, FPR  
Candy Morgan, RPR, FPR

## PRO BONO

Chair  
Michael H. Greenhill, FPR

## PROFESSIONAL ETHICS

Honorary Chair  
Shirley D. King, RPR, FPR  
Chair  
Jennifer Gaul, CMRS, FPR

Members  
Cindy C. Bender, RPR, FPR  
Christy Aulls Bradshaw, RPR, FPR  
Diane T. Emery, CMRS, FPR  
Judy Everman, FAPR, RPR, CMRS, FPR  
Donna M. Kanabay, RMR, CRR, FPR  
Holly Kapacinskas, RPR, CRR, FPR  
Paulita E. Kundid, RPR, CLVS, FAPR,  
FPR

## BOOTCAMP

Member  
Diane T. Emery, CMRS, FPR  
Sandra J. Estevez, CSR (CA), FPR

## REALTIME CONTEST

Chair  
Gayl Hardeman, RDR, CCP, FAPR, FPR

Members  
Wesley Thomas Hughes, RDR, CRR,  
FPR  
Donna M. Kanabay, RMR, CRR, FPR

## TESTING

Chair  
Donna M. Kanabay, RMR, CRR, FPR

Members  
Rhonda Hall-Breuwet, RMR, CRR, FPR,  
CLR  
Robin L. Merker, RPR, FPR  
Catherine J. Phillips, RMR, CMRS, FPR

## Congratulations Jennifer Gaul, CMRS, FPR 2011 EMDSA Recipient

By Rick Greenspan, RMR, CRR



The EMDSA is our association's most prestigious award, and it is the highest honor our association can bestow upon a court reporter in the state of Florida.

The recipient is someone with exceptional qualifications and ex-

perience in the field of court reporting, an extraordinary person who has demonstrated dedication and worked unselfishly for our association and our profession.

This year's Emily Mann Distinguished Service Award recipient is Jennifer Gaul. Present at the FCRA Annual Convention Business Luncheon in Altamonte Springs to celebrate with Jennifer were Charles Schugart, the CEO and President of U.S. Legal; Pete Giammanco, Division President, the Western Region, Director of Court Reporting for U.S. Legal Support; Jack Feingold, the Senior Vice President of U.S. Legal Support; and Becky Clark, Nancy Hirsch, Ginger Mathosian, Sandee Castellanos, Tim Dougherty, and Barbara Kylie. Reesa Parker, Past President of the National Court Reporters Association, came in from Dallas, Texas. Also appearing by phone was Walter, Jennifer's husband, who couldn't be at the convention.

Jennifer graduated from the Legal Career Institute in 1992 and

started her reporting career with Justice Reporting in Ft. Lauderdale as a freelancer. In 2001, she became a Certified Manager of Reporting Services through NCRA, and in 2006 she received her Florida Professional Reporter certification. She is currently the Vice President of the Southeast Region of U.S. Legal Support. Jennifer has served FCRA as a past board member in positions of board member, treasurer, vice-president, president-elect, president, and my favorite position, past president. She has served as chair of the 2003 and 2005 Annual Conventions, the FPR Certification Committee, Public Relations Committee, and many others through the years. Jennifer has also graciously made the resources of U.S. Legal available to our association.

Jennifer, this is the only award you have not been presented for the association.

On behalf of everybody, thank you for all you have done for our association and our profession. **(Click here to watch the video.)**

## August 2011 NCRA Test Results Announced

Congratulations to the following Florida Court Reporters who became certified as a result of the August 2011 NCRA exams:

### REGISTERED PROFESSIONAL REPORTERS:

Colleen Lee, RPR, Jacksonville, FL

# Honoring the Stars of the Profession

By Robin Merker, RPR, FPR

One of the most rewarding moments during my year as president came at the very end at the business meeting where I was privileged to recognize members of our association who have contributed in an extraordinary way to betterment of our association. I think you'll agree that the individuals below deserve our thanks and appreciation!

Rhonda Hall-Breuwet received the Special Recognition Award for her service to the Testing Committee. Rhonda volunteered at her own expense to travel to South Florida to open up NCRA's newest testing site in Dania Beach. The need was tremendous as evidenced by the 30-some-odd reporters who showed up to test! Rhonda graciously took all of the volunteers, including myself, who had never done this before and shepherded us through the process. The reporters of South Florida owe a debt of gratitude to Rhonda as they will no longer have to travel to gain their certifications.

A Special Recognition Award was presented to those ladies who will now and forever be known as the Fab Four: Judy Everman, Donna Kanabay, Shirley King, and Liz Speer. It was thanks to their amazing effort that 50 years of FCRA's history has been preserved in a format we all can enjoy now and for years to come. The slide show at the history booth was mesmerizing. People who stopped to glance at it were still standing there caught up in it an hour later. The DVD containing the slide show and much, much more, including the Saturday night 50th Anniversary Celebration Party, will be out shortly as well. Ladies, we can never thank you enough!

FCRA's Meritorious Service Award is awarded to those individuals who

have been of great personal assistance during the President's term. Susan Wasilewski and Melanie Simpkins are this year's recipients. They have worked tirelessly on our legislative issues from the very beginning, traveling to meet with legislators, educating and working with the Fiorentino Group, communicating and educating membership. There is no way FCRA would have come this far without them. Susan, Melanie, thank you so much

Last but not most definitely not least, it was my pleasure to present the President's Award to Janet McKinney, who has been the unsung hero of FCRA's Board of Directors the past three years. Janet has done an outstanding job of supporting the overall goals and objectives

of the Association. Without her patience, expertise, and watchful eye, we would not have FCRA moving in the right direction. Janet has worked tirelessly to understand and improve FCRA's financial position, and even harder at communicating to our membership how everyone's dues dollars collectively work to protect our jobs and our income. FCRA is the only organization formed specifically to look out for court reporters in the state of Florida, and Janet has played an instrumental role in managing the funds that enable FCRA to work on your behalf.

Thanks again to all of these extraordinary people!

## Court Reporting Sniglets • By Rosa Naccarato

Anyone who remembers Rich Hall on Saturday Night Live in the mid 1980s will probably also remember his Sniglets: Words that aren't in the dictionary but should be. Well, Sniglets are more formally known as neologisms, defined as a newly-coined term, and they are back in vogue with the advent of words like nutrigenomics, ergonomics, nutraceuticals, staycation and chillax! Here are some Sniglets that court reporters can relate to:

**Inforrhea:** When a witness is providing way too much information.

**Fictator:** A lying witness.

**Depression:** That overwhelming feeling of having too many deposition pages to edit.

**Tranophobia:** A fear of the transcript order of that hearing where everyone was talking at once.

**Famenonymous:** How you describe an attorney in court who goes on the record without stating his appearance because he thinks everyone knows who he is, when, in fact, no one does.

**Ambitexterous:** Someone who texts with both thumbs.

**Nostrillizing:** The exercise of flaring your nostrils when everyone is starting to annoy you.

**Halitrocious:** How you describe that ominous odor in the room when someone at the table forgot to brush their teeth this morning.

**Snaffing:** That strange sort of snorting noise you make when trying to stifle a laugh because, apparently, you're the only one who thought it was funny.

**Trashdashery:** The way you have to edit when someone can barely get out three words before changing their thought again.

**Brainicane:** Like a brainstorm, only bigger.

**Cleava:** When a woman's neckline is cut just a little too low and her cleavage spills out like lava every time she leans forward to mark an exhibit.

**Intravino:** The wine I.V. that you need at the end of the day after a long, hard depo.

**Innoculatte:** The double-shot coffee drink that you need to get out that overnight expedite.

**Nerb:** The result of combining a noun and a verb. For example, conversation + converse = conversate.

# CONGRATULATIONS... YOU DID IT!



Congratulations to the following reporters from around the state of Florida on achieving their new Florida Professional Reporter (FPR) designation in September 2011 in Altamonte Springs, Florida:

Jennifer Ahearn	Kelly Hutto	Staci Revell
Julia Alfonso	Tina Ice	Lisa Rollins
Carrie Barros	Michelle Jewell	Dawn Roush
Jillian Baxter	Janice Jones	Karen Ruiz
Sherry Belliveau	Heidi Kay-Harmer	Christine Savoureux-Mariner
Ginger Besecker	Paula Laws	Melissa Schroeder
Aurelie Bower	Jennifer Little	Deborah Shoman Zirbel
Kevin Branagan	Nikki Lloyd	Debbie Smith
Lisa Carlson	Roxana Lofley	Elizabeth Speer
Juliana Cary	Judy Martin	Angela Steele
Jodi Colello	J. McGoye	Christine Stover
Dana Daufeldt	Lauren McIntee	Denice Taylor
Nicolette DiLoreto	Vanessa Mendoza	Leah Underwood
Aubrey Ehrhart	Kelly Milioti	Sharon Velazco
Noelani Fehr	Terri Miller	Stephanie Weaver
Trisha Girdley	Lisa Mudrick	Andrea West
Cynthia Griffis	Melissa Odom	Susan Wilson
Pamela Gunn	Samantha Pedersen	Lisa Workman
Marisol Hakmon	Shelley Plate	Amy Yarbrough
Heather Hauner	Anneliese Ramos	
Judy Heiss	Bobbie Raybin	
Heidi Hunter	Leslie Renfroe	

Many thanks to the September 2011 Florida Rules and Ethics Seminar panel members for their dedication and hard work: Cindy Bender, RPR, FPR; Diane Emery, CMRS, RPR, FPR; Jennifer Gaul, CMRS, FPR; and Paulita Kundid, RPR, CLVS, FPR.



## Maintaining the Tools of Your Profession - Key to a Successful Career

By Robin Merker, RPR, FPR

Every student is concerned with passing their speed tests and getting out of school, but how you conduct yourself and your business is what will continue to ensure a successful career. It's never too soon to develop your game plan.

The major tools of your trade are your writer, your software, and your computer. All of these require maintenance and updates. Generally speaking, when you first purchase, everything comes with some level of warranty and/or maintenance for that first year. After that, you're on your own. That's when many reporters, both new and not so new, make a major mistake – they don't plan for what happens next and will let maintenance and support lapse after the initial 12 months when they get that first bill because "it's too expensive."

Well, what's really expensive is if you don't have maintenance when your writer breaks, or you install your software on a computer with a new operating system and it doesn't function properly, or you drop your laptop and can't produce work—and many of us could tell you horror stories because it does happen!

However, with a little bit of planning, you can avoid those pitfalls and more easily absorb the cost of maintenance and new equipment. Think about it, you've just bought your new writer – find out how much the maintenance bill will be next year when it comes due.

Even if it's \$600, if you break it down monthly, you're only looking at \$50 a month. That's about three lattes a week, a movie for two twice a month; you get the idea.

The same idea works with your software maintenance. You may think you don't need it, but software maintenance includes updates and new versions and gives you access to tech support. If you don't have it, you'll be charged per call; and eventually, when you do decide you want to update your software, trust me, the amount won't be something you've budgeted for. Also, with Windows tweaking their operating system more and more frequently, your court-reporting software updates are essential.

So far as laptops and PCs, that's slightly different. Most reporters work off laptops and/or netbooks, and they are fairly inexpensive. Again, they are covered for most issues the first 12 months unless you drop them - so what to do? Well, that's up to you. My personal preference is to get a new laptop every 12-15

months and then put the last laptop in the closet for backup, rather than pay for extended warranty. That way, if something breaks on the new laptop, not only is it under warranty, but I can immediately switch to the old one while the new one goes in for service. I put aside a small amount each month so when I'm ready to get a new laptop, I have the funds available. If you opt for the extended warranty, one advantage is it may even protect you if the laptop breaks because it's been dropped. Whatever you decide, just make sure that you have a backup plan for continuing to turn out work while your machine is in the shop, whether the warranty provides a loaner, as some do, or you have access to another computer.

Just writing fast and accurately is not enough once you're embarked on your profession.

Treating the tools of your profession in a business-like manner will help keep you at the top of your game!

 A graphic showing several US dollar bills falling from the top of the page against a blue background.
 

***Even if it's \$600, if you break it down monthly, you're only looking at \$50 a month.***

***That's about three lattes a week, a movie for two twice a month; you get the idea.***

## ETHICS AND PROCEDURES CORNER

### Rush Back-Order with Read-and-Sign

By Judy Everman, RPR, FAPR, CMRS, FPR

You receive a back order on Friday for a plaintiff's deposition in a case going to trial on Monday. On Sunday night, after editing the transcript, you found out reading-and-signing is not waived. Now what?

Well, first of all, you should know that any time a deposition is held, there is a high probability that it will end up being back-ordered on a rush basis. Why? Because the attorney does not realize he does not have the transcript until he begins to prepare for trial and cannot find it. Then he calls us, the reporter, to find out if it was ever ordered.

What are your options? Plaintiff's counsel did not buy a copy of the transcript, so no potential help there. It's Sunday, and you don't even have a phone number or e-mail address written down to contact the deponent. So due to time constraints, you make no effort to address the reading and signing but simply deliver the original and certified copy to ordering counsel at trial with no mention that reading-and-signing was not waived.

At trial, when the ordering attorney (defense counsel) attempts to use the transcript to impeach the plaintiff on cross-examination, plaintiff's counsel objects on the basis that his client did not waive reading and signing and has not been given the opportunity to read the transcript. The court sustained the objection but took a luncheon recess during which time he directed the plaintiff to read his deposition. Fortunately for the reporter, counsel was then allowed to read from the transcript after it was read. Fortunately, you thought to put an errata sheet in the rear of the transcript just in case.

The ordering attorney was quite upset that no arrangements were made to "furnish" the transcript to the witness and that he did not know that there was an issue there till he tried to use the transcript at trial. What should the reporter have done under those circumstances or time constraints?

First, you must make some effort to notify the deponent or to make the ordering attorney aware of the situation, whatever it is. One of the most important things a reporter should do when a deposition is not ordered is to get the phone number or e-mail address of the deponent if he or she does not waive. Frequently there is no time for written notification on back-orders. I can't emphasize that enough since the majority of back-orders are rushes. Also, put at the top of your notice that it is a read-and-sign – I use "R&S" – so if you have time constraints you can contact the deponent or deponent's attorney during the business day and before you even start transcribing. Here are some options:

1. On Friday, while still within office hours, contact plaintiff's counsel to give "prompt notice" that the depo has been ordered and see if they want to order a certified copy. If you have the "R&S" at the top of your notice, you could go ahead and discuss how they want to handle reading-and-signing when the transcript is ready, whether they buy a copy or not.

2. On Friday, before you even start transcribing, if you got a phone number or e-mail address, you could contact the deponent to tell him it will be ready to read Saturday/Sunday or 7:00 a.m. Monday at your office (if you don't

mind spending the weekend there).

3. If a copy is ordered by plaintiff's counsel, see if both counsel will agree to allow plaintiff's counsel to handle reading and signing due to the time constraints. If such an agreement is reached, write a memo at the conclusion of the deposition entitled "Agreement by Counsel on Reading and Signing," memorializing what was agreed to, and index it as well.

4. If no copy is purchased by plaintiff's counsel, you could send a cover letter to ordering counsel with the transcript advising him of what the status is, that you had no time to contact the deponent and, therefore, due to time constraints the only option left that you see is to have the deponent read defense counsel's original transcript at the courthouse before trial or during trial, and that for that reason you have attached errata sheets for the deponent's use in entering any changes, etc. That letter should be indexed and attached to the transcript.

The thing is to make some kind of arrangements or to put ordering counsel on notice that signature was not waived and that no arrangements were made to effect signature. What upset the attorney was that he was not made aware of any issue that needed to be addressed or that it was a read-and-sign and only found out when it became a serious problem at trial.





# SLEUTHING THE NET

By Donna M. Kanabay, RMR, CRR, FPR • [donna@kanabay.com](mailto:donna@kanabay.com)

## HALF A CENTURY...THE DAYS ARE LONG, THE YEARS SO SHORT

In this episode of my column, I'd like to depart a bit from the norm and talk about the logistics and the many tools that "The Fab Four" used in putting together FCRA's 50 years of history.

The project had actually started in 2008, when I decided to take steps to fill a void I had been concerned about for a long time: The compilation and preservation of our association's history. There had been times over the years, especially as my activity in FCRA increased, that I wondered how something came about, or a reference to a name from the past piqued my curiosity, and I realized there was simply no place that a member could go to find this kind of information..

Our fantastic team at Headquarters pulled several boxes from storage to get me started, and I hauled them back to my office to begin sorting through them in preparation for scanning and organizing. There were several boxes of old magazines, some of the oldest in terrible shape, and a couple of crammed-full boxes of pictures. Many of the bundled pictures were unlabeled as to date or event. When did photo processors stop putting the date on the back of prints?? Little did I know at that time that there were several more boxes that HQ hadn't yet pulled. This was only the beginning.

I started scanning and sorting as best as I could, but quickly realized

I was in over my head on the pictures. Some of the batches I was able to match up against pictures in the magazines, but many left me puzzled. For instance, it appeared for all the world that Ginny Hyland had changed clothes at least once during the same business meeting...

I knew Shirley King was a bit of a historian and had some fabulous scrapbooks, so I contacted her about the project, and we exchanged a few e-mails. During that discussion, one of us realized that 2011 would be our 50<sup>th</sup> anniversary. Oh, well, that's easy: we've got two years to pull this together. The last e-mail from that discussion is dated July 17, 2008.

And there it stopped. Life intervened; time flew by.

Fast-forward to the Board meeting on July 5, 2011, where President Robin Merker circulated an e-mail she had received from a gentleman named Art Clum reminding her that this was our 50<sup>th</sup> anniversary. I was slammed with an odd mixture of EUREKA and Oh *Brother!* You see, sometime after I'd first hauled the boxes from HQ back to St. Petersburg, dear friend and colleague Pat Smith died. I attended her funeral in Ft. Pierce in March of 2010, and a gentleman approached me and asked if I was Donna. He told me that somebody had pointed me out to him, and he introduced himself as FCRA's first president.

A wave of guilt washed over me as I realized I hadn't touched the project in nearly two years and certainly hadn't yet immersed myself to the point I would have any idea that this man existed, what role he played in our association, never mind his name, and never mind that he was still alive. But I knew that I sure did want to talk to him – but not at a funeral. I got his contact information, including e-mail, gave him my card, shoved the note hastily into my purse as the memorial service began, and promptly forgot about it until sometime later. Of course, when I did remember, the notes I had scribbled were long misplaced.

But you do get some second chances in life; and at the Board meeting on July 5<sup>th</sup> as we all read Art's e-mail, I told the Board that I'd actually started this project years before and Shirley was gonna help me, and don't worry, folks, we'll be able to slap something together for the convention in a couple months.

Eek....

I honestly don't remember how the Fab Four came to be. It seems like one minute we *Weren't*, and the next we *Were*. Before I knew what was hitting my spinning head, Judy, Shirley, Liz and I were meeting at HQ on July 21<sup>st</sup>, where I saw for the first time the original minute books. My hands were literally trembling

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as I opened the first book to the first meeting, as Tina handed me the original Articles of Incorporation. And that was only the *first* box we opened. (The picture does not show the 6 boxes piled just out of frame to the lower right. And we cleaned off the table a bit for the pictures.)



L-R: Judy, Liz, Donna, Shirley

And this screenshot from my promo video shows less than half of the total material we ended up plowing through (have

I mentioned yet that we're not done going through it all?).



The day at HQ is honestly a blur, but somehow we managed to begin to get organized. By that point, I had loaded the scans I'd already gotten done to a folder on my DropBox and

taught everybody how to use it. And it quickly became apparent – once Marna began uploading HQ's library of digital photos – that my little freebie DropBox account wasn't going to cut it. I had to buy a real DropBox membership, Pro 50 (50G, for about \$100 per year.) But that didn't solve all of our problems: One of the many things we learned during this project is that whoever you invite to your folder has to also have the same amount of space on THEIR account. So HQ, Judy, Shirley, Liz and others were constantly getting alerts on their DropBox desktop application that their DropBox is

"full" and that they needed to buy more space.

In the end, we all agreed that only Shirley needed to have full, easy access to all the materials, and she also bought a 1-year 50G Pro membership. For the others, I found a workaround, in that if they needed to access any of the material, they could go to the main DropBox web site, log in as me, and pull whatever they were looking for directly from the web site gate.

Side Note: While all of this was going on, I was also involved in the super-secret plans for Jennifer's EMDSA, and Jennifer was accessing our materials on DropBox for her project for the Saturday Night Red Carpet presentation. I had to be very careful to keep the groups separated, and I trembled in terror that I would accidentally send the wrong e-mail to the wrong group and spill the secret to Jen.

Judy and Liz were the base research team, taking loads of minutes home with them and collaborating on doing a skeleton report of notable points through the years. Shirley took the photos, and she and I split up the magazines, each of us to dig into further scanning and photo-event matching, as well as for her to begin her creative side of the project, the PowerPoints that formed the basis of the video scrapbooks.

By August 5<sup>th</sup>, when I was again going to HQ, this time for an FPR/Manual Committee meeting, they had all finished their initial hands-on work and returned the materials to HQ. After the meeting, I filled my van with yet more boxes to take home to resume the task of scanning all of the material and starting to work on my two facets of the project: 1) Building on the skeleton that Judy and Liz had done, doing an in-depth, detailed chronology of our history, reading every single document we had, in order; and 2) The creative end, taking Shirley's PowerPoints and turning them into an entertaining multimedia show.

Regarding the latter, I quickly realized that PowerPoint

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was not the vehicle I needed to be using. (Well, not so quickly, actually. While I immediately ran into problems making it sing, it took me another day or two of beating my head against the wall to realize there was a better way.)

*And so begins the actual point of this column:* A crash course on how to make many different programs mesh, work together, play off of each other, and bend to your will.

As a self-styled software junkie, I've known for years that no matter what it's designed for, and no matter what it costs, no matter what you're trying to accomplish, and no matter how technologically up to date it is, *no one* program will do it all. Luckily, for those many years, I've found myself collecting software the way some people collect crystal figurines or stamps. I'd need a program that will do *this* – just this one little thing, please – and I'd find one to do it. As a result, I have a scattered smorgasbord of programs that I don't even remember what half of them are for or indeed if I've ever even used them. Others, I haven't been able to live without.

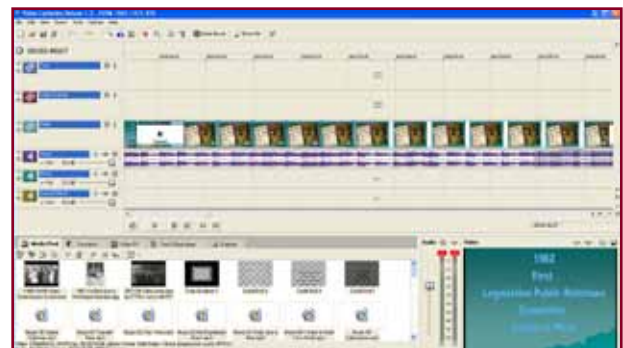
The first and most urgent problem was the fact that PowerPoint is great for some things – basic presentations with some animations and some nice graphics, but its limitations certainly didn't fit my vision of the final product. I bemoaned the fact that we hadn't worked the original project in one of my old standbys, Video Explosion. It's a movie-making product that I've dabbled in, and it's old and long out of production. But even though I knew I hadn't begun to really learn it in the past, I was relatively comfortable with the basics and I was pretty sure it would be ideal for this. Sigh, if only I could get Shirley's PowerPoint slides into –

... did YOU know that PowerPoint has a feature where you can save each slide individually to a .JPG? Now you do!

I exported all of the slides from the 1960s PowerPoint. (By this time, we had learned a lot more about the limitations of DropBox, especially when working with

large files, and had been forced to change our original plan of doing the entire 50 years in one file. And we'd learned it the hard way: Shirley had lost two-thirds of her original work by working "live" in DropBox and had to reconstruct it. After her husband hid all the sharp objects in the house and she locked herself in her office for three days to rebuild the lost files, we realized that it was best to pull a file like that OFF of DropBox to your local drive and do the main work there, uploading each day's work when you're done, not only as a backup, but so that other team members can access it.)

With some tedious, repetitive, time-consuming finagling, the slides, now in .JPG format, imported seamlessly into my Video Explosion program, and that's where the real fun began. I don't mean that sarcastically – this program is so fun to use. It's a shame it's out of production and there are no updates, but I know there are lots of more current programs out there now, and some day I'll start checking them out and decide on one to take my little hobby to the next level. But with programs like these, you can pretty much figure out a way to make a segment do anything you want. Music, transitions, special effects, morphing, moving, rearranging – simply by moving things around on the visual timeline and clicking on the various effects – all of which are fully customizable, giving you almost unlimited creative license.



This screenshot shows the entire screen with all of its parts, and the timeline sequence of a fairly simple effect I threw in:

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Each of those little blue triangles is where I “split” the original slide. The green “FX” indicates I’ve added an effect. In this case, the effect was that I told it to change the image to black-and-white. Then the next one has no green “FX,” which reverts the slide to its original color. The effect, when played, is that the picture flashes quickly from black-and-white to color and back again, like a strobe effect. It lasts a few seconds and then stays color for the remainder of that sequence.

There were some problems that I had to solve. The program will import only .MPG format videos, and some of the videos I had were .MOV or .WMV format. To solve that problem, as well as others, there’s a marvelous “suite” of programs called AVS at [www.avs4you.com](http://www.avs4you.com). They have *everything* you could possibly need for video and audio work -- Audio Converter, Audio Editor, Image Converter, Video ReMaker, Video Converter, just to name a few. Additionally, Video Explosion only imports the .MP3 and .WAV music formats, and many of the pieces of music were in different formats.

I was able to solve all of these problems with the AVS Audio Converter and Video Converter. The coolest thing about AVS is that you don’t buy the programs individually; you subscribe and then have unlimited access to *all* of their programs. Many times over the last several years when I was working on something I’d realize I don’t have a program that will do the specific thing I need, and I’d just go to AVS, find what I was looking for, and be back in business in just a few minutes.

When beginning to work with the great 50th anniversary promo videos, most of them were in .MOV format (QuickTime) and I was able to convert them to .MPG using the AVS Video Converter. Not only that, but many of them were filmed on cell phones; and when they play in QuickTime, QuickTime automatically rotates

them to the correct orientation if they happened to be filmed “side-ways,” but they would load into AVS sideways when I went to convert

them to .MPG. My heart sank as I encountered the first of these, but a little bit of exploring led me to the feature in the program that allowed me to rotate them so they would convert right side up.

As far as scanning documents, of course we scanned all of those into .PDF format. This resulted in huge files for the magazines, but with the full Adobe Professional you can compress without any loss of resolution. In fact, the compression feature cleans up the scans and actually straightens the crooked ones. (For those who do not want to spring for the full Adobe Pro, there’s a great knockoff called Nitro PDF Pro, \$99 at [www.nitropdf.com](http://www.nitropdf.com).)

Photo scanning, my very cheap (less than \$120 just a few months ago) home scanner has a feature that separates multiple photos from one flatbed scan into its individual .JPGs, even naming them sequentially. I can’t begin to imagine how much time that one thing saved me in *that* laborious process!

For photo editing, Shirley and I both have Adobe PhotoShop Elements. But for much of what I was doing on the fly, that’s overkill (and somewhat bloated), so I usually use my old standby faithful for quick’n’dirty work, PaintShopPro. I’ve used it for years and know it inside out. I used it to create the layers needed to turn this:





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Into this:



Warning! Geek Alert: Each person's name is on a separate "layer" so that it can easily be changed or corrected if needed, which came in handy when Taylor Reese pointed out to me that on my first version I had him and somebody else mixed up J. Without the use of layers, I would have had to start all over again just to correct that one thing.

I hope this quick sketch of our work hasn't bored too many of you, and that perhaps it's whetted some appetites to dabble in graphics work yourself. We all have to start somewhere. And when I first started playing with it many years ago, I saw it as a way to give an outlet to my creative juices – even though I lack even the most basic artistic talent. And I knew absolutely nothing about how to do any of it, learning mostly by trial and error. If I can do it, anybody can!

I want to thank the Fab Four for their hard work, as well as all the members and past presidents who offered information and materials to us. I can't begin to list all of them for fear of leaving somebody out, but of course a special nod of thanks to Art Clum and Taylor Reese.

Our work has barely begun. There are still a lot of rabbit trails to follow. Hopefully, by the time you read this, you'll have received the DVDs you ordered at the convention. But I'm warning you right now that the project won't be complete in time for production and shipping, not even with the materials we have in hand now. (I'm up to only 1982 in my detailed chronology and I'm running out of time. That will be an update for everyone who purchased a copy of FCRA's first 50 years project.)



And I know that somebody, somewhere, has some of those old magazines/newsletters from the '60s (originally called Symposium) and that some day, somewhere, somebody's going to be cleaning out an old storage room and find them. And when they do, I hope they remember who to send them to!

Last, thank you so much to the 2010-2011 Board for recognizing the Fab Four with the most beautifully crafted award ever presented.

While the four of us have agreed that this was an extremely intense short-term scramble, we also feel that it's been the most fascinating and fun project any of us have ever undertaken.

And miles to go before we sleep.



**Use Wireless Keyboard with iPad**

**Q. I bought a Bluetooth wireless external keyboard to use with my iPad. It's a great little keyboard, but I cannot get it to connect with the iPad. What am I doing wrong?**

A. The iPad's integrated virtual keyboard is adequate for some typing, but for any significant amount of data entry, a real keyboard can't be beat. My personal favorite is a Logitech Bluetooth iPad Keyboard (\$69), but Apple makes an excellent wireless keyboard, also \$69 (what a coincidence) which is available from the Apple Store (<http://store.apple.com>). It can be a bit tricky to establish the handshake between iPad and keyboard, so let's walk through the process, step by step, in excruciating detail:

On your iPad, go to Settings > General > Bluetooth and make sure it is set to On. Next, turn on your keyboard using its power switch.

Return to the iPad's Bluetooth settings (Settings > General > Bluetooth) and after a couple of seconds you should see the cryptic words "Not paired," and your keyboard identified by name.

Here's the crucial, little-known, often-overlooked, hyphen-laden step: In the iPad's Bluetooth settings, tap "Not paired," and note the four- or six-digit number displayed. Type that number on your keypad, then press the Return key. Once the connection (handshake) is established, you will see the word "Connected" next to the name of your keyboard. You can then begin typing.

Once you finish using your Bluetooth device, be sure to return to Settings > General > Bluetooth and turn Bluetooth off. If you leave Bluetooth on and raise the iPad to your ear, like an iConch, the sucking sound you hear will be the charge departing your battery.

The next time you use your keyboard, turn on Bluetooth, turn on your keyboard and after a few seconds the word "Connected" should appear. At that point, you're good to go.

For oodles (it's a technical term) more iPad tips, my latest ebook series, "Mr. Modem's Top 50 iPad Tips," Volumes 1-3, makes its debut on [amazon.com](http://amazon.com) this month.

**Q. I somehow deleted the My Document icon from my XP computer. How can I get it back?**

A. Right-click Desktop > Properties > Desktop tab > Customize Desktop button. Under Desktop Icons, place a check mark beside My Documents. If it already has a check mark, remove it, restart your computer, then return to the same area and replace the check mark, followed by OK.

**Q. How do I capture or save what appears on screen?**

A. The key to capturing whatever appears on your monitor is the keystroke combination CTRL + PRINT SCREEN, sometimes displayed as the PRNT SCR or PRT SC key.

Pressing the PRINT SCREEN key copies data to the Windows Clipboard, from which you can then paste it into another document or email message.

If you want to capture only the active window -- the window in which you are currently working -- and not any other window that might be lurking in the background, hold down the ALT key first, then press the PRINT SCREEN key.

When I create a screen shot of a window, or an error message, or some other dialog box, I paste it into Paint, which can be found under Programs > Accessories. You can, however, use any other graphics program as your pasting destination.

# Mr. Modem's Don't Miss 'em (DME) Sites of the Month

## 10x10

A fascinating site that takes an hourly photographic pulse of the world. When you open 10x10, you will see a grid of the top 100 world images for that hour, ranked in order of importance, reading left to right, top to bottom. Along the right edge of the screen are listed the corresponding top 100 words, one for each image. Move your mouse around the images and you will see which words match which images. Click any word or image to zoom in and see the news headlines behind the word. [www.tenbyten.org/now.html](http://www.tenbyten.org/now.html)

## Get Relaxed

Soothing sounds to help you feel more relaxed and less stressed. Choose from mellifluous melodies such as "Eternal Hope, Midsummer Sky" or "Clear Water." Music is accompanied by a photo slide show, which I thought moved too quickly and kind of stressed me out, but perhaps that's just me. Better still, forget the slide show, minimize the window, and let this musical muscle relaxer play in the background. Ahhhhh...[www.getrelaxed.com](http://www.getrelaxed.com)

## World eBook Library

The World Public Library Association is the world's largest eBook provider. Founded in 1996, the WPLA is dedicated to preserving and disseminating classic works of literature, serials, bibliographies, dictionaries, encyclopedias, and other reference works in a number of languages and countries around the world. Nothing by Mr. Modem yet, though. Pity. <http://netlibrary.net/view/about-us.aspx>

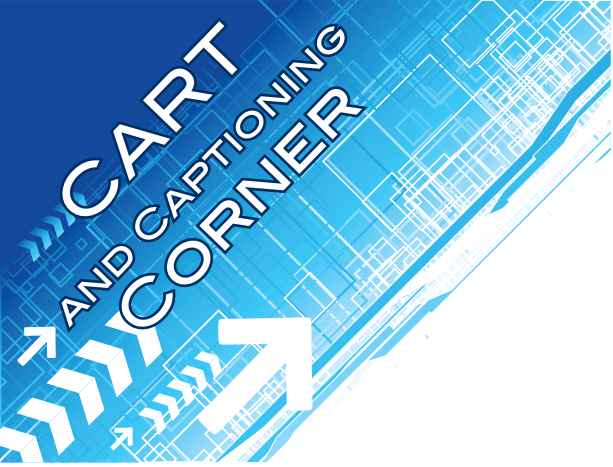
*"Mr. Modem's Top 50 Computing Tips," a life-altering five-ebook series, is just a download away on amazon.com! Each (only \$2.99) features 50 of Mr. M.'s greatest computing tips, all easy to understand, all written in Mr. Modem's entertaining and occasionally informative style.*

## IT IS NOT TOO EARLY TO START PLANNING...



If you were with us in September in Altamonte Springs, then you know what can happen when the rock stars of Florida court reporting get together!! Mark your calendars now and plan to join us on the beach in June for our 2012 Annual Conference in Clearwater.

Just a sneak peak at what's ahead ~  
the FPR seminar, software training, great speakers  
and friends and a party to top 2011!!  
Hilton Clearwater Beach • June 29 through July 1



# CART in the Legal Setting

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

As a Court Reporter, you have been asked to provide CART in the courtroom. You say, "I can do that. I'm already a Certified Realtime Reporter. How can it be different?"

Ah, but there are many differences.

The official record is prepared by the Official Court Reporter. The CART Provider works alongside the Official, but in a distinct role. The CART Provider captures not only the spoken words, but also the spirit of the proceedings and environmental sounds. The CART Provider is there in an interpretive role rather than an official role and attempts to deliver the hearing-impaired individual with as much information as possible.

The Official Court Reporter's role is to prepare an accurate, complete, and official record of the proceedings and does not interpret what is happening. A CART Provider's role is to facilitate communication and, therefore, does interpret.

In this regard, a CART Provider is much like a language interpreter and should be sworn in at the beginning of the proceedings with an oath.

A Certified CART Provider (CCP) should be used in the legal setting. CCPs are trained in CART. Although being a CRR is a requisite, a reserve of shorthand speed allows the CART Provider time to fingerspell and add job defines.

Knowledge of grammar, punctuation, sentence structure, spelling, vocabulary, high-frequency colloquialisms, and slang is crucial. The CART Provider must listen for continuity, sense, and detail of the proceedings, anticipating and preventing errors in translation.

As difficult as it may be for attorneys and even the Court to understand, the CART Provider cannot comment, interject, or respond to inquiries outside of their role. To avoid misunderstanding and embarrassment, establish a clear understanding with all involved before the proceedings begin.

A CART Provider is there to assist in communication, not provide the verbatim record. No rough-edited electronic file is to be produced nor distributed. Notes and/or files are preserved in an unedited fashion in accordance with statute or Court order, or for a period of no less than five years. Under no circumstances is a CART rough draft to be used as an official record.

In a confidential setting, such as legal discussions, jury deliberations, attorney/client discussions, the CART Provider should delete all files immediately after the assignment unless requested not to do so, or by order of the Court.

If the CART Provider is providing the service for an attorney or judge, the sidebars would be taken down; if it is any other party, it is not.

A CART Provider should refrain from working in the dual capacity of Official Court Reporter and CART Provider. However, when no other option exists, the role performed is that of the Official Court Reporter.

So, if you get that call to provide CART in the legal setting, be sure you're ready and understand your role. The service you provide will be extremely satisfying.

*(Excerpts reprinted from The CART Providers' Manual with permission from NCRA)*

***The CART Provider captures not only the spoken words, but also the spirit of the proceedings and environmental sounds.***



# 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](http://www.dearnancy.com).*

**Dear Nancy: Is there a rule for the use of the trademark or registered symbol after the brand name of a product or medication? If so, do you use it only on the first mention but not throughout the transcript? Please help.**  
Signed, To Use or Not to Use

Dear To Use or Not to Use: That is the question. (Pace Shakespeare)

I wasn't sure myself, so first I went to Morson's English Guide for Court Reporters. Couldn't find it referenced there, so I did a little Google investigation. (Did you catch the hint there?) What do I love best about Google? It's the great buffet, serving up all kinds of options for you: the informed, the educated guess, the custom and practice, the far out. And once you've sampled far more than you can possibly digest, it asks you to click to the next page. All the world's a buffet. (Pace again, William)

But we were talking about punctuating transcripts, not my next cruise, weren't we? Riveting, yes. From my search, I got three answers – each from a different website – and they are:

- 1) When using the name of a federally registered item or service, use the circle-r (®) mark on first use.
- 2) Try iPod as an example. Technically, you do not have to put the trademark symbol next to the iPod name as long as you make it clear that it is Apple's registered trademark. However, if you want to be a stickler about symbols, then put it in. As long as you credit Apple (e.g., by saying "Apple iPod" instead of just "iPod"), there should be no trouble.
- 3) The Chicago Manual of Style says the symbols ® and ™ "need not be used in running text."

And since I believe that the KISS principle (Keep It Simple, Stenos) is the greatest principle on the planet, and since I always choose the easy way out when it's an option, I'd choose the third answer. Just KISS me and I'm yours.

®™©

**Dear Nancy: Your article in the April JCR prompts a question about "new paragraph" usage, i.e., starting a new paragraph with the phrase, "Which brings me to those fascinating blogs," etc. I'm from the old school and we were taught that a sentence must have at least a noun and a verb; if not, it's an incomplete sentence. Yet I see these sentence fragments all the time in newspapers and print media, and I'm perplexed. Is this the new style? Are the old rules for writing inoperative?**  
Signed, Old School

Dear Old School: Robert Day's The Ten Commandments of Good Writing is a hoot. His Rule #10 is: "About sentence fragments." Always cracks me up. Likewise with his Rule #1: "Each pronoun should agree with their antecedent." Heh heh.

In a terrific article written for the Colorado Springs Fiction Writer's Group entitled Using Your Poetic License in Prose, R. Michael Burns states: "You must know the rules in order to break them properly. Because yes, there are 'proper ways' to break the rules...Let me be clear: I am not suggesting some sort of literary free-for-all here. There's a single, vital question which you must be able to answer with a resounding 'yes' — or else all your rule-breaking is just so much verbal vandalism. The question is this: Is the prose clear and evocative?"

He continues: "Consider fragments. A fragment is an incomplete sentence — that is, one which doesn't have both a subject and a predicate consisting of (at least) a verb. The shortest possible complete sentences in the English language are, 'I am' and 'I do.' 'I' is the subject of each, 'am' and 'do' are the prepositions, composed of nice, short, naked verbs. In general, fragments are mistakes, the result of a writer forgetting his purpose half-way through a sentence...Under some circumstances, though, a fragment can be just the thing. Consider this, from Elmore Leonard's The Big Bounce: 'Hey, who's in there?' A pause. 'Come on, let me in!' Silence. Let it sink in, Ryan thought.

"The sentences, 'A pause' and 'Silence' are both fragments. Leonard certainly could have written, 'There was a pause' and 'There came only silence' or other similarly 'complete' lines. But the fragments convey the same meaning just as clearly, and fit not only Leonard's terse style, but also the scene's staccato rhythms and the streetwise sensibilities of the characters. The prose has

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# Dear Nancy

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a beat to it, and the fragments serve that beat without sacrificing an ounce of clarity.

"Again: clarity is the goal. If the fragment fits the pace and evokes a sense of mood or tone, and if it does so without losing any meaning, then it's a perfectly good and useable tool."

Mr. Burns concludes: "Break the rules deftly and deliberately and your prose will shine.

Now, by the power vested in me by the University of Colorado (which issued me a degree in English with 'all the rights and privileges thereunto appertaining' of which I believe this must be one) I bestow upon you your very own Poetic License. Go ye forth and commit eloquent, evocative prose."

I strive to write in a conversational voice in my advice columns, and that is often not grammatically pure. We have Mr. Burns' blessing to "commit eloquent, evocative prose," and that's my goal. BTW, a colorful, likable character jumps out from Burns' lively prose. I'd love to hear him hold forth at an NCRA seminar on his concept of poetic license. I am now in my fifties (early fifties, thank you) and it would be a comfort to have validation of my hip up-to-dateness.

Which brings me to my next question.

**Dear Nancy: I have been a court reporter for nine years and I feel my speed is slower than when I first started. I was wondering if you had any tips on how to improve my speed. Should I listen to tapes again?  
Signed, The Hands of Time**

Dear The Hands of Time: Let me offer you a helping hand because one hand washes the other, even though sometimes the left hand doesn't know what the right hand is

doing. But today you can expect a handsome return from my handy tips and evenhanded advice. (Yeah, I know, that's enough already! Hands off!)

First, do use dictation tapes to practice — on the job.

Consider swimming and writing steno. Learning to swim is the first step. With a proper routine, you can work up to ten laps, then more. You're in shape, and adding extra laps is not a big deal. Once you stop your routine, you don't forget how to swim, but the laps get tougher to complete.

Maintaining steno speed is all about the routine. It's difficult to come home after a long day and get your equipment out for a practice session. Instead, work with your schedule. Reporters often wait around for their depo or trial to start. Use that time for meaningful practice. There's lots of advice on how to practice. The experts — Mark Kislingbury, Ed Varallo, Chuck Cady, perhaps your former teacher — are all ready to share their practice tips with you. And they know what they're talking about.

The key is making practice a part of your daily routine. Before you know it, you'll have that RMR or CRR, or the 99.5 percent translation rate you'd like to have on even the toughest jobs.

Copy a couple of 5-minute takes to a flash drive and throw it in your computer case. While waiting for the job to start, you can do some speed practice. (Don't forget your headphones!) I'm sure your daily schedule is as overpacked as mine. Make use of your odd moments. It's a great way to keep your technique in tiptop shape.



# FCRA welcomes the following new members

(Includes all members who joined as of November 12, 2011)

## ASSOCIATE MEMBERS

NAME	CITY	SPONSOR
Appel, Kristine	Orlando	Bobbie Barrett
Bower, Aurelie	Orlando	Susan England
Eble, Erin	Orlando	Bobbie Barrett
Ehrhart, Aubrey	Orlando	Susan England
Fritsch, Linda	Largo	Gayl Hardeman
Hill, Merritt	Orlando	Bobbie Barrett
Hutto, Kelly	Orlando	Bobbie Barrett
LeTendre, Jacqueline	Orlando	Bobbie Barrett
Pedersen, Samantha	Orlando	Bobbie Barrett
Plate, Alexa	Chicago, IL	Robin Merker
Plate, Shelley	Chicago, IL	Robin Merker
Revell, Staci	Orlando	Bobbie Barrett

## PARTICIPATING MEMBERS

Belliveau, Sherry	Inverness	Donna Kanabay
Daniel, Michelle	Cape Coral	Gail M. Lawson
Daufeldt, Dana	Davie	Michael Benowitz
DiGiarmo, Sandi	Ft Lauderdale	Donna Kadosh
Eagle, Mary	Miami	Sandra Estevez
Edwards, Krystal	Orlando	Kirsty Schouweiler
First, Amie	Orlando	Sandra Estevez
Grassini, Corinne	Miami	Jeannie Sanchez
Hunter, Heidi	Jacksonville	Marianne Hedquist McMichael
Johnson, Lindsey	Ft Lauderdale	Jennifer Gaul
Kim, Jeana	West Palm Beach	Dawn Ramos Bachinski
Mackrell, Jamie	Ft Lauderdale	Donna Kadosh
Martin, Allison	Sebring	Susan Wasilewski
Martin, Judy	Orlando	Bobbie Barrett
McCranie, Jim	Carrollton, TX	Rick Levy
McIntee, Lauren	Orlando	Susan England
Mendoza, Vanessa	Brandon	Breean Bergin
Phillips, Margaret	Miami	Sandra Estevez
Restrepo, Lourdes	Miami	Felicia C. Ortega
Savoureux-Mariner, Christine	Plantation	Catherine Fitzpatrick
Underwood, Leah	Gainesville	Linda Frazier
Walker, Elizabeth	Deland	Linda Frazier
Webster, Catherine	Key West	Amy Landry
West, Andrea	Lake Worth	Donna Kadosh
Willis, Kelli Ann	Miami	Rick Levy

## STUDENT MEMBERS

Cummings, Linda	Sunrise	Stephanie Hackney, Instructor
Goodman, Dedria	Tierra Verde	Linda Bland-CRAH
Houghton, Alison	Cantonment	Susan Wasilewski
Salyers, Chris	Orlando	Bobbie Barrett
Smith, Debbie	Lawtey	Matthew McKinney



# 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.

<p>I make application for Membership as a: (CHECK ONE)</p> <p><input type="checkbox"/> <b>PARTICIPATING MEMBER</b> .....\$300.00 Open to anyone engaged in active practice of official or general court reporting by either stenographic or voicewriter method. (Please indicate method above.)</p> <p><input type="checkbox"/> <b>STUDENT MEMBER</b> .....\$35.00 Open to any student of shorthand reporting who is endorsed by a court reporting training program instructor or director.</p> <p><input type="checkbox"/> <b>RETIRED MEMBER</b> .....\$45.00 Open to any participating member in good standing who has retired from the active practice of shorthand reporting.</p> <p><input type="checkbox"/> <b>ASSOCIATE MEMBER</b> ..... \$90.00 <b>This category is open to the following (please check one):</b>  <input type="checkbox"/> Teachers of shorthand reporting  <input type="checkbox"/> Individuals officially connected with a school or college conducting shorthand reporting course - <b>School Name &amp; Location</b> _____  <input type="checkbox"/> Non-member individuals retired from active shorthand reporting  <input type="checkbox"/> Anyone professionally associated with or employed by a member of FCRA whose application is endorsed by a participating member in good standing (<b>please print sponsoring member's name below where requested</b>)  <input type="checkbox"/> Anyone qualifying for Participating membership, but residing outside of Florida - State of Residence _____</p> <p><input type="checkbox"/> <b>VENDOR MEMBER</b>.....\$500.00 Open to any firm or corporation engaged in selling products or services to FCRA members.</p> <p><b>PRO BONO:</b> Are you interested in donating time to the Pro Bono Program?  <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>FLORIDA MANUAL:</b> The guide to court reporting in Florida — sample forms, guidelines, and rules of court. Cost for members: \$75.00. Subscription to updates: \$25.00.</p> <p><b>MEMBERSHIP DIRECTORY:</b> Searchable geographical and alphabetical members' listing in Member's Only section of our website.</p> <p><b>The dues year is November 1 through October 31.</b> 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 10% of your FCRA dues will be allocated to lobbying and political activities, and therefore is not deductible as a business expense.</p>	<p>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.</p> <p>I understand that all applications are subject to review and approval by FCRA. All applicants must be sponsored by an FCRA member in good standing per FCRA bylaws.</p> <p>_____ Signature of Applicant <span style="float: right;">Date</span></p> <p>_____ Name of Sponsoring Member (Please print or type)</p> <hr/> <p><b>PAYMENT ENCLOSED FOR:</b></p> <p>Membership Dues <span style="float: right;">\$ _____</span></p> <p>Florida Manual on disk:      ___ copies @ \$75.00 each      (Includes 7% sales tax + handling) <span style="float: right;">_____</span></p> <p>One-year subscription      to Florida Manual Updates      ___ subscriptions @ \$25.00 each      (Includes 7% sales tax + handling) <span style="float: right;">_____</span></p> <p><b>TOTAL ENCLOSED:</b> <span style="float: right;">\$ _____</span></p> <p><input type="checkbox"/> Check # _____ <input type="checkbox"/> MasterCard <input type="checkbox"/> VISA <input type="checkbox"/> AmEx</p> <p>Account # _____</p> <p>Exp. Date: _____</p> <p>Amount to charge: \$ _____</p> <p>Authorized Signature _____</p>
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### For Administrative Use Only

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

**Make check payable to FCRA and mail to FCRA Headquarters, 222 S. Westmonte Dr, Ste 101, Altamonte Springs, FL 32714  
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