

# ABCR *Newsline*



An Official Publication of the Alabama Board of Court Reporting

## Cha, Cha, Changes

Since our last publication of *ABCR Newsline* last June, we have seen yet another busy year with those (sometimes scary) “cha, cha, changes”. As the saying goes, “Change is the only thing that is consistent in life”. Well, that certainly feels true for ABCR this year. It is standard for a new Board to experience growing pains as the law and rules and regulations meet the experience of being enforced in the real world. Now, in our Junior year of existence, we will see a more polished law, rules and regulations, forms, and procedures. Much of this is due to having completed several state audits and receiving feedback from the Examiners of Public Accounts, Legislators, Licensees and the Alabama Court Reporters Association. ABCR is always open to your suggestions and

feedback. The value of this feedback is evident in the changes seen this year in the rules and regulations, law, acceptable licensure exams, and even a new facebook page.

Change was also extended to our Board and staff this year and their contact information and bios are posted on the web site at [www.abcr.alabama.gov](http://www.abcr.alabama.gov). Please do not hesitate to contact any of us if you have any questions or comments. In addition to staff, we have two freelance court reporters, two official court reporters, two attorneys and a Judge that are available to you. Also, every part of the state is now represented with the addition of a Board member from Mobile. ABCR is not unapproachable and again we all welcome your input.

This edition of *ABCR Newsline* will cover all of these changes, but the best tool we have to keep everyone current is definitely our web site. Any amendments to the law or rules and regulations are posted here as well as all Board Meeting Minutes that reflect all Board action and so much more.

Regulation isn't sexy that's for sure. In fact, it isn't even popular most of the time. That is, until someone needs it. The crisis in the Gulf is a perfect example of this. ABCR takes its mission of protecting the public and providing service to licensees seriously and are equally as serious about making our processes as user friendly as possible within the bounds of the law. Now, let's move forward, grow, and yes, even change together.

Volume I, Issue II

July 2010

**ABCR is  
now on  
Facebook!**

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## Signs ABCR Sunset Legislation

Governor Riley signs ABCR Sunset Bill with leaders of ABCR and ACRA. In addition to the Governor and his office, we would like to specifically thank the following Legislators: Senator Dixon (R) (District 25—Elmore and Montgomery) and Representative McClendon (R) (District 50—Shelby and St. Clair) who sponsored our Bill. Also, Rep. Blaine Gallier (R) (District 30—Etowah and St. Clair), who ensured that the bill was placed on the House Calendar by the Rules Committee,



From Left: Sheree, Cater, ACRA President; Mary Hicks, ACRA President Elect; Governor Bob Riley; Suzanne Frazier, ABCR Board Member; Tammy August, ABCR Board Member; and Sabrina Lewis

## Governor Riley

and Sen. Marc Keahey (D) (22nd District—Baldwin, Choctaw, Clarke, Conecuh, Escambia, Mobile, Monroe, and Washington), who was able to bring all interested parties to agreement. In addition, we are very grateful to all the members of the Sunset Review Committee, Rules Committee, and Boards and Commissions Committee of the House.

For the complete *Legislative Update*, please go to page 3.

# 2010 CEU's in a Nutshell

Sabrina Lewis, *Chair*

- 1. Licensees are required to obtain and keep record of their continuing education units (CEU's).
- 2. 5 continuing education units (.5 CEU's) are required to renew your license.
- 3. CEU's obtained anytime during the 36 months prior to renewal are accepted. (For example: For this year's re-

newal date of September 30, 2010 are acceptable.)

- 4. Once a CEU is applied to a renewal, it cannot be used again.

If you have further questions, please call the ABCR office at 334.215.7233 and staff will be happy to answer your individual inquiries.



## Licensure Examinations

In August of 2009, the Board approved the Alabama Court Reporters Association (ACRA) to administer the Alabama Licensure Examination for CCR. The Board also accepts the national examination provided by NCRA, and NVRA. Candidates for examination should contact them directly for information and registering. These organizations and their web sites are listed below:

**The National Court Reporters Association (NCRA)**

[www.ncraonline.org/certification/testing](http://www.ncraonline.org/certification/testing)

**The National Verbatim Reporters Association (NVRA)**

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

**The Alabama Court Reporters Association (ACRA)**

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

**ACRA now proctors the Licensure Exam**

According to the latest edition of the National Court Reporter's Association *JCR*, the NCRA Board has now approved testing of stenographic nonmember reporters under their newly approved "Test and Join" scenario. This will allow for even more certification testing opportunities for court reporters and will alleviate the initial expense of having to be a member of NCRA in order to test.

## Implementation Plan for Amended Law

SB 564 (ABCR's Sunset Bill), became effective on April 21, 2010, with the Governor's signature (creating Act #2010-554). This law in its entirety is posted on the Board web site. The Board met on May 14, 2010, to review the Rules and Regulations for amendments to mirror the new law and develop an implementation plan. The language in SB 564 regarding Board liability, appointments, and nominations do not require a change in the Rules and Regulations. However, the amendments to continuing education and temporary licen-

sure do require changes to the Rules and Regulations to be in accordance with new law. These changes and the Rule and Regulation process can be found on Page 4 of this edition of *ABCR Newsline*.

The Board will meet again on July 23, 2010, to adopt changes to the Rules and Regulations and application forms for temporary licensure. Upon adoption of new Rules and forms, we will then post these changes on the ABCR web site and notify the schools and

licensees by broadcast e-mail. Therefore, we anticipate those wishing to apply for temporary licensure may do so the week of July 26, 2010 (assuming the Rules and unchallenged).

The Roster will also be modified to reflect the Temporary Licensees as well as full licensees, but will be assigned a different number and the abbreviation of "TL" to signify their Temporary Licensure status.



# Legislative Update



For ABCR, the 2010 Regular Legislative Session was like a roller coaster ride gone off the tracks to put it mildly. It had many ups and downs, screams of both delight and terror, and unexpected turns. In the end, ABCR was able to walk away still breathing, but wiser, and with new found alliances.

We began the session with a simple Sunset Bill. Sunset Bills are presented by the Legislature by the Joint Legislative Sunset Review Committee. This is the Committee of the legislature that audits all state boards regularly. The audit is then presented to the Committee and based on the results, the Committee then presents legislation to either continue the board; continue the board with changes, or abolish the Board. Whatever determination the Committee reaches, the legislation has to pass that session or boards automatically cease to exist. This is done to ensure that Alabama boards are doing their jobs. The audit and review are usually the intense part of this process with little drama in the legislative session. This is typically because Sunset Legislation is put on a separate track (we'll call it the "kiddie track" here) due to the importance of agencies being continued for the public's protection. It is a common understanding in the Legislature that amendments are not to be made to Sunset Legislation (anything other than cosmetic changes) so that the continuance of the board will not be jeopardized. However, the typical track was not adhered to this session and significant amendments were placed on our standard Sunset Legislation that was originally intended by the Sunset Review Committee to simply continue the Board for two years.

It would be appropriate to present significant changes to ABCR's law in legislation other than sunset legislation. In fact, ABCR has introduced separate legislation the previous two years to address oversights in the original enabling act (please refer to Volume I, Issue I of the *ABCR Newsline* on ABCR's web site for what this legislation contained). ABCR still has some house-keeping items to clean up that will be presented in future legislation. However, to ensure the continuance of the board, it will never be put in a sunset bill by ABCR.

Again, we got off track due to significant amendments being made to ABCR's sunset legislation. This is what created the crisis that lead to many broadcast e-mails to licensees and web site updates pleading for your calls and letters to legislators. ABCR wants to thank you for the tremendous support received from our licensure and especially from the Alabama Court Reporters

Association. We are so very grateful to those who answered the call to action. This is your board, the board that ACRA worked for over fourteen years to create and set professional standard competencies for the court reporting profession in Alabama. In addition to protection of the public, having licensure in Alabama is a tremendous professional credential that could provide another protection against a state-wide transition to electronic recording.

After all the twists and turns, our sunset legislation passed and ABCR has been continued for the next two years. The bill also held the following amendments:

- Requirements for Board Membership—eliminated requirement to pass the national licensure examination for court reporter Board membership.
- Continuing Education—allowed for continuing education courses to be provided by the Alabama State Bar.
- Temporary Licensure—provided for an 18 month temporary licensure to practice court reporting to individuals who have graduated from a court reporting school.
- Board Liability—provided for the Board to not be held liable for loss of income to the temporary licensee or court reporting firm should the individual not pass the examination after the temporary license has expired. The Board can sue as the result of disciplinary action taken against any licensee or any person who violates the statute.
- Updated Language—Replaced the language, "Alabama Judicial Conference" with "Administrative Office of Courts" since the Alabama Judicial Conference no longer exists.

Through this process we learned of additional areas in the law that were in need of amendment as well as open a dialogue with all interested parties. ABCR is not opposed to hearing concerns and we welcome debate, just not division. Through this year's experience, we believe that we have established a foundation for open communication and a coordinated effort for any future legislation.

Again, we thank you, our licensees, our troops. Congratulations on the successful outcome of your united efforts and make no mistake—ABCR appreciates you!

## ABCR Alabama Board of Court Reporting

### Board Members

**Sabrina Lewis, Chair**  
*Official Court Reporter Seat*

**Aubrey Ford, Vice Chair**  
*Judicial Seat*

**Lois M. Robinson, Secretary**  
*Freelance Court Reporter Seat*

**Tammy C. August**  
*Freelance Court Reporter*

**William M. Dawson**  
*Attorney Seat*

**Suzanne B. Frazier**  
*Official Court Reporter Seat*

**T. Kent Garrett**  
*Attorney Position*

Staff  
**Paula Scout McCaleb**  
*Executive Director*

**Brandy L. Isenhour**  
*Operations Manager*

**Patrick Woodham**  
*Licensing Agent*

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# Calendar

## Board Meeting Dates:

**July 23, 2010**

**November 12, 2010**

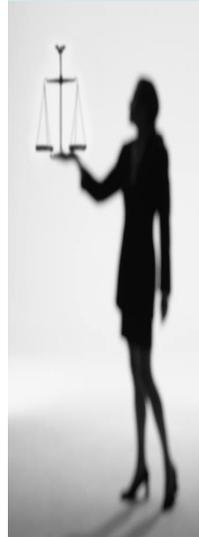
**Time: 10:00 a.m.**

**Location: 2011 Berry Chase Place; Montgomery, AL 36117**

***(Directions to the Board office are available at [www.abcr.alabama.gov](http://www.abcr.alabama.gov) and space and parking are plentiful.)***

*Note: Board Meetings are open to the public for observation. Board Meetings are subject to change, but will always be advertised in advance on the ABCR web site and the Secretary of States web site in accordance with the Open Meetings Act.*

# Disciplinary Action



**Shelley Bishop**

**Date: November 13, 2009**

**Violation: Section 34-8B-8 (a) (practicing court reporting for remuneration without first procuring a license).**

**Disposition: \$100 Fine**

# Proposed Rule and Regulation Amendments

In order to reflect the amendments to our new statute, the Board has proposed changes to the Rules and Regulations. These changes were proposed at the May 14, 2010, Board meeting and then submitted to the Alabama Office of Administrative Procedures as required by the Administrative Procedures (APA) Act. This act requires that all changes to Rules and Regulations be publicly advertised in their publication, *Administrative Monthly*, for thirty-five (35) days. Following the public advertisement, a public hearing must be held. This hearing is scheduled for July 23, 2010, at 9:00 a.m. at the Board office in Montgomery. The Board can then act on adoption of Rules and Regulations.

These proposed additions to the Rules and Regulations are as follows (new language underlined):

## **257-X-3-.03 Temporary Licensure**

- (a) Effective on April 21, 2010, any person who is a graduate of a school of court reporting may apply for temporary licensure.
- (b) Temporary licenses are valid from the date of graduation and shall expire 18 months after issuance.
- (c) Temporary licenses are not renewable. In the event that a temporary license expires without the Temporary Licensee having passed the examination for full licensure, court reporting services by the temporary licensee shall cease and desist immediately upon the expiration of the temporary license. The board may not be held liable for lost income to the temporary licensee or to the court reporting firm.
- (d) The temporary license application will consist

of the following:

(1) Proof of graduation from a school of court reporting in a form approved by the board;

(2) Complete application forms as approved by the board;

(3) Application and temporary license fee as approved by the board.

(e) The temporary license allows the applicant to practice as a court reporter without passing the

reporting firm or a fully licensed court reporter;

(3) The temporary license will be reflected by the initials, "TL" for temporary license followed by the assigned number;

(4) All individuals having been issued a temporary license shall be subject to regulation pursuant to any rules promulgated by the Alabama State Board of Court Reporting and Alabama Code Section 34-8B-1, et seq.

Failure of any temporary licensee to meet any of the requirements enunciated in Reg. 257-X-3-.03 shall subject the temporary licensee to disciplinary action provided by Reg. 257-X-5.

## **Public Hearing**

**On proposed changes to Rules and Regulations**

**Date: July 23, 2010**

**Time: 9:00 a.m.**

**Location: ABCR Office  
2011 Berry Chase Place  
Montgomery, AL 36117**

examination, subject to the following stipulations:

(1) The court reporter with a temporary license shall function under the supervision of a currently licensed court reporter;

(2) Temporary licensees may not direct bill for court reporting services provided; such services may be billed through the employing court

## **257-X-4-.01 Standards of Professional Conduct**

1) In order to establish and maintain a high standard of integrity in the practice of court reporting, the following Standards of Conduct shall be binding on every person holding CCR (Certified Court Reporter) or a Temporary License from the Board.

## **257-X-6-.03 CE Sponsors and Programs**

(h) All courses approved by the Alabama State Bar for continuing legal education.

## **257-X-7 Appendices I—Fee Schedule**

**Temporary License Fee                      \$300**