

ALABAMA BOARD OF COURT REPORTING
Board Meeting Minutes
May 7, 2021

The Alabama Board of Court Reporting held a called board meeting on May 7, 2021, via video teleconference, pursuant to a meeting notice published on the Alabama Secretary of State's web site and the ABCR web site on April 22, 2021.

The meeting was called to order at 12:31 p.m. by board chair Shannon Ball, with the following board members in attendance: Shannon Ball, Linda Flippo, Parian Holderfield, Judge Claude Hundley, Dylan Marsh, Alan Peacock, and Margaret Turner. Ms. Ball noted the presence of a quorum. Also present were Mark Wilkerson, board counsel, of the law firm of Wilkerson & Bryan, Victor Biebighauser, ABCR executive director, Ashley Dickey representing the Alabama Court Reporters Association, and ACCR Sabrina Nimmer.

Ms. Ball brought up the draft minutes of the December 2, 2020, meeting for the board's consideration. On motion made by Judge Hundley, and seconded by Ms. Holderfield, the minutes were approved as presented.

Ms. Ball welcomed the board members, participants, and guests, and introduced the rest of the agenda. She introduced new board member, Mr. Dylan Marsh, appointed by Lt. Gov. Will Ainsworth, and administered the oath of office to Mr. Marsh.

The next item on the agenda was election of officers, and Ms. Ball opened the floor for nominations. On motion made by Ms. Holderfield, and seconded by Mr. Peacock, Shannon Ball was elected as chair. On motion made by Mr. Peacock, and seconded by Ms. Turner, Ms. Holderfield was elected as vice chair. On motion made by Ms. Flippo, and seconded by Ms. Turner, Mr. Peacock was elected as secretary.

Ms. Ball then invited Mr. Wilkerson to provide a legal counsel's report. Mr. Wilkerson invited the board's attention to the proposed consent orders in the cases of Sabrina Nimmer and Trina Tallent, whose licenses had expired on September 30, 2020, and who had continued practicing until they were reinstated in late March 2021. The board first discussed the consent order related to Ms. Nimmer. Ms. Nimmer spoke to the circumstances that had led to the lapse of her license and answered a couple of questions posed by board members. After a brief discussion, a motion to approve the consent order with Ms. Nimmer was made by Ms. Flippo, seconded by Mr. Peacock, and unanimously adopted. Ms. Nimmer then departed the meeting. The board then discussed the consent order related to Ms. Tallent. Mr. Biebighauser reported that he had spoken with Ms. Tallent, and she had stated agreement with the terms and conditions of the order. A motion to approve the consent order with Ms. Tallent was made by Ms. Turner, seconded by Ms. Flippo, and unanimously adopted.

Mr. Wilkerson then updated the board on the status of permanent management of the board's operations. He advised the board that litigation against the Alabama Medical Equipment Board had been dismissed in Montgomery County circuit court in March. He further advised that discussions were continuing with the Department of Finance/Division of Purchasing about options for the board. Finally,

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Mr. Wilkerson noted that the governor's state of emergency executive order related to procedures during the pandemic was set to expire on July 6, after which point state boards and commissions would not be able to meet virtually except in narrow circumstances. Mr. Wilkerson went on to say that if the board would like to retain the option of meeting virtually an amendment to the board's enabling legislation would be required by the legislature. The board members expressed agreement with this approach. Related to legislation, Ms. Ball updated the board on the housekeeping legislation that had been pending before the legislature since the 2020 session. The needed legislation was not addressed in this year's legislative session, so will have to be revisited in 2022.

Mr. Biebighauser updated the board on the final results of the two-year legal compliance examination of the board conducted by the Examiners of Public Accounts. The audit resulted in only one finding, that the board had not elected officers for 2020. A letter will be issued at some point confirming this, but otherwise the audit is concluded, and no further action is required by the board.

Mr. Biebighauser provided the board with some statistical information on licensing activity since the last board meeting in December 2020. He also shared with the board the agency financial report (income and expense statement) through Q2 of FY 2021. The board is in a positive financial position year-to-date.

Under new business, Ms. Dickey reported that the ACRA was following up on the positions on the board requiring appointment or reappointment. Mr. Wilkerson noted that current board members whose terms have expired continue to serve until successors are appointed. Related to the annual renewal of licensing, Mr. Peacock brought up the suggestion of licensed reporters being issued licensure ID cards and asked that this be considered at the next board meeting.

There being no further business to come before, a motion was made, seconded, and unanimously adopted to adjourn the meeting.


Shannon Ball, Chair


Date