

ALABAMA BOARD OF COURT REPORTING
Board Meeting Minutes
June 16, 2023

The Alabama Board of Court Reporting held a called board meeting on June 16, 2023, pursuant to a meeting notice published on the Alabama Secretary of State's web site and the ABCR web site on April 12, 2023. The meeting was held at the Administrative Office of Courts in Montgomery.

The meeting was called to order at 10:40 a.m. by Board chair Parian Tidwell, with the following Board members in attendance: Parian Tidwell, Mary King, Alan Peacock, and Margaret Turner. Board members Jennifer Egbe, Claude Hundley and Dylan Marsh were absent. Ms. Tidwell noted the presence of a quorum. Also present were Mark Wilkerson, Board counsel, of the law firm of Wilkerson & Bryan, and Victor Biebighauser, ABCR executive director. There was one member of the public in attendance as an observer.

Ms. Tidwell brought up the draft minutes of the March 15, 2023, meeting for the Board's consideration. On motion made by Ms. Turner, seconded by Ms. King, and unanimously adopted, the minutes were approved unanimously as presented.

Ms. Tidwell recognized Board counsel Mr. Wilkerson for the legal counsel's report. Mr. Wilkerson referred the board to the inventory of the statute and Rules & Regulations he had compiled as requested at the previous Board meeting in preparation for the Board's consideration and future actions in response to Executive Order #735 directing state agencies to reduce regulations. With respect to the Board's consideration of proposed revisions to the Rules & Regulations to conform to Executive Order #734, public records access, Mr. Wilkerson noted that the Board had not received any written comments.

Ms. Tidwell then recognized Mr. Biebighauser for the executive director's report. Mr. Biebighauser reported on two things. First, the relocation of the Board office to new space had occurred, after some delays, in late March. Second, he reminded the Board that the agency's review before the legislative Sunset Committee was scheduled for August 24, 2023, and that any Board members that would be able to attend were encouraged to do so. Related to the sunset review, he reported that the auditor from the Examiner's office who had conducted the agency's review had not identified any "significant issues" that would require a response prior to the Sunset Committee meeting.

Following the executive director's report, Ms. Tidwell brought up the executive director's evaluation. (Mr. Biebighauser left the room at that point.) When the discussion was concluded, on motion made by Mr. Peacock, seconded by Ms. King, and unanimously adopted, the Board voted to approve a two-step increase for the executive director on the state pay scale, and for same to be communicated to State Personnel.

Ms. Tidwell brought up the proposed revisions to the Rules & Regulations and the public hearing scheduled per the agenda. On motion made by Ms. King, seconded by Ms. Turner, and unanimously adopted, the meeting was recessed, and the Board moved into a public hearing. There was no one present who asked to address the Board on the proposed revisions. The executive director confirmed that no written comments had been received on the matter. Ms. Tidwell then closed the public hearing, and the Board meeting was resumed. After discussion of the proposed revisions, on motion made by Mr. Peacock, seconded by Ms. King, and unanimously adopted, the proposed revisions to the Rules & Regulations pertaining to public records were approved.

Ms. Tidwell then referred the Board to some items of New Business.

Mr. Biebighauser advised the Board that the legal services contract with Mr. Wilkerson was scheduled to expire in September 2023 and needed to be considered for renewal. (Mr. Wilkerson left the room at that point.) Mr. Biebighauser noted that an extension of the contract, if that was the Board's desire, would need to be submitted in

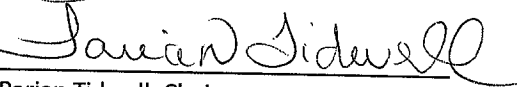
August to ensure there was time for the contract to be reviewed and approved by the legislative Contract Review Committee. After discussion, on motion made by Ms. King, seconded by Ms. Turner, and unanimously adopted, the Board approved a two-year extension of the legal services contract.

Ms. Tidwell brought up the next items related to non-resident licensing and the education requirements for unrestricted licensure. Mr. Biebighauser stated that the Rules & Regulations require applicants in all cases be graduates of a court reporting program, even if they have the RPR or CVR designations, which might be excessive and overly burdensome. On the other hand, the Rules on non-resident licenses were vague, and open to interpretation as to whether the same requirements pertained to non-resident applicants. In furtherance of the discussion, Mr. Biebighauser provided the Board with some proposed language for a revision to the Rules & Regulations that would remove the requirement for graduation from a court reporting program for applicants, in-state or non-resident, who possessed the RPR or CVR designations. After discussion and questions, the Board members offered some suggested modifications to the language. Thereupon, on motion made by Ms. Turner, seconded by Ms. King, and unanimously adopted, the Board directed that the language as presented and edited be published for comment in the normal process.

Mr. Biebighauser advised the Board that the licensee database, which was old, would no longer be supported by the Office of Information Technology after this year and would need to be replaced with an updated platform that addressed existing data security issues, per OIT. Mr. Biebighauser reported that the initial cost of this project seemed high for the Board's resources and that he had made this known to OIT. The next step will be for OIT to provide a written scope of work and quote, at which point the budget implications can be evaluated and, if appropriate, provided for.

Ms. Tidwell referred the Board to the agenda item and request from the Administrative Office of Courts seeking the Board's assistance in accessing reporter e-mails for purposes of electronic filing of documents. Mr. Biebighauser pointed out that, per the Board's Rules & Regulations, the only information on the roster on the public web site for licensed reporters was their business addresses and telephone numbers. After discussion, it was the consensus of the Board that an effort should be made to accommodate the AOC request provided that confidentiality of information be preserved. Mr. Biebighauser was directed to suggest to the AOC that a draft Memorandum of Understanding be prepared that would outline how the access would be provided as well as confidentiality of information protected.

There being no further business to come before the Board, on motion made by Mr. Peacock, seconded by Ms. King, and unanimously adopted, the meeting was adjourned at 12:40 p.m.



Parian Tidwell, Chair

9/22/2023
Date