

**Tennessee Board of Court Reporting  
Board Meeting Minutes  
June 21, 2013**

Board Members Present: Ken Mansfield, Chair; Jimmie Jane McConnell, Vice Chair; Terri Beckham, Secretary; Earl Houston; Judge James Martin (via telephone); Ginger Truesdel (via telephone); David Haines, AOC/General Counsel; Debra Hayes, AOC/Administrative Assistant.  
Also present: Teri Campbell, Jim Vowell, Kathy May, Martha Davis, Marilyn Morgan, Lori Wells, Trish Smith, and Linda Worsham  
Meeting called to order by: Chair Mansfield.

AGENDA

Topic	Discussion	Action	Other
1. Previous meeting minutes (12-7-12)	Vice Chair McConnell made motion to approve the minutes; Ms. Truesdel seconded.	Motion to approve minutes passed.	
2. Update on complaint turned over to AG's office in Shelby County	Ms. Hayes reported that the Shelby County AG's office informed her it had issued a report re: the complaint some months ago, that the report was sent for review and signing and had not been returned. Vice Chair McConnell (who was Chair at the time of the incident that is the subject of the complaint) confirmed that she signed and returned the report upon her receipt from general counsel more than a year ago. Ms. Hayes said she would request a copy of the report from the Shelby County AG's office. Mr. Houston requested that Ms. Hayes also obtain a copy of the affidavit and draft of the complaint that general counsel was to review.	Ms. Hayes will request a copy of the report from the AG's office, and was asked to also obtain a copy of the affidavit and draft of the complaint.	
3. License renewal/new licenses	Ms. Hayes advised there are 559 active licenses, 20 inactive, 2 temporary, 1 revoked, 79 expired, and 7 with no status. Also, there are two new applications, a temporary renewal in process, and renewals for 7 due on odd years. It was pointed out that, although the grandfathering period has expired, its mention in the rules and regulations might confuse. Chair Mansfield made a motion to post on the website a clarification that the grandfathering period has ended and is no longer in force or applicable, that Mr. Haines will circulate a draft of such clarification, and that upon the chairman's approval, it will be added to the website. Vice Chair McConnell seconded the motion.	Mr. Haines will draft a comment to clarify that grandfathering is no longer in force, and, upon the chairman's approval, that clarification will be added to the website.	
4. Mississippi-licensed reporter's late documentation	A Mississippi-licensed reporter accumulated required CEUs to renew Tennessee license but was late in submitting documentation. Chair Mansfield suggested leniency due to it being the first renewal period and moved to accept reporter's \$300 renewal fee, waiving a reinstatement fee. Vice Chair McConnell seconded the motion.	Renewal fee will be accepted and reinstatement fee waived.	

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5. Fiscal report	The Statement of Cash Position as of May 31, 2013, shows ending cash balance of \$81,524.71. Mr. Houston asked for an itemization of expenses in order to better manage them, particularly in light of the anticipated significant expense of a website. Chair Mansfield asked the Board to consider obtaining a credit card to aid with accounting. Ms. Hayes and Mr. Haines stated that the issuance of a credit card to a state-sponsored board is a more burdensome process than manually tracking expenses. Ms. Hayes said she would maintain a file of copies of invoices to itemize expenses.	Fiscal report of 5-31-13 shows cash balance of \$81,524.71. Ms. Hayes agreed to maintain a file of copies of invoices so that expenses can be itemized.	
6. Discussion of new application for license versus renewal	Chair Mansfield expressed concern over a loophole whereby a reporter whose Tennessee license has lapsed who subsequently qualifies for a Tennessee license by testing, could file a new application, thereby avoiding the \$500 reinstatement fee. Chair Mansfield moved that once a reporter is issued a Tennessee license, that license number is forever associated with the licensee, and no new license or license number may be issued. Mr. Houston seconded, and the motion was passed.	Motion passed that the original license number issued a reporter will forever be the license number associated with the licensee.	
7. ER reporters' certifications	Chair Mansfield expressed concern that an ER reporter who holds a CER certification is not certified to produce a transcript, that a CET or CERT certification is required. Vice Chair McConnell countered that the CER and CERT, like the RPR, are national certifications, stating that the only certification required for a Tennessee reporter is the LCR. Chair Mansfield stated that he believes the intent of the law to be that the holder of an LCR be certified to transcribe. Mr. Haines suggested consulting Mary Rose Zingale.		Tabled pending input from Mary Rose Zingale.
8. Reciprocity/comity agreements with nearby states	Chair Mansfield reported the results of research of surrounding and nearby states, reporting that none offer reciprocity agreements. He stated that Missouri requires a reporter pass its state test, Georgia requires a national certification, and that Arkansas has no provision for a non-resident reporter. He added that representatives from Mississippi and Alabama advised him they might consider reciprocity agreements in the future. He reported that Kentucky, North Carolina, Virginia, West Virginia and Texas do not have state licensure. Vice Chair McConnell proposed that, regardless of the positions of other states, an out-of-state reporter be permitted to apply for a Tennessee license. Ms. Beckham questioned the benefit of implementing an arrangement, which would effectively take work from Tennessee reporters. Mr. Houston discussed the possibility of charging a non-resident a higher fee to obtain a Tennessee license in an effort to dissuade non-resident reporters from seeking a Tennessee license. Chair Mansfield suggested tabling the issue.		Tabled.

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9. Complaint 2012-7	Chair Mansfield moved that the Board accept disciplinary counsel's recommendation. Ms. Beckham seconded and the motion was passed.	Motion to accept disciplinary counsel's recommendation passed.	
10. Complaint 2012-9	Disciplinary counsel recommended no disciplinary action re: reporter who continued to work after her license had lapsed but renewed her license within the 180-day grace period. Vice Chair McConnell suggested the Board follow disciplinary counsel's recommendation; Ms. Truesdel agreed. Mr. Haines pointed out that the grace period is an extension of time to renew, not permission to practice with a lapsed license; Ms. Beckham agreed. Chair Mansfield expressed concern that following the disciplinary counsel's recommendation would set an undesirable precedent and suggested tabling the discussion pending his further investigation.		Tabled pending Chair Mansfield's further investigation.
11. Complaint of proper form not filled out	Chair Mansfield moved to table issue pending recommendation from disciplinary counsel. Ms. Beckham seconded the motion.		Tabled pending disciplinary counsel recommendation.
12. Report from website committee.	Ms. Truesdel reported she had received a bid of \$4500 for 30 hours' work to create a website, with a \$20 monthly hosting fee and \$150 hourly fee for maintenance and updating. Ms. Truesdel agreed to email Board members URL addresses of sample work. Ms. Beckham shared her quote from SkorInc of \$6250 for website design and development built on a content management system, adding that Board members may go to www.skorinc.com to sample work. Vice Chair McConnell reported having spoken with Dave Weinhold, who has extensive experience with building and maintaining court reporting-related websites. Mr. Houston asked Vice Chair McConnell to obtain a written proposal from Mr. Weinhold. All conceded that the website committee's initial gathering of information was the first step in a multi-step process and that more information-gathering and work among the website committee members (McConnell, Beckham and Truesdel) will be required before final presentations can be made to the Board.	Website committee members will continue to gather information about pricing, features, etc., for final presentation to the Board can be made.	
13. Gift-giving limit of \$25 as applied to sponsoring events for attorneys and/or attorney staff	Chair Mansfield stated that the law is clear that the gift-giving limit is \$25 per person, not \$25 per event.	It was clarified that \$25 gift-giving limit is per person, not event.	

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14. Collection of fines	There was a discussion of how to collect a fine levied against a reporter who has moved out of state. Chair Mansfield made a motion to file a judgment. Mr. Haines explained that most administrative agencies are required to obtain an order from the Chancery Court to assess a fine and convert it to judgment. Mr. Houston suggested tabling the issue until the file number can be obtained.		Tabled until file number can be obtained.
15. Process for rule changes	Mr. Houston stated that a process for rule changes is needed and proposed the following: Rule review, suggested changes posted, opportunity given for input from general public, Board review, revisions disseminated, public hearing. Mr. Houston suggested that a list of proposed rule changes be addressed at the Sept. 20 Board meeting with a deadline (Sept. 13) to submit proposed changes, which would then be emailed to Board members. It was also agreed that the Sept. 20 meeting would be chiefly devoted to the discussion of proposed rule changes. Finally, the Board agreed that the Sept. 20 meeting would be a face-to-face meeting.	Process for rule changes discussed. Deadline to submit proposed rule changes is Sept 13. Sept 20 Board meeting will be devoted to proposed rule changes and will be a face-to-face meeting.	
16. Misc.: Letter to the Board from the TN Coalition of Concerned Court Reporters	In response to the letter, Vice Chair McConnell read from a personal statement she had prepared: "Individual board members must act with proper protocol and cannot use their position to further their personal agenda. I have not and am unaware of any member of this board that has breached the proper protocol as a board member." Mr. Haines said he would reply to the senders, acknowledging receipt of the letter.	Mr. Haines will reply, acknowledging receipt of letter.	
17. Election of officers	Vice Chair McConnell nominated Chair Mansfield for reelection; Ms. Beckham seconded the nomination. Chair Mansfield moved that all current officers be reelected. Mr. Houston seconded the motion.	All officers reelected to currently held offices.	