

**Tennessee Board of Court Reporting
Meeting Minutes, February 28, 2014**

Board Members Present: Ken Mansfield, Chair; Jimmie Jane McConnell, Vice Chair; Terri Beckham, Secretary; Earl Houston; Judge James Martin; Ginger Truesdel (via telephone); David Haines, AOC/General Counsel; Debra Hayes, AOC/Administrative Assistant

Meeting called to order by: Chair Mansfield

AGENDA

Topic	Discussion	Action	Other
1. Approval of Minutes	Chair Mansfield moved to approve Sept. 20, 2013, minutes; Ms. Beckham seconded.	Minutes approved.	
2. Reporter's responsibility re: attorneys sharing per diem	Judge Martin said reporter is responsible to provide the services a lawyer hires a reporter to do, that there is no need/obligation for reporter to do anything further, that it is up to hiring attorney to inform reporter if per diem will be shared by opposing counsel. It was suggested that the topic be addressed in an FAQ.		Discussion.
3. CER, CET, CERT certifications from AAERT as they pertain to LCR status	Mr. Haines suggested that the contracting bill could be used to amend or add language re: certifications, even though, as Vice Chair McConnell pointed out, the issue is part of the licensure law. Chair Mansfield said that CERT should be required, not just the CER.		Discussion.
4. New procedures re: handling of complaints	Mr. Collins suggested the Board encourage Disciplinary Counsel to present to the Board an agreed order with the court reporter. He added that there is a "major disconnect" in what the statute requires of the DC versus what Board rules and regulations require. If an agreed order is obtained, Mr. Collins added, there is no problem. Otherwise, he continued, there is some "cleaning up" to do. It was agreed that the topic would be discussed further in Item 4 of New Business on the agenda, "Rules and Regulations review."		Will be addressed further in Rules and Regs review.
5. Website	Mr. Haines brought in Ann Lynn Walker, AOC Technology Division director, to give the Board some guidance as to how to choose a vendor to create a website: <ul style="list-style-type: none"> • Start with a strategy engagement to help the Board determine what it wants. • Invite three to five vendors to submit a presentation/proposal. • Obtain references; look at websites they have created. Ms. Walker added that the Board is not required to go through an RFP process. Mr. Houston moved that Board arrange to invite CentreSource to attend May 16 meeting as first item on agenda; Ms. Beckham seconded.	Motion to invite CentreSource to attend next Board meeting passed.	

6. Retired LCR: Authority to produce transcripts after expiration of license	Chair Mansfield stated if reporter was licensed at the time he/she reported the proceeding, reporter should produce the transcript. Mr. Collins asked about instances in which reporter was not in good standing at the time of taking down proceeding. Chair Mansfield, Vice Chair McConnell and Ms. Beckham explained that the reporter who reported proceedings is the person most capable of producing accurate transcript. Mr. Houston expressed concern that allowing an unlicensed reporter to be compensated for work is doing a disservice to licensed reporters. Judge Martin suggested deferring to reporters on the Board as to what would result in the highest quality work possible.		Discussion.
7. Misc.: House Bill	<p>Chairman Lundberg stated that the amendment has been circulated to the committee but not yet officially adopted. He added that the committee believes amendment addresses Board's concerns but that committee is more than willing to work with the Board if it believes clarification is needed.</p> <p>After Board discussion with Chairman Lundberg, and at Judge Martin's suggestion, Board requested that HB 206, Section 1(b)(1) be amended as follows: Have ongoing or written contractual agreement for more than one (1) case, action or proceeding with any attorney, party to an action, insurance company, third-party administrator or any other person or entity that has a financial interest in the case, action or proceeding. All contractual agreements shall be on a case-by-case basis.</p>	Chairman Lundberg was asked to take proposed change of HB 206 1(b)(1) to committee.	
8. Rules and regulations review	<p>Briefly discussed Standards of Professional Conduct (1)(k) and (1)(o) and Disciplinary Enforcement (2). Mr. Collins expressed concern with Board imposing penalties on those who are not currently and have never been licensed, questioning who has jurisdiction to address complaints against unlicensed reporters.</p> <p>Due to time constraints, it was agreed that rules and regulations would be the focus of the next Board meeting.</p>		Will address further at next Board meeting.
9. How Board handles complaints	Vice Chair McConnell asked Mr. Haines if he would draft language addressing 0455-01-05-04 and how Board should be handling complaints.	Mr. Haines was asked to draft language.	
10. Election of New Officers	<ul style="list-style-type: none"> • Chair Mansfield made a motion that Vice Chair McConnell be elected chairperson. Mr. Houston seconded; motion passed. • Mr. Houston moved that Judge Martin be elected vice chair. Ms. Beckham seconded; motion passed. • Mr. Collins moved that Mr. Houston be elected secretary. Chair Mansfield seconded; motion passed. 	New officers: Chair: Ms. McConnell Vice Chair: Judge Martin Secretary: Mr. Houston	