



**BOARD OF COURT REPORTING  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243  
615-741-1831**

**Board Meeting Minutes for September 22, 2017  
Fourth Floor Conference Room 4-A  
Davy Crockett Tower**

The Tennessee Board of Court Reporting met on September 22, 2017 in the fourth floor conference room 4-A of Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

**BOARD MEMBERS PRESENT:** Briton S. Collins, Earl W. Houston, II

**BOARD MEMBERS PRESENT BY TELECONFERENCE:** Ken Gibson, John Rambo

**STAFF MEMBERS PRESENT:** Glenn Kopchak, Aisha Carney, Ashley Thomas, Lindsey Shepard, Carol McGlynn

**ROLL CALL/NOTICE OF MEETING**

Chairman Collins, called the meeting to order at 9:09 am. Mr. Collins took roll, with two members participating via teleconference. In the absence of physical quorum, Director Kopchak read the Statement of Necessity into the record. Next, Director Kopchak read the Notice of meeting as follows: "Notice of September 22, 2017 meeting of the Court Reporters Board was posted to the Court Reporters Board website September 14, 2017"

**AGENDA**

Mr. Collins motioned to adopt the day's agenda with the amendment that the legal report be addressed first in sequence. This was seconded by Mr. Houston. The motion carried by unanimous roll call vote.

**MINUTES**

The Board reviewed the minutes from its March meeting. Judge Rambo made a motion to adopt the minutes as written, which was seconded by Mr. Gibson. The motion passed by unanimous roll call vote.

**DIRECTOR'S REPORT**

Director Kopchak provided a detailed accounting of budget revenue and expenditures, to include line item and trend analysis. The Board discussed the possibility of a reallocation of any significant net surplus into either a reduction in licensing fees or initiatives like issuance of Court Reporter ID's or a Court Report Fund used to pay for the costs of the majority of indigent civil transcript costs and court reporter fees and per diem costs, but the Board agreed that any decisions about allocations of funds should be tabled till the Board has finalized any and all payments related to the cost of CORE onboarding, the expense required to integrate the Board's Court Reporter database of licensees into the same state database used by all of the other regulatory boards. It is projected that full integration will occur by close of the calendar year.

At the June 2, 2017 TN Court Reporters Association Annual Convention, the court reporters requested Court Reporter photo ID cards with licensing information. Director Kopchak provided an estimation of cost associated and welcomed the Board's comments regarding. The Board was not opposed to issuance of these ID cards to the licensees and provided instruction as to how these could be effectively implemented; however, they also cautioned that these ID cards are not statutorily mandated and deferred to administration.

## LEGAL REPORT



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**OFFICE OF LEGAL COUNSEL**  
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**TO:** Tennessee Board of Court Reporting

**FROM:** Ashley Thomas, Assistant General Counsel, Regulatory Boards  
Lindsey Shepard, Assistant General Counsel, Regulatory Boards

**DATE:** September 22, 2017

**SUBJECT:** Tennessee Board of Court Reporting

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### NEW CASES

- Respondent:**  
**Case Number: 2017-3**  
**Original License Date: 2-14-2011**  
**Expires: 6-30-2018**

This case arises out of an April 10, 2017 consumer complaint alleging unlicensed activity. Respondent served as the court reporter for an August 22, 2016, hearing Complainant had before a regulatory authority in Tennessee (hereinafter "Department"). Respondent's license previously expired on June 30, 2016. Respondent claims that her license lapsed because she accidentally paid her renewal fee to the AOC, the program previously responsible for licensing court reporters. Respondent was allowed to pay late fees and renew her license in May 2017.

Complainant also claims Respondent violated the Standards of Conduct. Specifically, Complainant alleges Respondent omitted the following from her reporter's certificate: the use of a voice recording cassette device, her signature, and her license expiration date. Complainant further alleges Respondent omitted statements from the testimony. Respondent denies the alleged violations of the standards of conduct. Respondent concedes that she did use a digital recording device and provided an original bound transcript to the hiring party, i.e. the

Department. Respondent states that the transcript contains the reporter's certificate and/or signature page, but was unaware that the license expiration date was required. Respondent states that she transcribed what could be heard; however, due to the intense nature of the hearing the parties often interrupted one another. Respondent denies any bias in the transcription and concedes to not transcribing testimony that was stated to be off the record. Respondent states that no party objected to going off the record during the hearing.

**Recommendation: Issue a letter of warning regarding Tenn. Code Ann. § 20-9-612, regarding license renewal. As to alleged violations of the standard of conduct, Tenn. Code Ann. § 20-9-606 requires the complaint be submitted within ninety days (90) of the conduct complained about. This complaint was submitted on April 10, 2017 regarding violations that allegedly occurred on August 22, 2016.**

**Board Decision: CONCUR**

2. **Respondent:**  
**Case Number 2017-7**  
**Original License Date:**  
**Expires: Expired**

Complainant filed a complaint against the Respondent Court Reporter alleging lack of due professional care and unlicensed activity. Respondent is an employee working exclusively with the criminal courts and is not required to be licensed. As such, the Board does not have jurisdiction over this complaint.

**Recommendation: Close**

**Board Decision: CONCUR**

3. **Respondent:**  
**Case Number 2017-04**  
**Original License Date:**  
**Expires:**

Complainant filed a complaint against the Respondent Court Reporter alleging lack of due professional care and denial of access to records. Specifically, Complainant alleges Respondent altered the transcripts of two depositions taken in 2014 and 2015. Respondent denies these allegations and states any discrepancies were unintentional mistakes and not alterations. Respondent certified the transcripts.

Complainant also alleges Respondent refuses to provide them copies of the transcripts in CD form. Respondent states they would not provide copies of the transcript in CD form because of the possibility of tampering with the documents. Additionally, Complainant has filed a motion requesting a copy of transcripts. It appears from documents provided by both parties that the Polk County Clerk of Records has provided the requested CDs.

There is not enough information to find a violation to have occurred based on the facts alleged and the documents provided by both parties. Additionally, Complainant failed to include any contact information, outside of a PO Box, where an investigator could potentially reach him.

**Recommendation: Close**

**Board Decision: CONCUR**

## **CASES TO BE RE-PRESENTED TO THE BOARD**

**4. Respondent:**

**Case Number 2017-2**

**Original License Date: 3/18/2010**

**Expires: 6/30/2018**

This case was previously presented for allegations of unlicensed activity. The Board authorized a formal hearing to be settled with Consent Order for civil penalties in the amount of \$500.00.

**New Information:** Respondent provided a copy of her license, which doesn't expire until June 30, 2018.

**New Recommendation:** Close

**Board Decision:** CONCUR

### **NEW BUSINESS**

Director Kopchak introduced the meeting dates for 2018. After a scheduling conflict arose regarding September 21, it was decided that September 28 would be preferable. Mr. Houston motioned to accept the dates as amended, and Mr. Gibson seconded. The motion passed by unanimous roll call vote.

There being no other new business, Mr. Collins entertained a motion to conclude the meeting. Judge Rambo offered one, with a second provided by Mr. Gibson. The motion passed by unanimous roll call vote, and Mr. Collins adjourned the meeting at 9:53 AM.