



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

**Board Meeting Minutes for September 27, 2019
First Floor Conference Room 1-B
Davy Crockett Tower**

The Tennessee Board of Court Reporting met on September 27, 2019 in the first floor conference room 1-B of Davy Crockett Tower in Nashville, Tennessee. The following business was transacted:

BOARD MEMBERS PRESENT: John Rambo (Teleconference), Ken Mansfield, Marilyn Morgan, Brandon Pettes, Korian Neal, and Stephanie Branim

BOARD MEMBERS ABSENT: Briton Collins

STAFF MEMBERS PRESENT: Glenn Kopchak, Ashley Thomas, Carol McGlynn, Dennis Gregory, Jamye Carney, and Angela Nelson

ROLL CALL/NOTICE OF MEETING

Director Kopchak called the meeting to order at 9:09 am and took roll. Upon establishing a quorum, he read the Notice of Meeting into the record.

AGENDA

Judge Rambo motioned to adopt the day's agenda as written. This was seconded by Mr. Mansfield. The motion carried by unanimous roll call vote.

MINUTES

Mr. Mansfield made a motion to accept the minutes from the March meeting. This was seconded by Mr. Pettes. The motion passed by unanimous roll call vote.

DIRECTOR'S REPORT

Budget

Director Kopchak reviewed the budget and provided an in depth explanation of each facet of the budget for the benefit of the new board members. Director Kopchak highlighted the increase in revenue in June and July due to the renewal cycle and that moving forward the board will likely run in operational deficit until the next cycle. Director Kopchak stated that this deficit is not uncommon or a cause for concern.

Ms. Morgan entered the meeting at 9:15 am

Rule Amendments

Ms. Thomas explained to the board that they are currently in the beginning of the rule making process and presented the working redline draft revisions of two (2) rules for discussion. The rules being amended are as follows: 0455-01-03-.02(1) and 0455-01-04-.01(1)(g). Mr. Mansfield gave a brief history to the new board members to assist them in understanding how these rule changes came about. Ms. Thomas clarified to the board that these changes would only impact new applicants and not current licensees. Mr. Mansfield made a motion to accept the rule changes. This was seconded by Ms. Morgan. The motion passed by unanimous roll call vote.

Board Meeting Dates

Director Kopchak presented the scheduled board meeting dates for 2020. These dates are March 27 and September 25, 2020. Mr. Mansfield made a motion to accept these dates. This was seconded by Mr. Pettes. The motion passed by unanimous roll call vote.

APPEARING BEFORE THE BOARD

TCRA-Transcript Preparation

Ms. Sheila Wilson and Ms. Lynn Terrell of the Tennessee Court Reporter Association (TCRA) appeared before the board to discuss two (2) questions they had.

The first question was whether or not a court reporter whose license has lapsed or been placed on inactive status still had the ability to transcribe proceedings taken while their license was still active. The board discussed the matter and determined that a court reporter in this situation would still be able to transcribe the proceedings, even after a significant amount of time has passed. However, the board emphasized that the court reporters license must have been active at the time of the proceeding.

The second question was in the event that a court reporter becomes incapacitated or is unavailable to transcribe a proceeding they reported while their license was valid, who would be allowed to transcribe that proceeding on their behalf? The board discussed the issue at length and determined that in these cases, the proceedings would have to be transcribed by an actively licensed court reporter.

Ms. Terrell also expressed to the board their concern about the fees associated with reinstating licenses. Ms. Thomas explained that the fees had been updated by statute. Director Kopchak stated that he would have to review the transactions to confirm the specific fees and costs associated with court reporter licensing.

Ms. Terrell asked the board for recommendations regarding the language that should be used on the certificates in situations where licenses are expired. Director Kopchak explained that the board must be careful not to dictate industry standards, and stay within regulatory scope. Ms. Thomas concurred and stated that it would be important to note that even if the language provided is a suggestion, it could be taken as a mandate and potentially cause confusion. Director Kopchak proposed that the board can take a look at some possible options and work with legal to determine a course of action.

LEGAL REPORT

The legal report was presented by Dennis Gregory.

1.2019022351

Respondent:

License Status: - ACTIVE
First Licensed: 7/1/2010
License Expiration: 6/30/2020
Disciplinary History: None

Summary:

The Respondent failed to comply with the random continuing education audit going back to November 6, 2018. Respondent was required to provide continuing education completion certificates for bi-annual renewal period. As of March 20, 2019, the only documentation received by the Respondent was a form stating the education received but no proof of completion.

On March 25, 2019, the Respondent faxed and mailed in formal proof of completion.

Recommendation: Letter of Warning for failing to provide proof of attendance at a program or activity in order to receive continuing education (CE) credit. (Rule 0455-01-06-.02(3)).

BOARD DECISION: The Board elected to send a Letter of Instruction to the Respondent explaining the process of reporting proof of attendance at continuing education courses to the Board of Court Reporting.

NEW BUSINESS

Mr. Mansfield encouraged court reporters to sign up with the Tennessee registry for the criminal courts to provide coverage and share the workload.

Ms. Morgan asked legal a question regarding the work products of free-lance court reporters and the protections associated with them. She expressed concern that reporters were being forced to provide free copies of reports and wanted to know if court reporters were legally obligated to give those free copies due to signature requirements. Ms. Thomas stated that she would look into the issue and provide an answer.

ADJOURNMENT

Ms. Morgan made a motion to adjourn the meeting, which was seconded by Mr. Mansfield. The motion passed by unanimous roll call vote, and the meeting was adjourned at 10:28 a.m.