



In Memoriam:

FCRA extends our deepest condolences to Betty Sue Vincent and her family on the death of her son PFC Donald Wayne Vincent on Saturday, July 25th, while serving his country in Afghanistan.

[* To read more, click here.](#)

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By Jennifer Gaul, CMRS, FPR
2008-2009 President



Are You on Facebook? FCRA Is and We Want You...

By the time you are reading this message, we will be counting down the days to our Annual Conference – which will be in Fort Lauderdale September 11, 12 and 13. If you missed our Mid-Year Conference in Marco Island in June, you missed one of the best conferences we have had in years. Congratulations to Sandi Estevez for putting together such a great program. And now for an encore, Sandi and her Committee are already working on our Fort Lauderdale convention.

Our weekend in Marco Island brought together friends and colleagues who worked hard and played hard and, in the end, went home with very valuable ideas, professional commitments, goals and stronger relationships to continue building our community of reporters in Florida.

FCRA's Board of Directors grappled with some of the same issues that are plaguing professional associations today – lack of member participation, lagging growth in membership and the challenge to always deliver value and relevance to its members. We were joined by Dave Wenhold and Tina Kautter, along with many of our Past Presidents, for a strategic planning session in conjunction with our traditional Board Meeting.

At the end of a very thought-provoking day, your Board created a new Social Media Committee dedicated to reaching out to reporters around the state and country promoting the value of FCRA membership. By the time we went to the first seminar on Sunday morning, FCRA had a presence on Facebook. Our thanks to Robin Wierzbicki, Rick Levy, Rick Greenspan and Candis Bradshaw for launching our Facebook page. To date we have more than 165 fans!!

Many other topics were discussed and key projects were initiated as the past, present and future leaders of FCRA came together. Watch us on Facebook, in our FCR magazine, on our website and in future e-flashes for updates on new student mentoring opportunities, enhanced value in convention sponsorships, the creation of a communication network throughout Florida and other very simple ways for every member to contribute to our future as reporters and as an Association.

Growing in popularity at our conferences is our Firm Owners Forum which was opened up to those managing court reporting firms this year. Over 20 firms in Florida were represented by over 45 attendees. The most significant issue addressed during this forum was the value of the FPR Certification and the commitment of firm owners across Florida to not only promote the FPR program to all their reporters, but to adopt it as the minimum certification requirement within their firms

when hiring reporters. Congratulations to those Florida firms who continue to set the bar just a little higher each day and continue to encourage excellence in our industry.

Thomas Hughes, along with this year's Nominating Committee, conducted our traditional interviews for the 2009/2010 Board of Directors. We were very pleased and encouraged to see such a promising field of candidates with the desire to push our Association into the future. It is always a challenge and may seem overwhelming and intimidating, but to those reporters who are thinking about taking their membership and involvement to the next level, I offer this quote from Ralph Waldo Emerson: *"Whatever course you decide upon, there is always someone to tell you that you are wrong. There are always difficulties arising which tempt you to believe that your critics are right. To map out a course of action and follow it to an end requires courage."* Thank you for having the personal courage and commitment to our profession to go through this process. I am sure you will look back on it, as I have, as one of the most valuable personal growth experiences and opportunities of your career.

This summer has also seen other significant events including the adoption by the Supreme Court of amendments to the Rules of Appellate Procedure and the Rules of Judicial Administration. Read the full text of SC08-1658 on the Florida Supreme Court's website <http://www.floridasupremecourt.org/decisions/2009/sc08-1658.pdf>. FCRA's FPR Oversight Committee and Manual Committee are working to update our Manual and the FPR Certification Seminar to incorporate these changes. These rule changes have sparked a wide range of debate and need for further clarification. You can be assured your Board is working diligently to understand these changes and will communicate to our members their effect on our professional lives.

The next President's Message you will read will be from our incoming President, Susan Wasilewski. I am proud to pass on the accomplishments and momentum of the Board of Directors and membership I have had the honor to lead and look forward to my upcoming year as Immediate Past President. Each of us has worked hard to build on the foundation of past Boards and I want to take this opportunity to once again thank those who have mentored and supported me in my reporting career. Just like those Florida reporters I admire most, I plan to stay involved and hope you will too.

By Louise Pomar, RPR, FPR, CERT*D, FCR Online Editor

For a Court Reporter, the First Impression You Make is the ONLY Impression You'll Get!



Many court reporting seminars that I have attended over the years and articles that I have read in the *Journal of Court Reporting* and *FCR Online* f/k/a *The Florida Court Reporter* have addressed the issue of dressing professionally. Below is an email that was received by one of our members from a fellow court reporter who lives in Las Vegas. Whether a court reporting student or a working court reporter, this email speaks to all of us.

"Oh, man. I must be turning into a crotchety old lady! I was waiting in the deposition office as it was yet to be determined which of the two deposition suites I was going into (there were two depositions scheduled for the same time) when I walked the other court reporter. Now, here I was in black Ann Taylor kitten-heel mules, a longish black print skirt, silk blend shell and black casual blazer...not overtly tailored, but a black jacket nonetheless. I opted not to wear pantyhose as it was 110-degrees out (my Las Vegas summer guilty pleasure) and I have my hair up in a bun, nice barrette, jewelry, makeup. Now, I may not have a "happening" figure (admittedly some days I might body-wise resemble Danny DeVito in drag), but one thing I learned from those many years of watching "Perry Mason" is that dressing sharp can cover a multitude of proportional sins. The other reporter — a woman in her 30's, I'm guessing — arrived wearing 4" stiletto platform red vinyl peep toe pumps, tight black pants, some shiny belt, a low-cut striped nearly sleeveless tight t-shirt, mussed hair, smacking gum and wearing loads of lip gloss. My first thought was "What disco is open at this hour?" And then my thoughts got a little sadder.."

"Now, maybe my age is catching up with me or maybe my fashion sense is stuck in perpetual conservative mode and I'm not hep to the latest fashion trends, but in the first three seconds it takes to make an impression I wasn't discovering a whole lot of professionalism in my co-careerist. I am not sure what kind of image she was trying to project. It certainly wasn't youthful sagaciousness. This appearance was not something I would want sitting in a board room of high-powered attorneys on a high-profile case. Indeed, I'm not even sure this is an appearance I would want to take home to introduce to my family. And I certainly wouldn't advocate this look as the dress code for a reporting firm. I'm sure she's a perfectly nice lady and an able performer of her duties, but it does the profession a disservice when one does not dress for the seriousness and solemnity of the part. We are active and (hopefully) respected members of the legal community and should resemble such...not resemble some party girl moonlighting in stenography. Am I a frump? I don't think so, but nothing puts a kink in my tail quicker than something

that diminishes the pride I take in my chosen career.

"Wake up, Reporters! You're representing a whole lot more than just your own self's identity when you head out on a job. Look the part, act the part, be the part.

"There...I've had my say for the day. Thank you."

— Andrea, Reporter-at-Large

Need I say more? I don't think so. Andrea has said it all.

UPCOMING EVENTS CALENDAR 2009

2009

- Sept 11 - 13** **FCRA Annual Convention**
Hilton Fort Lauderdale Marina
Fort Lauderdale, FL
Information posted on the FCRA website
www.FCRAonline.org
- Sept 22 - 24** **Court Technology Conference (CTC) 11**
Colorado Convention Center
Denver, Colorado
Information posted on the National Center for State Courts website
www.ncsc-ctc.org
- Oct 9 - 10** **Case CATalyst Version 10 Workshops**
Doubletree Hotel Universal
Orlando, FL
Information posted on the NCRA website
www.ncraonline.org
- Oct 24** **AAERT Certification Testing**
Site information posted on the American Association of Electronic Reporters & Transcribers website
www.aaert.org

Please notify Louise Pomar, Editor, lp1958@aol.com, of any upcoming events that you would like to appear in the "Upcoming Events Calendar."

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FCRA Annual Convention

September 11-13, 2009
Hilton Ft. Lauderdale Marina
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On the National Scene...

Reprinted from the July 1, 2009, edition of *The National Law Journal*

For Jurors in Michigan, No Tweeting (or Texting, or Googling) Allowed

By Tresa Baldas

Call it the silencing of the tweets.

The Michigan Supreme Court has laid the hammer down on gadget-happy jurors in banning all electronic communications by jurors during trial, including tweets on Twitter, text messages and Google searches.

The ruling, which takes effect Sept. 1, will require Michigan judges for the first time to instruct jurors not to use any handheld device, such as iPhones or Blackberrys, while in the jury box or during deliberations.

The state's high court issued the new rule on Tuesday in response to prosecutors' complaints that jurors were getting distracted by their cell phones, smart phones and PDAs, in some cases texting during trial or digging up their own information about a case and potentially tainting the judicial process.

Wouldn't common sense suggest that's wrong? "I don't think jurors go out and Google stuff thinking it's wrong. Sometimes it just doesn't click," said Charles Koop, immediate past president of the Prosecuting Attorneys Association of Michigan, which pushed for the new rule. "I think it brings home to the conscientious jurors — which most jurors are — that I'm not supposed to do this."

The new rule also helps older judges, who might not be tech-savvy, stop jurors from doing things in their courtroom that they are unaware of, said Koop, prosecuting attorney in Antrim County, Mich. "Judges of an older age may not be in tune as much as younger judges as to what's going on out there," Koop said, adding the constantly evolving PDAs are especially problematic for the courts. "It's a new technology. We're playing catch-up."

Michigan's new rule follows a wave of recent cases in which jurors have blogged, posted Tweets or sent text messages during trials, infuriating judges and triggering mistrials.

In Florida, Miami-Dade Circuit Court Judge Scott Silverman in May declared a mistrial in a civil fraud case after discovering a witness — a company executive — was texting his boss on the stand during a side bar conference. "I never had this happen before," Silverman stated. "This is completely outrageous."

On the flipside, an Arkansas judge in April ruled that a juror's Twitter postings during a trial won't affect a \$12.6 million judgment issued against a buildings products company. Lawyers for that company had argued that the juror's Tweets during trial showed he was biased against the company, including one that said, "Just gave away TWELVE MILLION DOLLARS of somebody else's money." But the judge upheld the verdict, finding that the tweets were in bad taste but not improper.

A Pennsylvania judge delivered a similar blow recently to defense lawyers in the corruption trial of a former state senator who requested a mistrial because a juror posted updates about the case on Twitter and Facebook, telling readers that a "big announcement" was coming. The judge, however, let the deliberations continue and a guilty verdict was issued. An appeal is in the works.

Looks like more states should consider following Michigan's suit, said Josh Marquis, who sits on the Board of Directors for the National District Attorney's Association and believes technology is wreaking havoc on the justice system.

"The potential for jury tampering is unbelievable. All you have to know is a person's cell number," said Marquis, district attorney in Clatsop County, Oregon, who has seen text messages and Google searches by jurors taint his own cases.

"One thing that will almost always cause a mistrial is extrinsic material coming into the jury room. In the pre-electronic age, that meant a dictionary or encyclopedia," Marquis said.

Those days are over. Now there's Google, Twitter, Facebook and a host of other cyberspace message boards for jurors to play on, and potentially kill a case.

"It almost invites people to do extrinsic research," Marquis said of the Internet and hand-held technology. "The problem is -- technology has far outpaced the court rules."

Next week, Marquis is going to the annual NDAA conference in Florida. He is counting on his Michigan

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On the National Scene...

PRINCE INSTITUTE NOW OFFERS CART/CAPTIONING PROGRAM

Prince Institute is pleased to announce the accreditation and upcoming launch of its CART and Captioning program.

The school is located in Montgomery, Alabama, and specializes in realtime reporting education. Faculty and staff have worked long and hard for the addition of a CART and Captioning program. Now, after nearly three years of research and preparation, they have a program approved for enrollment by its accrediting agency, the Accrediting Council for Independent Colleges and Schools.

"We are aware of the need that has developed for CART and captioning professionals. We want to do our part to fill that need by offering a high quality program," said Candace Shepherd, CCR, CRI, CPE, assistant director and an instructor at Prince Institute. Shepherd has been a key player in preparing for the CART and Captioning program.

Because of federal regulation, captioning is performed for hundreds of hours of live television each week and

it is estimated that over 100 million Americans alone use closed-captioning each year. Meanwhile, CART has a long and varied list of uses that include classrooms, courtrooms, religious services, civic events and more, according to the National Court Reporters Association.

"We are thrilled to be able to offer this program. We've had a lot of demand for it and look forward to getting started," said Pat Hill, the school's director.

For more information or to enroll, contact Career Planner, Sherry Hill, shill@princeinstitute.edu or 877-853-5569.

Prince Institute has been training court reporters since 1976. It is accredited by the Accrediting Council for Independent Colleges and Schools, approved by the Veterans Administration, licensed by the Alabama Department of Education and certified by the National Court Reporters Association. Visit www.princeinstitute.edu to learn more about the school, programs and realtime reporting as a career.

NO TWEETING...

Continued from page 7

colleagues to talk about their new rule, and the directive judges are now under to tell jurors that no electronic communications are allowed during trial. "The first thing I'm going to do is call them and say, 'bring this up,'" Marquis said.

According to the National Center for State Courts, a number of states have grappled with the problem of allowing jurors to bring cell phones to the courtroom. A recent questionnaire sent to court administrators across the country showed that many courts are addressing the problem of potential juror misconduct through hand-held devices.

For example, courts in Ramsey County, Minn. recently issued a new cell phone policy that prohibits jurors from bringing any wireless communication device to court after two mistrials were declared when jurors used cell phones during deliberation against the court's order.

New Jersey, however, allows jurors to bring cell phones to court, but they must be turned off during trial. Cumberland County, Penn. has a similar phone policy. In Malheur County, Ore., jurors are not allowed to bring cell phones to court at all.

"This has been a hot topic," said Gregory Hurley, an analyst with the NCSC who studies trends in the courts. "It's a funny balance that a court has to do. On the one hand, common sense says, 'Get all the cell phones out of there. Sanitize the environment.' But in this day and age, with people who have kids, you have to have a little compassion for the jurors."

He added: "If you want to take the cell phones out, you have to be extra careful to have phones around for people to use."



On the National Scene...

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The Diamante is the second generation of paperless writers.

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"We're the leader in this industry and we take that responsibility seriously. We value our customers' trust and consistently try our hardest to exceed expectations in an effort to make their jobs easier," said Wenclawski. "Everything about the Diamante was inspired by what reporters said they wanted."

People who have used the Diamante are thrilled with the results.

"It has been a long time since I was excited about my equipment for work. (During the testing phase,) I practiced on the Diamante at home and actually used the Diamante on a few jobs and it has been such a pleasure. I can write more accurately and quickly and

for a long period of time without getting tired," said Dan Feldhaus, a Sacramento deposition reporter who has been writing for nearly 30 years.

In addition to the Diamante itself, Stenograph is releasing a line of accompanying accessories to complement the writer perfectly. Among these accessories is a custom made rolling case for realtime reporters. The unique case is designed to easily hold the Diamante, its custom tripod, a laptop and more. The case's sturdy frame and impressive stability give it the ability to also double as a seat for jobs where seating is limited or unavailable.

Are you ready to meet the newest addition to the Stenograph family? Visit www.stenograph.com to find out more or call 800-323-4247 to speak to a representative.

Stenograph is dedicated to supporting the court reporting community and its programs. The company is the No. 1 manufacturer and marketer of shorthand writers and computer-aided transcription software, offers online education and provides other industry-related supplies. It also owns both the Prince Institute of Professional Studies and Denver Academy of Court Reporting.

The Diamante will make its debut at the NCRA Annual Convention in Washington D.C. this August. Stenograph will continue to manufacture both the Stentura Fusion and the lan Mira A3. For more information, please visit www.stenograph.com.

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**Florida Court
Reporters Association**

QUINCE: WORK CONTINUES ON COURT FUNDING

Reprinted from the July 15, 2009 Florida Bar News • By Gary Blankenship, Senior Editor

Even though it is constrained by financial difficulties, the Florida court system is working to keep up with rising caseloads and meet future demands through expanding drug courts, pushing for mental health improvements, and working toward electronic filing of court documents.

"These are challenging times," Supreme Court Chief Justice Peggy Quince told lawyers and judges attending the Judicial Luncheon at the Bar's recent Annual Convention. She delivered the annual State of the Judiciary address to the audience.

"The past year has been particularly challenging," Quince added. "The judicial system continues to function. We are still committed to the ideals of our profession. We are still committed to our constitutional duties and obligations. Despite our economic issues, we continue to carry out our main mission, which is to ensure that society has a forum for the peaceful and orderly resolution of disputes in a timely manner."

One effective tool, she said, is drug courts, which recently celebrated their 20th anniversary in Miami and have now expanded throughout the state.

"We know that drug courts not only help that one individual, but it touches their families and it touches their community, so we will continue to increase the use of drug courts," Quince said. "Hopefully, we will do a much better job of touching people who need to be part of our drug courts."

The courts have supported for the past two years far-reaching legislation to overhaul the state's

mental health system, particularly where it intersects the criminal justice system. The chief justice reported that nationally a half million people with serious mental health problems are in jails and prisons, and another half million are in the probation system. In Florida, 125,000 people with mental health problems come into the criminal justice system annually, and the state spends \$500 million annually on forensic beds.

The state could better spend that money on treatment and care for the mentally ill, Quince said, and the court system will continue to support legislation to revamp the system.

On funding issues, a summit in January focused the court system on its priorities, she said, setting out seven principles. Those included a trust fund to help finance the justice system, a larger share of the fees and costs generated within the court system, and studies on how the system operates and the future needs of the courts.

Quince praised the passage of SB 2018, which places the court portion of county clerks of courts' budgets under legislative scrutiny. "Now all of the court entities come to the Legislature for their appropriations. No one has free access to the money that comes through the court system," she said.

In addition, the Legislature created a court trust fund in its January special session, and then provided significant sources of monies for it in the Regular Session that ended in May. It also mandated electronic filing for the courts and ordered a study to be conducted by the Office of Program Policy and Government Analysis, the chief

financial officer, and the auditor general on court technology issues.

"We will continue to work in our court system on technology," Quince said. "We will make sure that in the future you can have your pleadings and other matters that come before the court sent to the court system electronically."

While the court system is happy that its trust funds have been increased, the chief justice noted that "there are components of the judicial system that should be funded within the general revenues," which includes judges' salaries.

"We still have some work to do because part of the money that was dedicated (to the trust fund) is fines," she said. "We feel that fines should not be part of the funding because judges impose fines. We have to work on getting those fines out of our trust funds."

There is also concern that judges' salaries were cut 2 percent this year, she said. Although Gov. Charlie Crist vetoed the part of the budget that cut 2 percent from the salaries of state employees making more than \$45,000, that did not cover the salaries of elected officials. (The governor's only option would have been to veto their entire salaries.)

"We have some wonderful things that have happened during this legislative session, but we look forward to the next legislative session and the hard work to be done," Quince said.

And for that, the court system will continue to rely on the help from the entire legal profession, she said, adding, "We don't do politics. We don't know how to go around

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QUINCE: WORK CONTINUES ON COURT FUNDING

Continued from page 10

and lobby, so we need the help of others.”

She also recognized circuit court Judges Joe Farina, John Laurent, Charles Francis, and Belvin Perry, Second District Court of Appeal Judge Stevan Northcutt, and 17th Circuit Court Administrator Carol Ortman for their work with the Legislature, and presented awards to Perry, chair of the Trial Court Budget Commission, and State Courts Administrator Lisa Goodner for their work on the court system’s budget.

Quince was preceded in speaking to the luncheon by Lt. Gov. Jeff

Kottkamp. He, too, called for supporting judges and the legal system, but urged those in the audience to do more by educating school children about civics and the American system.

“Our children are not learning the great legacy that they have as Americans. This was the first county in the history of mankind where people said government is not the master; government is the servant and it only has that power which we the people give it,” he said.

That included people guaranteeing their rights of speech, religion, assembly, of the press from intrusion

by government, taking the novel approach that such rights were not given by a government but granted by God, Kottkamp said.

“I would issue a challenge to each of you here as a member of the Bar...First continue to fight for the independence of the judiciary. Fight for the good work these judges do everyday,” he said. “. . . Also do what many of you do already: Go out into the community and speak to the children in the schools...Share the message of America, because it’s an amazing story, and it’s one we have to fight for, to preserve this way of life and preserve our Constitution.”

RULING: RECORDINGS OF COURT PROCEEDINGS ARE PUBLIC RECORDS

Reprinted from the July 16, 2009, edition of The Ledger • By Lloyd Dunkelberger, Ledger Tallahassee Bureau

Reversing a recommendation from a judicial commission and a recent appellate court ruling, the Florida Supreme Court on Thursday declared that electronic recordings of trial court proceedings are public records.

The state’s highest court unanimously rejected a recommendation from a judicial commission that wanted to shield “electronic records, videotapes or stenographic tapes of court proceedings” from public access unless specifically approved by the trial court or chief judge.

The recommendation was in line with a May decision from the 2nd District Court of Appeal that blocked The Tampa Tribune’s request for the audio recording of a criminal sentencing in the 6th Judicial Circuit, which includes

Pasco and Pinellas counties.

The Supreme Court said the appellate ruling and the recommended rule were at odds with the state’s open-government tradition.

“Such a provision is overly restrictive and is contrary to Florida’s well-established public policy of government in the sunshine and this court’s longstanding presumption in favor of openness for all court proceedings and allowing access to records of those proceedings,” the court said.

The justices also noted that the recordings — which were first authorized by judicial rule in 1995 — are now widely used by the media and others involved in the court system “and have proven useful, reliable, efficient and cost

effective.”

“We agree that access to these recordings should not be denied or left to the unfettered discretion of the trial court or the chief judge,” the justices said.

A lawyer who represented news organizations, including The Ledger, the Sarasota Herald-Tribune and other New York Times Regional Media newspapers, in the case hailed the decision as a victory for public access to court proceedings.

“It’s a wonderful decision for the public because it ensures that what happens in a courtroom — and is recorded — can be listened to by any citizen,” said Gregg Thomas, a Tampa lawyer. “Government has spent an enormous amount of money providing for digital

Continued on page 12

RULING: RECORDINGS OF COURT PROCEEDINGS ARE PUBLIC RECORDS

Continued from page 11

recordings. Now the Supreme Court has guaranteed that anyone who wants to can listen to what happens in a courtroom in Florida.”

The decision also rejects the 2nd DCA’s decision in May to uphold a ruling from a Pasco County judge blocking a newspaper’s access to an audio recording of a sentencing hearing. The trial court instead offered to provide a written transcript of the proceeding.

In their opinion, the three-member appellate panel said the trial court was justified in denying access to the audio recording since it was not the official record and could contain extraneous comments.

Chief Appellate Judge Darryl Casanueva wrote in a concurring opinion that the trial had pointed out “the audio may, and probably does, contain non-record anomalies such as privileged discussions between attorneys and their clients or background dialogue between observers in the gallery.”

Casanueva was joined in the opinion by Judges Carolyn Fulmer and Patricia Kelly.

But in his written argument to the Florida Supreme

Court, Thomas said it would be up to the Legislature to grant a specific public records exemption for court recordings rather than by judicial rule.

He also argued that some of the concerns could be handled by a policy that did not deny access to all court recordings.

“For example, if the committee is concerned that confidential attorney-client communications may be audible on the recordings, the solution is to redact such information from the electronic recording (just as a court reporter would leave this information out of the written transcript),” Thomas wrote.

Thomas also noted that similar objections have long been raised and rejected by Florida courts over the use of cameras and other recording devices used by news organizations and others in the courtroom.

“In Florida, what transpires in a courtroom is public property and the courts of this state have long allowed cameras (with both audio and video capacity) in the courtrooms, over such objections,” he wrote.

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FCR Online Deadline Dates

(Winter) Nov/Dec/Jan	Oct. 5, 2009
Publication Date	Nov. 12, 2009
 (Spring) Feb/Mar/Apr	Jan. 5, 2010
Publication Date	Feb. 12, 2010
 (Summer) May/June/July	April 5, 2010
Publication Date	May 12, 2010
 (Fall) Aug/Sept/Oct.....	July 5, 2010
Publication Date	Aug. 12, 2010

LAW & TECHNOLOGY: COURT REPORTERS THE LATEST VICTIM OF BUDGET CUTS

Reprinted from the July 21, 2009, edition of the Daily Business Review • By Jordana Mishory

Court reporters could become an endangered species in Broward County's criminal justice system.

State Attorney Michael Satz and Public Defender Howard Finkelstein have agreed to stop using court reporters to transcribe depositions. They signed a stipulation July 6 to use a service provided by the private firm LawSonics that records depositions through a speakerphone and provides audio files on its Web site for a fee.

"Severe budget cuts have required both parties to look for new and innovative ways to reduce expenses without jeopardizing their core mission," the two-page stipulation said.

Finkelstein's office said it cannot predict how much money it would save but expects it to be a large amount. The new system called DepoTek cuts out a court reporter's appearance fee, makes transcripts optional and allows the admission of audio files as trial evidence to impeach witnesses.

Finkelstein's chief assistant, Steve Michaelson, said having a court reporter transcribe depositions could cost \$3.85 to \$6.95 a page depending on how quickly the record is needed.

Finkelstein said his office will transition over to the DepoTek system by Aug. 1. Court reporters will be an option in some situations.

Here's how the system works: all prosecutors and public defenders receive an account number and a code. An attorney can dial into the system 24/7, which records a deposition by phone for \$1 a minute.

Attorneys can log onto the online system later to obtain an audio file of the deposition. Both sides have access to the audio file. If desired, the recording can be transcribed for an additional cost of \$2 to \$5 a minute. Attorneys interested in a transcript can request one by clicking on a button online.

The system doesn't require any new equipment but assumes users have access to a speakerphone and computer.

The use of DepoTek marks the latest technological leap for the slowly adapting court system. State courts and clerks are just now beginning to grapple with the concept of electronic filings.

The move also marks the end to a major source of revenue for court reporters.

The Florida Court Reporters Association and the National Court Reporters Association did not return calls for comment by deadline.

Chris Lang, vice president of sales at DepoTek creator LawSonics, said the Orlando-based company took several years to develop the technology and a patent is pending. He said one advantage to the DepoTek system is indefinite storage of audio files.

"We keep it forever — until an asteroid hits the Earth or something else happens beyond our control," Lang said.

COST SAVINGS: Finkelstein's office has been pushing for an audio system for about a year.

Because of turnover, new attorneys need to get up to speed on cases fast. Transcripts can become costly very quickly, and slow production of transcripts can derail a case. Finkelstein encouraged lawyers to record depositions and forward recordings to newly assigned lawyers rather than order transcripts for every case. The drawback is the public defender's recordings could not be used for official purposes.

Under the stipulation, audio recordings can be used in court for impeachment purposes. If there's a dispute, a judge will determine the accuracy of the recording or transcript.

The two sides also asked Chief Circuit Judge Victor Tobin to issue an administrative order ratifying the stipulation although they said it would be binding even without judicial consent. Tobin said he didn't think an administrative order was necessary, but he might sign one if it made the attorneys more comfortable.

Monica Hofheinz, executive director of the Broward state attorney's office, conceded her office had been holding up the move to an electronic recording system. She said prosecutors wanted to carefully review the automated process. The conclusion: it would be a great cost saver. She noted it costs \$28 just to get a court reporter to show up at a deposition, which is money down the drain if the witness never shows.

"The attorneys coming out of law school are used to twittering and doing everything electronically. So to

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REPORTERS LATEST VICTIM OF BUDGET CUTS

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them, this is something that they expect," Hofheinz said. As for court reporters, she said, "I know they're upset, and I feel bad. But there's still plenty of civil work and private criminal work."

Several other circuits around the state use DepoTek. Lang said the 20th Circuit in southwest Florida is starting to use the system, and the 9th Circuit in Orange and Osceola counties has been using it for more than a year.

Orange-Osceola Public Defender Robert Wesley said it wasn't a difficult transition because his office had long taped depositions. He acknowledged there's an advantage of a live person transcribing testimony when a clarification is needed if someone mumbles or more than one person is talking at the same time. But he said the lower cost of the automated system outweighs those advantages.

John Stone, an administrator at Wesley's office, said

his office averaged \$27,000 per month for transcripts in the months before the change to DepoTek. Bills for recordings dropped to an average of \$14,000 a month with recordings.

Chief Assistant State Attorney Bill Vose in Orlando said he hasn't heard of any problems with the system.

Finkelstein said he hates the thought of putting court reporters out of business, especially because his sister is a court reporter.

"For me I had to make a choice. It's good for my client, good for my lawyers and good for my budget," he said.

Jordana Mishory can be reached at (954) 468-2616.

LETTER TO EDITOR

Reprinted from July 28, 2009, edition of the Daily Business Review

We respectfully challenge the wisdom of the new approach adopted in Broward County for conducting depositions. We understand court systems around the country face serious challenges due to the recessionary economy. But if budgetary actions compromise the integrity of the legal system, they have gone too far. In our minds, it is unacceptable for Florida citizens to entrust decisions affecting their life, liberty, property and livelihoods to technology that is only as good as the speakerphone used on the call and without adequate training, management, certification and administrative systems to ensure security and quality. We fear the changes taken by Broward County cross that line.

A complete and accurate record of the evidence, what was said and what was decided is the very basis of every legal action. Real-time court reporters are the gold standard for producing records for trials and depositions and in supporting the efficient operation of court systems. Court reporters do more than just create a transcript: They add to the efficiency, effectiveness and reliability of case management. Changes measured only in cost reductions ignore what will be lost in translation, lost in inefficiency and lost to error.

During depositions, a great deal of sensitive personal information is routinely made part of the record: names, addresses, Social Security and bank account numbers, children's names and ages, business interests, etc. A certified court reporter is trained to ensure all rules of civil and criminal procedures are respected, sensitive information is redacted and circulation of protected information is appropriately controlled.

The Florida Court Reporters Association and the National Court Reporters Association are ready to work with decision-makers to ensure an accurate and secure record is created and workable budgets are achieved.

Florida citizens shouldn't have to depend on the quality of a phone connection and the skill of an uncertified, unsupervised transcriptionist when their legal rights are at stake. Systems of training, oversight, quality control and accountability are necessary and sadly lacking in the current action.

*Jennifer L. Gaul
Florida Court Reporters Association President*

FLORIDA COURT REPORTERS ASSOCIATION 2009 NOMINATING COMMITTEE REPORT

On June 27, 2009, the FCRA Nominating Committee met to interview the FCRA Board of Directors candidates for the 2009-2010 fiscal year. After interviewing several candidates, the 2009 Nominating Committee, chaired by Thomas Hughes, submits the following slate of nominees for consideration by the membership at the 2009 FCRA Annual Convention to be held at the Hilton Fort Lauderdale Marina, Florida, on September 11 - 13, 2009.



PRESIDENT
*Susan Wasilewski, RPR, CRR, CCP, CMRS, FPR
Lakeland, FL*

Susan Wasilewski currently manages Wasilewski Court Reporting, LLC, a family-operated agency, in Lakeland, Florida. The company and its court reporters serve the Polk County Bar and 10th Judicial Circuit Court in both criminal and civil proceedings, including trials, depositions, and a variety of other reporting settings, as well as providing reporting services to clients from across the nation.

Susan has served on the Board of Directors for the Florida Court Reporters Association since 2003, joining the Board as a Director and becoming its Secretary soon after. She has served as Chair of the Association's Technology Committee since 2003, Treasurer in 2007, and currently holds the position of Vice President.

Susan's educational experience includes graduating from high school in a small town in Missouri, attending St. Louis College of Pharmacy, the University of Central Florida, Polk Community College, and Bay Area Academy of Business. She earned her court reporting diploma from Bay Area in 1987 and has since attained several certifications from the National Court Reporters Association. She earned the Florida Professional Reporter certificate from FCRA in 2006 and currently serves on the FPR teaching panel.

When time allows for a respite from court reporting, Susan enjoys spending time with her family, golfing with her husband, visits to the beach, and the occasional perfect margarita.



PRESIDENT-ELECT
*Robin Merker, RPR, FPR
Lake Worth, FL*

Robin Merker has been a freelance reporter in Florida for the past 24 years, and a certified training agent for Stenograph for the past 6 years. Between the two, she is always working.

She holds a BA in English Literature from the University of South Florida and received her court reporting train-

ing from Charron Williams in Miami, Florida, and the Stenotype Institute in Hicksville, New York.

Robin is currently the Nominating Committee Chair for her temple, having held various positions there in the past, as well as for its religious school. She is married to Michael and they have 13-year-old twin daughters, Sarah and Rachel, two dogs, and two cats, and a refrigerator magnet that says, "Stop me before I volunteer again," to which she never listens.



VICE PRESIDENT
*Rick Levy, RPR, FPR
Miami, FL*

Rick graduated from the University of Alabama in 1993 with a Bachelor's Degree in Business Administration with a major in Management. He then completed court reporting school at Atlantic Vocational Technical Institute in Pompano, Florida, in 1996 at which time he began his career at Mudrick, Witt, Levy & Consor as a freelance court reporter in Miami, Florida.

After the acquisition of Mudrick, Witt by Esquire Deposition Services in 1998, he continued working as a court reporter until 2003 when he opened up his own agency now known as Network Reporting Corporation. Rick has continued in this role up until the present.

He has been very active in NCRA since 1997 and has served on the Firm Owners Conference Committee. He has also been active in the Florida Court Reporters Association and the Society for the Technological Advancement of Reporting since 2004.



SECRETARY/TREASURER
*Janet McKinney, RPR, FPR
Fort Lauderdale, FL*

Janet knew she wanted to become a reporter since Career Day during her Junior year in high school. She entered reporting school after the summer of graduation in September, 1976, and received her court reporting certificate from the Academy of Court Reporting, Cleveland, Ohio in December, 1978.

FLORIDA COURT REPORTERS ASSOCIATION 2009 NOMINATING COMMITTEE REPORT

She began her reporting career as an official reporter in the Geauga County Court of Common Pleas in Chardon, Ohio back in February, 1979. After working there for a little over three years, her family relocated to the Ft. Lauderdale area where she went to work in her first freelance job for Bass Reporting in July, 1982. In 1986 she made a change and found herself at Merit Reporting where she stayed through their merger with Esquire; and in January, 1999 she began working for Klein, Bury, Reif & Applebaum, which is now U.S. Legal Support in Ft. Lauderdale.

Janet is currently a Registered Professional Reporter, Florida Professional Reporter, and Certified LiveNote Reporter.

She has been married to her husband, John, for 28 years and has one son, Cody, who is in his third year at Colby College. She currently reside in Weston, Florida.



CENTRAL DIRECTOR
Holly Kapacinkas, RPR, CRR, FPR
DeBary, FL
(Two-year term – 10/2011)

Holly Kapacinkas, RPR, CRR, FPR, graduated in 1982 from DePauw University in Greencastle, Indiana, with a B.A. in music (flute performance) and a minor in business. While in college, she spent time studying music at the Hochschule fur Musik in Vienna, Austria. Upon graduating from college, she went to work in sales for Xerox Corporation in Chicago, IL. She married Len, her husband of 25 years, in 1984. Upon leaving Xerox in 1985, Holly became a flute teacher, as well as an orchestral and freelance musician in the Chicago area.

Holly moved to the Orlando area in 1989. Upon moving to Florida, she was a stay-at-home mom and part-time student at Seminole Community College, studying computer programming. Holly entered court reporting school at Daytona Beach Community College in 1994 and graduated in 1995. She has been a reporter with Volusia Reporting Company in Daytona Beach for 14 years. She received her RPR designation in 1996 and CRR and FPR designations in 2006. Holly has been an adjunct instructor for court reporting students at Daytona Beach Community College. She has also served a 3-year term on the Florida Bar Grievance Committee and is looking forward to becoming active in FCRA. She lives in DeBary with her husband Len and their two sons, Sam and Alex.



NORTHERN DIRECTOR
Tara Slocum, CRR, RPR, CSR (CA), FPR
Orlando, FL
(Second Year of Two-year term- 10/2010)

Tara K. Slocum, CRR, RPR, CSR (California), FPR began her reporting career in 1986 in Los Angeles, California, working for Pat Barkley Court Reporters, Noon & Pratt and Atkinson Baker Court Reporters, the first Fortune 500 court reporting company. In 1991, she moved to Orlando, Florida, and began working with Orange Reporting.

Her work experience involves complex, technical litigation in depositions and trials where realtime reporting and daily copies are required. In addition, she provides pro bono realtime for the deaf and hearing impaired whenever given the opportunity.



SOUTHERN DIRECTOR
Tanya Ward English, RPR, CRR, CCP, CBC,
FPR
Fort Lauderdale, FL
(Second Year of Two-year term- 10/2010)

Tanya Ward English, originally from Colorado, began reporting in 1986. She worked as an official reporter, a freelance reporter and was a founding partner in Florida Realtime Reporting and The Caption Crew. Tanya has extensive realtime experience in both litigation work and in working with the deaf. She received the FCRA Pro Bono award in 1995-96, and in 2004 was appointed by Governor Bush as the CART representative for the Florida Coordinating Council for the Deaf and Hard of Hearing, where she chairs the Information & Referral Committee. She also co-chaired the Licensure and Credentialing Task Force for Interpreters and CART Providers.

Tanya resides in Cooper City with her family and currently provides CART services primarily for deaf students in universities around South Florida. Tanya is a Certified Realtime Reporter, Certified CART Provider and a Certified Broadcast Captioner.



DIRECTOR-AT-LARGE
Sandra Estevez, CSR, FPR
Miami Beach, FL
(One Year Term 10/2010)

Sandra Estevez graduated from the University of Texas at Arlington in 1985 with a Bachelor's Degree in Communications where she was a member of Zeta Tau Alpha sorority, Women In

FLORIDA COURT REPORTERS ASSOCIATION 2009 NOMINATING COMMITTEE REPORT

Communications Network, hosted a cable TV show called UTA Student Spotlight and was a member of the cheerleading squad.

Sandra has been a California CSR since 1995. A year after graduating from Sierra Valley Business College in Fresno, California she opened up her own agency called Sandra Holman Reporting Services. In 2005 she merged her agency with Paulson Reporting & Litigation Services where she was hired to manage their

Fresno office and later open a second office for them in Bakersfield, California. In 2008 Sandra relocated to Miami Beach, Florida and joined U.S. Legal Support as the General Manager and Reporter/Client Liaison for the U.S. Legal Support Miami office. Shortly after joining U.S. Legal Support, Sandra joined FCRA, passed the FPR, served as Conference Chair for the 2009 FCRA Mid-Year Conference in Marco Island and is currently Chairing the Annual Convention to be held in Fort Lauderdale, Florida.

FCRA OFFERS VOLUNTEERS TO RECORD JNC INTERVIEWS

*Article reprinted from the June 1, 2009, edition of The Florida Bar News; By Mark D. Killian
Managing Editor*

The Florida Court Reporters Association has offered to provide volunteers to any of the state's judicial nominating commissions to produce verbatim records of their judicial candidate interviews.

"Our organization is demonstrating through this pro bono program its desire to meet the most noble of goals within a free society — that of civic participation in our judicial process," said Michael H. Greenhill, chair of FCRA's pro bono efforts.

FCRA has sent a letter to the chairs of every JNC offering the service, along with a set of guidelines, and the names of court reporting firms in each circuit who have agreed to provide the free service.

Here is how the program would work: Once a judicial candidate interview date has been established, the JNC chair calls the FCRA firm responsible for reporting interviews within that circuit; the firm will then assign a court stenographer to report the judicial candidate interviews on a pro bono basis; upon conclusion of the proceedings, the reporter's disk or card will be released to the JNC chair, who will assume control of the record; the proceedings will only be transcribed at the request of the commission chair, upon consultation with the commission, and the chair will be responsible for the appropriate release of such transcripts.

The pro bono court reporters will not be present during the commissions' deliberations, which under the Florida Constitution are confidential.

"Hopefully, the JNCs will avail themselves to the ability to have a professional court reporter on a pro bono basis at every one of their judicial candidate sessions," said Greenhill, noting his firm — Pleasanton, Greenhill,

Meek & Associates in West Palm Beach — has been keeping the record of the 15th Circuit JNC interviews since 2001.

Richard Hutchinson, the current chair of the 15th JNC, said having a court reporter present "has been a great experience" and said other JNCs should consider FCRA's offer.

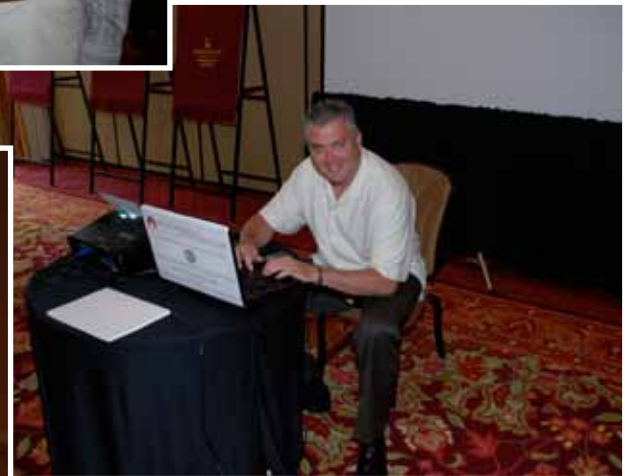
Greenhill said it was not difficult to find volunteer court reporting firms for the effort.

"We want to play a role in the judicial process because it is our civic duty, our civic responsibility, to be part of the process and give back to the people of Florida," Greenhill said.

"The record never forgets and in a process that...is so important for the citizens of the state of Florida, having a verbatim record is critical," Greenhill said.

Other court reporting firms that volunteered their services include Associated Court Reporters in Milton; Accurate Stenotype in Tallahassee; Official Reporters, Inc., in Jacksonville; Joy Hayes & Associates in Inverness; Kanabay Court Reporters in St. Petersburg; Volusia Reporting Company in Daytona Beach; Vanlandingham, Durscher & Vanlandingham in Gainesville; First Choice Reporting & Video Services in Orlando; Wasilewski Court Reporting in Lakeland; Network Reporting in Miami; Guardian Reporting in Punta Gorda; Dreyer-First Choice Reporting & Video Services in Tampa; Gulf Bay Reporting in Panama City; Monroe County Reporting in Tavernier; U.S. Legal in Ft. Lauderdale; Court Reporters, Inc., in Ft. Pierce; and Barbara Donovan Court Reporting in Naples.

2009 Mid-Year Conference



nce Photo Highlights



MARCO ISLAND SPARKLED FOR FCRA'S MID-YEAR CONFERENCE!

By Sandra Estevez, CSR, FPR, Conference Chair 2009

I hope everyone enjoyed their "Reporter Stimulus Package" in Marco Island. The accommodations were gorgeous and we had a packed house!

The FPR certification seminar was streamlined and very informative, followed by a very well-attended Welcome Reception Friday evening.

On Saturday Candis Bradshaw guided us through Windows, Digital Signatures and optimizing our recordkeeping and finances, followed by the business luncheon and meeting, and ending the afternoon with a record turnout for our firm owners/managers forum facilitated by Dave Wenhold. That was a lot of fun and very informative. Thanks to everyone for their participation and great ideas!

Saturday evening was a great opportunity to check out some of the local fare followed by more fun and social networking in the hospitality suite.

On Sunday Candis Bradshaw had us all laughing at her technogadgets including USB missile launchers and lava lamps! And our final presentation was given by Susan Wasilewski and Rick Greenspan, which was a great step-by-step instruction on different methods of hooking up for realtime reporting, including realtime streaming.

Thanks so much to all of our exhibitors and sponsors, to FCRA Headquarters staff, the FCRA Board of Directors, and a special thanks to our FCRA President, Jennifer Gaul, for mentoring me through my first conference as convention chair.

Hope to see you all in Fort Lauderdale, September 11-13, for the FCRA Annual Convention held at the Hilton Fort Lauderdale Marina. Stay tuned for more information!

CONGRATULATIONS TO JANIS PESSAMATO FOR WINNING STENOGRAPH'S ELAN MIRA!!!

By Sandy Narup, RPR, FPR, Fundraising Chair 2009

In addition, I thank each and every one of you who took your chance and purchased a ticket. By doing that, you helped YOUR Association at the same time. I also want to thank Joyce Bluteau and all of the FCRA Board members for making this such a success once again!! We couldn't have done it without you all. Look for more exciting drawings in the future.

May & June 2009 Test Results Announced

Congratulations to those Florida reporters who became certified as a result of NCRA's May 2009 RPR, RMR, CRR, CBC, and CCP skills tests.

REGISTERED PROFESSIONAL REPORTERS

Gloria Anzalone, Fort Lauderdale
 Mary Bouchard, Coral Springs
 Richetta Bright, Jacksonville
 Jeanine Black, Pensacola
 Elizabeth Cordoba, Miramar
 Allison Garrett, Fort Lauderdale
 Jerrold Lefler, Palm Harbor

Christine Morrow, Pensacola
 Ivette Oviedo, Miami
 Maria Solares, Coral Gables
 Antoinette Garza, Royal Palm Beach
 Melanie Stinson-Konstantinidis, Miami
 Elizabeth Tiedemann, Santa Rosa Beach
 Heidi Winfield, DeBary

REGISTERED MERIT REPORTERS

Rhonda Hall-Breuwet, Brandon

CERTIFIED REALTIME REPORTERS

Ann Baldassari, Orlando
 Amber Owen, Tamarac
 Nancy Paulsen, Englewood

Congratulations to the following reporters from around the State of Florida on achieving their new Florida Professional Reporter (FPR) designation in June 2009 in Marco Island, Florida.

Sandra Kanabay Ambush
 Debbie Askins
 Rafael L. Barreras
 Ginger M. Bass
 Corrine Belliotti
 Patricia Lee Bormett
 Jan Correggio
 Elaine Crandall
 Carolyn Dockus
 Gloria Ann Domsch
 Barb Donovan
 Gypsy Ferreira
 Jennifer Gresh
 Nichole D. Hein
 Linda A. Labor
 Michelle A. Manni
 Pearlyck Martin

Laura Melton
 Raquel Robinson
 Kelley N. Simpson
 Valerie J. Sluga
 Rebecca B. Smith
 Jo D. Soffer-Olson
 Lance Steinbeisser
 Laurie Susskind
 Kathleen M. Szabo
 Sandra W. Townsend
 Anthony Trujillo
 Jody Warren
 Angela Harrell Wierzbicki
 Michael J. Wierzbicki
 Julie Winn
 Debra B. Worley

Many thanks to the June 2009 Florida Rules and Ethics Seminar panel members for their dedication and hard work:

Jennifer Gaul, CMRS, FPR
 Louise K. Johnson, RMR, CRR, FPR
 Paulita Kundid, RPR, CLVS, FPR
 Susan D. Wasilewski, RPR, CRR, CMRS, FPR

ETHICS AND PROCEDURES CORNER

ETHICS AND PROCEDURES CORNER

By Professional Ethics Committee: Honorary Chair for Life, Shirley King; Co-Chairs: Jennifer Gaul & Susan Wasilewski; Members: Cindy Bender, Louise Johnson, Paulita Kundid, Cathy Phillips, Betty Sue Vincent

The Committee thanks Judy Everman for writing the following article for our Ethics Corner. The Committee would like to invite our members to e-mail us with their questions so that we may address current issues of concern for you. Shirley P. King (shirley.king@kingreporting.com); Betty Sue Vincent (bshoes2@aol.com); Cindy C. Bender (bendci@mindspring.com); Cathy Phillips (CJPHILLIPS111@aol.com); Jennifer Gaul (jgaul@uslegalsupport.com); Louise K. Johnson (weziCRR@aol.com); Paulita E. Kundid (paulita.kundid@volusiareporting.com); Susan Wasilewski (sdwrpr@aol.com)

TIME & APPEARANCES

Question: I have always written down the approximate time a deposition begins and ends; is that appropriate?

Answer: No. The exact time is appropriate.

Question: Are we responsible for listing the names of everyone present at a deposition, for example, the wife when the husband's deposition is being taken?

Answer: Yes, everyone in the room.

Question: What if someone leaves the room and comes back in?

Answer: Record where he leaves and returns: (Mr. Smith left the room.) (Mr. Smith returned to the room.)

Question: What if one of the attorneys comes in late after the deposition has started?

Answer: When you set up the appearances, you note next to Mr. Smith's name (enters later). When he does enter, you simply put: (Mr. Smith entered the room.).

Question: Is there any special order to list appearances when there are multiple plaintiffs or defendants?

Answer: Yes, there certainly is. The attorneys should be listed in the same order as the parties are listed in the case, and on each listing it should say, for example: Attorney for Plaintiff Peters or Attorney for Defendant Allstate.

Question: What about court on keeping the time and who is present?

Answer: Yes on the time. No on all persons present.

For the record, we must note the judge before whom the proceeding is held and the attorneys representing the parties, but there could be any number of people from the public coming and going in the courtroom. There is nothing to stop you from listing people present at the counsel tables, though we typically do not list parties present. An exception could be in chambers where a closed proceeding might be held and it may be advisable to list persons present other than counsel

and the court because those people would have to maintain the confidentiality of the closed proceeding, as well.

Federal Rule of Civil Procedure 30(b)(4):

"Unless otherwise agreed by the parties, a deposition shall be conducted before an officer appointed or designated under Rule 28 and shall begin with a statement on the record by the officer that includes (A) the officer's name and business address; (B) the date, time and place of the deposition; (C) the name of the deponent; (D) the administration of the oath or affirmation to the deponent; and (E) an identification of all persons present.

RSS FEEDS (FEED ME, SEYMOUR, FEEEEEED ME!)

By Donna M. Kanabay, RMR, CRR, FPR; donna@kanabay.com

I'm wondering why I've ignored this for so long. It's made my life so much easier!

RSS stands for "Rich Site Summary" (or "Really Simple Syndication"). Its purpose is to gather the many sites you might visit periodically, such as blogs, newspapers, and some discussion forums, into one place, via an RSS reader, so that you don't have to log in to each of them one by one, or subscribe to each of them individually so that they're dumped into your e-mail.

There are many free readers available. Google, of course, is the first one you come to if you Google "RSS readers." I've used that one, but right now I'm using one called FeedDemon. I like its Outlook-like format better than the Google reader's layout. However, if you're a frequent Google user, including their many features of Gmail, calendaring, etc., you may find having the reader incorporated into your Google log-in more useful.

Readers update automatically, so every time you open your reader, all of your "stuff" is right there for you to scroll through. I have a couple of blogs that I've tried to keep up with, but I often forget for months at a time, and then discover I'm way behind on the author's news when I do finally remember to check. And I'd always have to go look for my list of favorite places when I did remember. Now, I see immediately if there's a new entry. (The FeedDemon even has a little bubble that pops up briefly when there's a new entry on any of my feeds.)

Actually, you can incorporate RSS into Outlook, but my Outlook file is usually so bloated that I'm afraid I'd blow something up if I tried that.

The FeedDemon runs in the background so it's always available instantly and it's no trouble to switch back and forth. Another way it's helped me a lot is being able to keep up with an out-of-town newspaper from my adopted hometown, so to speak, where we keep our boat. We're always arriving at our marina and being greeted by "did you hear about..." and I'm clueless. Now I can keep up with news over there that might be of interest to me, such as flood warnings (or low water warnings), as the river rises and falls during this crazy drought/storm/drought/storm year we're having, and any emergency information regarding wake and speed regulations. Of course, if there was anything critical regarding our marina, I'd get a phone call. Such as the time a couple of months ago when our liveaboard boat neighbor called me and said, "Hi, Donna, this is Joanne. Don't worry, your boat's fine." If I'd had the RSS Reader

back then, my heart wouldn't have stopped and I'd know that she was talking about the water level rising very quickly, and that her husband had been adjusting our lines and fenders accordingly, and not, oh, maybe the marina burned down or somebody crashed into us trying to bring their boat into the very close quarters there.

Come to think of it, I think that's when I decided I needed to keep up with the news over there more regularly...

I recently bought an Amazon Kindle (This is NOT a luxury item, folks!). The Amazon site has a very informative and active discussion group, and I have it plugged into my RSS so that I can quickly scroll through and see if there's anything I want to bother to explore further. (You see only the first post in the thread. If you want to read the entire thread, just click on it and it opens up to the actual site with the whole discussion.) This is a real timesaver because I can check out 40 threads just by the first few lines in the post and not have to guess at whether it's of interest merely by the title, which is how you see the threads if you go to the site directly. I was spending a lot of time clicking on threads that turned out to be nothing I cared about, but I couldn't tell from the title.

I have several friends who have personal blogs and trip logs that I would always forget to check out, and now I'm completely up to the minute on what's going on with them.

Some sites that you visit will have an RSS button, but if they don't, that doesn't mean you can't feed into your RSS. Simply copy the URL of the site and paste it into your reader's subscription field, and you'll know soon enough if it's going to work. Some newspapers will let you choose what sections you want when you click their RSS button. That was helpful with the out-of-town newspaper. I only needed the local section, so my reader isn't filling up with the Section A news that I get from my own local newspaper.

I'm very unhappy to see that I can't seem to get any of my court reporter discussion areas loaded, such as the NCRA forum, the CompuServe CRForum, or Depoman. There also doesn't seem to be any way to load the brand new FCRA Facebook site, either. I do understand that before NCRA's platform was changed, you could RSS the forum, but you can't with the current setup. Hopefully, if enough people clamor for it, the various forums will set up RSS eventually.

Feeeeeeeeeeeeeeeeed me!

AN OPEN LETTER TO THE CHAIR OF THE FCRA CART COMMITTEE FROM AN FCRA MEMBER

Have you been asked to provide realtime for a person with hearing loss? What should you do?

-----Original Message-----

Subject: Q about writing for the deaf

Tanya,

Sorry to bother you, but tomorrow I have a deposition of a witness who is deaf but can read and speak. I've never done this before, so I thought I would ask if there is anything special I need to know. The witness is the child of the plaintiff and is basically a before-and-after witness. Any tips you can give me? Thanks.

Patricia C Weiner, RPR, RMR, CRR, FPR

Certified Realtime Reporter

-----Response-----

Hi, Pat.

Well, you're not going to like this answer, but I have to be straight with you. They need to hire a CART provider. You're not qualified to act in this capacity. There should be an official court reporter and there should be a CART provider. There are ethical things and visual things (making your screen easier to read, etc) that are taught in CART training. I can't give you a crash course in the few minutes I have.

Here's a link to the guidelines for providing CART (in court, but the same basic stuff applies) as posted on our FCRA website: <http://fcraonline.org/CART/guidelines.pdf>

Sorry to be blunt about it. But as an advocate for persons with hearing loss, I can't in good conscience advise you to provide this service without the proper training.

Tanya Ward English, RPR, CRR, CCP, CBC

Certified Realtime Reporter, CART Provider and Captioner

FCRA CART Committee Chair

-----Response-----

Tanya,

Thanks for the information. The attorney spoke with

me today and she was going to have a sign language interpreter but someone told her to have it done in realtime. I did not by any means ask for this assignment. I didn't realize that this would be a problem. I will advise both attorneys tomorrow that they should have a certified CART provider.

Pat

And thanks for being blunt about it. I wouldn't want it any other way.

Notes from the FCRA CART Committee:

The above scenario is typical in deposition rooms and courthouses in Florida and across the nation. Every day people assume that because a court reporter can write well in real time that they are qualified to provide CART (Communication Access Realtime Translation) services for a person who is deaf or hard of hearing. Many well-meaning court reporters will go ahead and provide the services, not even realizing that they aren't qualified. As a matter of fact, this is a very talented and experienced realtime reporter who is also a member of NCRA, is a Certified Realtime Reporter and a Florida Professional Reporter. She has great skills, yet she is not qualified to provide CART (Communication Access Realtime Translation) services for a person with hearing loss. She was, however, conscientious enough to look to an experienced CART Provider and the Chair of FCRA's CART Committee for guidance. She graciously allowed us to use her situation as a learning tool, and for that we thank her.

It should also be noted that CART is not the preferred accommodation for all persons with hearing loss. It's possible that this person requested a sign language interpreter. If the person who is deaf is fluent in American Sign Language and that is his or her first language, he or she may not communicate well enough in English to use CART effectively. The consumer knows best which accommodation the consumer needs. They sometimes will request "realtime captioning," which should be considered a request for CART.

For more information on CART, a printable CART brochure, a list of Certified CART Providers in Florida and the best practices guidelines to follow for CART in a legal setting, please see the FCRA website: www.fcraonline.org/CART.



AOL: Is There Life Beyond Time Warner?

Q. Is it true that AOL is going out of business or is going to just disappear?

A. Not exactly, but it is important for all AOL users to be aware of what's happening. Last month, Time Warner announced that it will jettison its AOL subsidiary by the end of this year.

Attempting to put a positive spin on the unceremonious dumping of AOL, Jeffrey Bewkes, Time Warner CEO, said (with a straight face), "We believe AOL will have a better opportunity to achieve its full potential as an independent Internet company."

Sure it will. AOL today is a mere shadow of its former self. In 2002, users peaked at nearly 27 million. Currently, AOL has approximately six million subscribers, and this announcement is expected to result in a spike in migration as AOL users flee to greener digital pastures.

If you are currently using AOL, you effectively have two choices: You can stay with AOL and see what happens (last one out, please turn off the lights), or you can join the tens of millions of former AOL users who have moved to other Internet access providers. I'll be providing additional information and updates about this ongoing development in my weekly newsletter (www.MrModem.com).

Q. I received two .PUB files, which I assume are Microsoft Publisher files. I don't have Publisher, and I don't want to buy it, so is there some way I can convert the files into Adobe .PDF format, which I can then open?

A. Yes, .PUB files are Microsoft Publisher files and the good news is that you can easily convert them to the .PDF format by using PDF Online (<http://tinyurl.com/pj22k8>). When you go to the site, select the

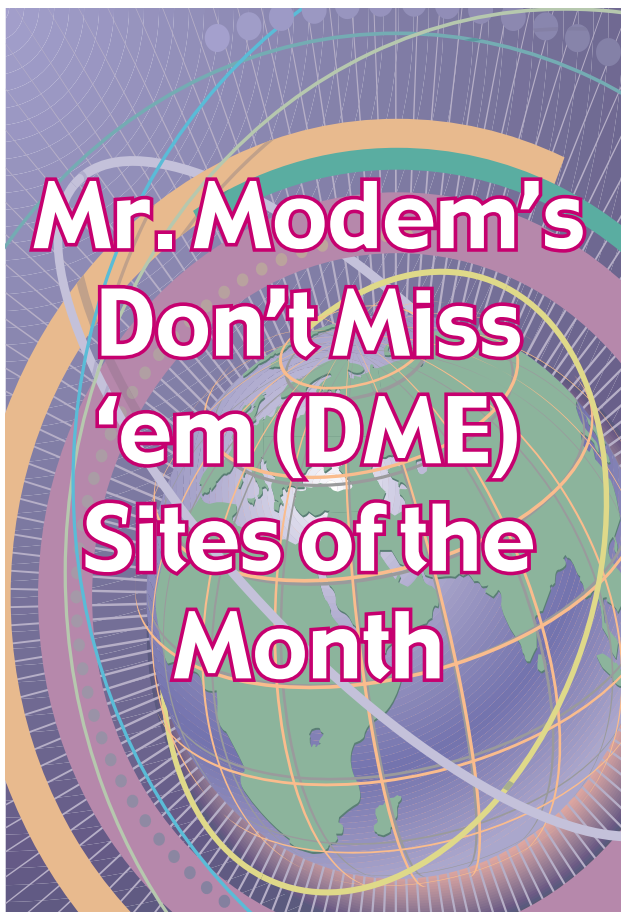
.PUB file that you want to convert, enter your email address, and click Convert to PDF. The converted file will be emailed to you within minutes.

Q. When I'm using the Google search engine with Internet Explorer on my PC at work, after I type in the first few letters of my search term, a drop-down list appears. If I entered the same information before, I can select it from the list. My computer at home, however, does not provide this drop-down list. How can I get a similar list to appear on that computer?

A. The feature you are referring to is called AutoComplete. To view the settings for AutoComplete, in Internet Explorer, click Tools > Internet Options > Content tab, then the Settings button in the AutoComplete section. Click the check boxes for some or all of the options you want to use. In your case, be sure to select Forms, but you may also want to select Web Addresses, Username and Passwords on Forms, and Prompt to Save Passwords, as well. Click OK twice to save your changes and exit.

Q. I have Windows XP, Outlook Express and Office 2007. I speak English, but I can only get French in the spell-check. How can I get an English spell-checker?

A. When you install Office 2007, spell checking in Outlook Express works very well — as long as you want to spell-check in French. That's because Office 2007 initially replaced old files that spell-checked in English, Spanish and German. According to Microsoft, the new version of these files contained within Office 2007 are incompatible with OE-6. (Isn't that just peachy?) The easiest way to resolve the problem is to install a third-party Spell Checker for OE (<http://tinyurl.com/k2xcv>). This problem was resolved in a subsequent Office 2007 update.



Congressional Votes: Hosted by washingtonpost.com, here you can browse an extensive database of every vote cast in the U.S. Congress since 1991. You can search by aggregate votes on a given issue or by individual member of Congress to determine if your representative is truly representing you, or if he or she is asleep at the switch. The site is updated several times each day. <http://tinyurl.com/px7zh9>

Flight Status: This was created for Palm-type, hand-held computers, but I use it as a no-frills, cut-to-the-chase, bare-bones, stop-with-the-hyphens, flight-information center to enhance my going-nowhere-in-a-hurry lifestyle. Here you can quickly obtain flight status, departures and arrivals, flight alerts, airline and airport information, security wait times, and current airport delays. If you prefer the full-frills version, visit www.flightstats.com. <http://tinyurl.com/y6g7gm>

Universal Leonardo: No, not DiCaprio, the other Leonardo. This unusual site is a celebration of the genius of Leonardo da Vinci's work. Through a series of linked exhibitions and scientific investigations, new dimensions of the "El Da-Vee" (as he was known in the 'hood) legacy are revealed. From the home page, click Browse, then meander through Paintings, Manuscripts, Inventions, and Drawings. One can easily spend hours on this site, so get comfortable, and it wouldn't hurt to have a few snacks standing by. www.universalleonardo.org

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FCR Online Contributing Editors

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Judy Everman, RPR, FAPR, CMRS, FPR on behalf of the 2008-2009 Professional Ethics Committee

Gayl Hardeman, RDR, CCP, FAPR, FPR

Donna M. Kanabay, RPR, RMR, CRR, FPR

Sandy Narup, RPR, FPR

Richard A. Sherman (Ask Mr. Modem)

Tanya Ward English, RPR, CRR, CCP, CBC, FPR

Wesley Thomas Hughes, RDR, CRR, FPR

FCRA welcomes the following new members

(Includes all members who joined as of August 5, 2009)

PARTICIPATING MEMBERS

NAME	CITY	SPONSOR
Abramson, Rinele	Plantation	Jennifer Gaul
Barreras, Rafael	Orlando	Susan Wasilewski
Bass, Ginger	Orlando	Susan Wasilewski
Bornett, Patricia	Vero Beach	Shirley King
Bundy, Lori	Naples	Shirley King
Cianciolo, Cynthia	Tampa	Susan Wasilewski
Correggio, Jan	Boca Raton	Jennifer Gaul
Ferreira, Gypsy Marie	Miami	Jennifer Gaul
Gilbert, Nancy	Miami	Jennifer Gaul
Goldman, Alexa	Boynton Beach	Thomas Hughes
Hanbury, Katy	Oviedo	Susan Wasilewski
Hein, Nichole	Lakeland	Susan Wasilewski
Krenchicki, Doreen	Lauderdale by the Sea	Jennifer Gaul
Martin, Pearlyck	Cooper City	Catherine Phillips
Mercade, Kerry	Tampa	Jennifer Gaul
Ortiz, Andrea	Miami	Jennifer Gaul
Pemberton, Sandra	Orange Park	S. Gay Hess
Roberts, Wendy	Ft Lauderdale	Jennifer Gaul
Robinson, Raquel	West Palm Beach	Judy Everman
Simpson, Kelley	St Petersburg	Diane Emery
Smith, Rebecca	Apopka	Ann Mendenhall
Stabb, Andrea	Weston	Jennifer Gaul
Steinbeisser, Lance	Miami	Nicholas Marrone
Szabo, Kathleen	Palm Beach Gardens	Jennifer Gaul
Visser, Linda	Orlando	Susan Wasilewski
Warren, Jody	Fort Lauderdale	Jennifer Gaul
Winn, Julie	Fort Myers	Jennifer Gaul
Worley, Debra	Orlando	Susan Wasilewski
Young, Jakata	Orlando	Ann Mendenhall
Zunker, Penny	Bradenton	Vincent Lucente

ASSOCIATE MEMBERS

Conzor, Meridith	West Palm Beach	Jennifer Gaul
Gresh, Jennifer	West Palm Beach	Jennifer Gaul
Hatfield, Norma	Brunswick, GA	Thomas Hughes
Olea, Stephanie	West Palm Beach	Jennifer Gaul

STUDENT MEMBERS

Sluga, Valerie	Lakeland	Susan Wasilewski
Trujillo, Anthony	Kissimmee	Susan Wasilewski

VENDOR MEMBERS

Ramos, Jennis	Ft Lauderdale	Jennifer Gaul
Stephan, Reed	Oviedo	Catherine Phillips
Vazquez, Ximena	Miami	Jennifer Gaul



MEMBERSHIP APPLICATION

Florida Court Reporters Association

*Name (Please print) _____

*Company _____ Owner Co-owner Manager

*Mailing Address _____

*City/State/Zip _____ NCRA # _____

*Telephone: Home (____) _____ Office (____) _____ FAX (____) _____

CHECK ONE: OK to publish home phone number in directory. DO NOT publish home phone number!

*E-mail address _____ Website Address _____

*METHOD OF REPORTING: Stenographic Voicewriter Gregg Pittman Other _____

*TYPE OF REPORTER: Freelance Official Deputy Official Federal Teacher Student Other _____

*DESIG: CSR (List State(s) other than FL) _____ FAPR FPR RPR RDR CMRS RMR CLVS CRI CRR CPE

*Asterisk indicates required information.

I make application for Membership as a: (CHECK ONE)

- PARTICIPATING MEMBER**\$150.00
Open to anyone engaged in active practice of official or general court reporting by either stenographic or voicewriter method. (Please indicate method above.)
- STUDENT MEMBER**\$35.00
Open to any student of shorthand reporting who is endorsed by a court reporting training program instructor or director.
- RETIRED MEMBER**\$45.00
Open to any participating member in good standing who has retired from the active practice of shorthand reporting.
- ASSOCIATE MEMBER** \$60.00
Open to the following: teachers of shorthand or shorthand reporting, anyone officially connected with a school or college conducting a shorthand reporting course, any non-member retired from active shorthand reporting, anyone professionally associated with or employed by a member of FCRA whose application is endorsed by a participating member in good standing, and anyone qualifying for Participating membership, but residing outside of Florida.
- VENDOR MEMBER**.....\$125.00
Open to any firm or corporation engaged in selling products or services to FCRA members.

PRO BONO: Are you interested in donating time to the Pro Bono Program?
 Yes No

FLORIDA MANUAL: The guide to court reporting in Florida — sample forms, guidelines, and rules of court. Cost for members: \$35.00. Subscription to updates: \$10.00.

MEMBERSHIP DIRECTORY: Searchable geographical and alphabetical members' listing in Member's Only section of our website.

LEGISLATIVE/LEGAL FUND: Your dues include only regular monitoring of legislative, regulatory, and administrative activity for things that could adversely affect the court reporting profession. Without member donations to this fund, the Association cannot pursue any legislative/legal activity and may not be able to protect our profession.

The dues year is November 1 through October 31. Annual dues must accompany application. Those joining in August, September, or October of a given year will be paid through October 31 of the following year. Dues payments are deductible by members as an ordinary and necessary business expense. In accordance with Section 6033(e)(2)(A) of the Internal Revenue Code, as amended, members of the FCRA are hereby notified that an estimated 5% of your FCRA dues will be allocated to lobbying and political activities, and therefore are not deductible as a business expense.

For Administrative Use Only

Date Rec'd _____ Ref # _____
Amount _____ Computer _____

I hereby make application for membership in the Florida Court Reporters Association and pledge myself, if accepted, to abide by the requirements of the Bylaws and Code of Professional Responsibility of the Association as they are now and as they may be amended in the future.

My signature below constitutes my consent to receive faxes, email, and other communications from FCRA or on behalf of FCRA.

Signature of Applicant Date

Signature of Sponsor

Name of Sponsor (Please print or type)

PAYMENT ENCLOSED FOR:

Membership Dues \$ _____

Florida Manual on disk:
__ copies @ \$50.00 each
(Includes 7% sales tax + handling) _____

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to Florida Manual Updates
__ subscriptions @ \$25.00 each
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Check # _____ MasterCard VISA AmEx

Account # _____

Exp. Date: _____

3- or 4-digit Security Code: _____

Amount to charge: \$ _____

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Telephone 407-774-7880 • FAX 407-774-6440 (for charge payments only) • www.fcraonline.org

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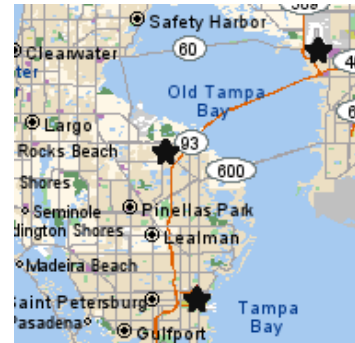
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