

ARIZONA NOTES

Volume 51, Number 1

Spring 2023



ACRA President's Message

by Laura Ashbrook

Greetings All !

I hope my words find you all healthy and safe!

I'd like to begin by giving a shout-out to our amazing line-up of speakers and town hall for the upcoming

Midyear convention, April 22nd, Mission Palms Hotel. It should be a GREAT convention!

The digital recording/voice writer presentation will be very, very informative; I assure you. Board members Angela Miller and Terry Libretti will bring us "up to speed" on the latest and greatest threat to our profession: digital recording. ARRRGGGGHHHH

Our newest voice writer and now Maricopa County Superior Court Official, Kassie Kosmal, will educate us on the reporting medium of voice writing. I have great hopes, after you see this presentation, we can hold a vote in September to open up our membership to this expanding form of reporting. There are voice writers employed/working all over the country, the latest evidence of this, as I'm sure many of you saw, on the Murdaugh trial.

Anissa Nierenberger, I'm pretty sure, needs no introduction. She is nationally renowned, has spoken at several NCRA conventions, and we are SO lucky to have her. She actually started her career right here in Arizona, captioning on ASU's campus and her son was born here; so it's a bit of a homecoming for her!

Although her forte' is broadcast captioning and CART, she will begin her presentation to us teaching us to play her STENOpHONatic card game, sharing briefs and vocabulary created from the steno keyboard. It sounds like great fun! She'll also speak to us on the subjects of resolving word boundaries and stacking issues, and something she calls terminating transcript turmoil, how to more efficiently edit transcripts, which we OF COURSE can always use!

TABLE OF CONTENTS

ACRA President's Message	1
2023 AZ School Guidance Counselors Conference Review	2
Hybrid Convention Register Now!	3
Are Court Reporters a Thing of the Past?	4
We Paid \$450 to FTR for a Deficit Product	5
Attention AZ Attorneys	6
The Power of Developing your Personal Brand	7

President's Message continued on Page 8...



Arizona Court Reporters Association

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

2023 AZ School Guidance Counselors Conference Review

by Laura Ashbrook

Robin Osterode and myself attended the 2023 annual conference of the Arizona School Guidance Counselors Association February 6th. It was ACRA's, I believe, fourth or fifth appearance at the conference, and this one was bigger, stronger, harder, faster than all the others. I think perhaps it's that post-Covid come-back. Over 700 school counselors attended. Whoa. The room was packed! There were so many exhibitors this year, they had to put several of us inside the ballroom, as opposed to the hallways contiguous to the meeting space, and ACRA was lucky (??) enough to have our table positioned in the number one space right next to the stage. So..... during the breaks, our table was "front and center" to the flow of people, and boy, did we have a ton of counselors stop by and visit us and lots of repeat visitors from prior years to re-connect again. So cool. I don't know if it was the fortuitous table position or our dandy swag selection and our two awesome raffle items, Fitbit and a WiFi JBL speaker, but we, hands-down - as far as we could tell anyway - were THE busiest table.

Robin took the names of, I'm guessing but I believe, at least 20 high schools that want an ACRA presence at their career/job fair events. Even the elementary schools and middle schools wanted us! Very, very encouraging is the current interest in court reporting.

I'd like to speak to that real quick. As I'm sure many of you have read/heard, the interest in alternatives to the traditional four-year college degree are at an ALL-TIME high, for a variety of reasons, the most visible being the enormous student debt folks are saddled with after college, which lingers for years and years and years, without a commensurate income to counterbalance their education investment.

We were also intrigued/excited to learn of many different high school curriculums designed around specific careers, an example being the Fire, Science and Law Academy in the Valley. They signed us up to have a court reporter come and speak to their law program students about reporting as a possible alternative to a paralegal career and are even considering ADDING a reporting curriculum to their current course offerings. I about fell over when I heard that.

I am buoyed for the first time in a LONG time about the prospect of reporting making a quasi come-back. With electronic/digital recordings failing in a very visible way across the county, re-hiring live reporters is a real "thing" right now. I could cite several examples, but my article must come to end.

Review continued on Page 8...



Arizona Court Reporters Association

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org



Arizona Court Reporters Association

HYBRID CONVENTION

TEMPE MISSION PALMS

APRIL 22, 2023

REGISTRATION

NOW OPEN



www.acraonline.org



**Arizona Court Reporters
Association**

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

ARE COURT REPORTERS A THING OF THE PAST? COCONINO COUNTY SUPERIOR COURT ONLY HAS ONE LEFT

BY SIERRA FERGUSON, ARIZONA DAILY SUN

Judge Dan Slayton, Coconino County Superior Court's presiding judge, says he believes "a court reporter should be available for every court proceeding that a judge has."

At the county courthouse, however, there is only one court reporter on staff.

During court proceedings, court reporters often fade into the background. They're among the quietest cogs in the wheel of the justice system. They are the men and women typing on stenography machines, or using similar equipment, to make a clear and complete record of what happens in the courtroom.

For hundreds of years, the work of court reporters has been critical. They're the ones who make sure admitted testimony and judicial rulings are cemented accurately into a physical record.

Slayton said he was "raised on court reporters" and has witnessed their work from the bench — and from his seat at the prosecutor's table years prior.

"I have seen the value of having an actual person taking down the proceeding as opposed to a machine. A human can say, 'Can you repeat that? I didn't get that,' when something is mumbled or unclear. A machine will take whatever goes through the microphone," Slayton said.

In a perfect world, Slayton would like to have five or six certified court reporters on staff. That way there would be stenographers available for tasks such as custody proceedings when emotions and tensions can run high and it's common for parties to mishear or misunderstand the judge.

Then, a court reporter or stenographer's physical record can be an important reference point. When criminal cases are reviewed for appeal, the record can be even more important.

But times are changing.

"Legally, because of statutory changes introduced by the Legislature, there are only a few types of hearings that require a court reporter," Slayton said.

Those proceedings include sentencings, death penalty cases, grand jury proceedings and...not much else. According to Slayton, there are jurisdictions in Arizona that do not have and haven't had a court reporter for some time. They simply haven't needed one.

According to Coconino County Superior Court administrator Sharon Yates, proceedings are subject to audio and video

Daily Sun Article continued on Page 9...



**Arizona Court Reporters
Association**

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

We Paid \$450 to FTR for a Deficit Product

Reposted from Christopher Day

This one speaks for itself. As shared in the Steno Strong group.

I feel for FTR. In the spirit of friendship, I'm going to produce a deficit blog post that'll get picked up by Google if it gets enough traffic. But at least it'll be pretty clear that in 2023 "technology" is still having a tough time keeping up with court reporters. Hopefully as more media coverage comes to courts, we'll be able to keep better track of recording's failures. It's been difficult gathering evidence over the years because so much data in the industry is in private hands that do not like to share like I do. One video of a recording failure was even scrubbed from YouTube. That's not happening this time.

J: You mentioned this morning how bad the rough draft was that you received?

A: That we paid \$450 for? Yes, sir.

J: I want the record to be clear that those rough drafts are not provided by the South Carolina court reporters, South Carolina judicial reporters.

A: I want to make it clear that if I said that, I never implied that our South Carolina reporters would produce such a deficit product.

It was made clear to me by court administration that – what's the name of the company? FDR? FTR. FTR, a private company, apparently had not perfected its software, because we paid \$450 for something that was, as you saw, not much use. So I want to make the record clear, not our South Carolina reporters, some northern company.



**Arizona Court Reporters
Association**

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

MARCH 2022

BROUGHT TO YOU BY ACRA

ATTENTION ARIZONA ATTORNEYS

COURT REPORTERS IN ARIZONA MUST BE CERTIFIED

Knowing the court rules and existing laws in Arizona regarding certified court reporters is more important than ever.

You may be surprised to find an uncertified "digital reporter" appear at your deposition. Be aware that in Arizona, court reporters must be certified according to law AND court reporting firms must be registered in Arizona with the Arizona Certification and Licensing division.

A.R.S. § 32-4003(A) provides "A person shall not report proceedings in any court in this state and shall not report depositions in this state for use in any court in this state unless the person is certified pursuant to this chapter."

A.R.S. § 32-4003(D) provides: "It is unlawful for any person who is not certified pursuant to this chapter to represent oneself as a certified reporter." For eligibility to report a verbatim record in any sworn proceeding in this state for use in any court in this state, all persons shall hold a valid certificate and comply with the requirements of this section. Certified reporting is integrally related to the prompt, effective and impartial operation of the judicial system.

ACJA Section 7-206 "Registered reporting firm" means an individual or entity that is registered pursuant to this section and for compensation offers to provide or provides reporting services or related services but does not personally provide the service as a certified reporter.

All Arizona certified reporters MUST include their license number on their business cards, all correspondence, and transcripts. If you don't see it, ask for it to be provided.

You may also contact the Arizona Court Reporters Association and we will assist you in finding a certified reporter and provide information to file a complaint if an uncertified digital reporter appears at your deposition.

We are here to help you protect the record.



IS YOUR COURT REPORTER CERTIFIED AND LICENSED TO TAKE DEPOSITIONS IN ARIZONA?

HAVE YOU BEEN ASKED TO STIPULATE TO USING A "DIGITAL REPORTER" TO COVER YOUR DEPOSITION?

DIGITAL REPORTERS ARE NOT CERTIFIED TO PERFORM COURT REPORTING SERVICES IN ARIZONA

SPECIFY ON YOUR NOTICE OF DEPOSITION IT WILL BE TAKEN BEFORE A CERTIFIED COURT REPORTER

**Arizona Court
Reporters
Association**

www.acraonline.org



**Arizona Court Reporters
Association**

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

THE VALUE OF DEVELOPING YOUR PERSONAL BRAND

BY BOB DONNELLY

The world of work is changing. Technology is automating traditional jobs out of existence and displacing a wide swath of employees in the process. Coupled with continuing economic uncertainty, it is imperative for anyone to seriously consider developing their internal skill set into their personal brand to market themselves more effectively in the new world of work.

What is a personal brand? It is your unique value proposition converted into your personal electronic profile. You are a product and need to market yourself just like the products that you buy. The 4 P's of Marketing - Product, Promotion, Price, and Place, apply to you just like the products you like. The product is YOU. You have to package yourself. Every product has an emotional value, and so do you. What is it that you do in the way that you do it that is your emotional value?

You have to promote yourself - who else is?

Price - you have to determine your worth - as a court reporter + related opportunities to apply your skills e.g. writing, editing, etc. Place - the internet. It's part of your daily life and so is social media marketing e. g. social selling. Instead of just socializing with your personal network you need to let the world know that YOU exist. You are a product that has value to others.

It's your life and you can either participate in the changing nature of work, or watch the world pass you by. The internet represents a wonderful set of opportunities for anyone who wants to take advantage of them. There is an old tenet of life: Nobody plans to fail...they just fail to plan.

What's your plan to market yourself more effectively in the new world of work?

Bob Donnelly is an author, educator, and brand builder for businesses and individuals. He can be reached at: rmdonnelly@aol.com



ArizoNotes is published quarterly and e-mailed to members of the Arizona Court Reporters Association, 5350 W. Bell Rd., Suite C-122 #520, Glendale, AZ, 85308. Please send address changes to ACRA at the above address or to office@acraonline.org or (602) 679-6995. The ACRA website is at acraonline.org and pdf copies of past issues are available for viewing. Please send editorial submissions to Karen Kahle at office@acraonline.org. The editorials and other views expressed in ArizoNotes are not necessarily those of the Association, its officers or its members. Advertising rates and information are also available from Kim Portik at office@acraonline.org or (602) 679-6995.



Arizona Court Reporters Association

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

...President's Message continued from Page 1

And last but by no means least, Marc Victor will join us. I had the absolute pleasure of working with Marc on the “pretty famous” Baby Gabriel/Elizabeth Johnson trial. He is a brilliant trial lawyer, to say the least, and has given local and national commentary on many high-profile criminal cases. He’ll also enlighten us regarding the Live and Let Live Principal. He’s a super dynamic and entertaining speaker and I know you’re going to LOVE listening to him!

By the time you are reading these words, I’m sure registration will be up and running. As I said in my initial comments to you in the last ArizoNotes, my PRIMARY goal as President this year is to get us all back together again – hopefully “IN THE ROOM”.



Please...Please...Please.... consider attending in person. It’s a lovely venue. Weather permitting, we’ll have a buffet lunch outside in their gorgeous courtyard..... AND..... as a special bonus..... NO PESKY luncheon business meeting or boring president’s speech: just a great lunch and visiting with your colleagues! Of course, the usual amazing gift baskets, raffle items, et cetera. Stenograph has donated a one-year CaseViewNet browser code with unlimited simultaneous connections! I REALLY REALLY hope to see you there.....REALLY.

All right. I’ll leave it there.....before I resort to outright begging, if I haven’t already.

Take care, stay safe and peace. Laura

...Review continued from Page 2

All that having been said, WE NEED PEOPLE to help “man” these school career days. Thanks in BIG part, if not ALL part, to Robin Osterode’s efforts, we have the table, the banner, the swag, the hand-outs, the “spiel” down to a science..... AND..... we have MULTIPLE days scheduled and more to come in the fall. BUT what we need are folks to “step-up” and help ACRA have a presence at these events. It is devastating to us when we have a career day scheduled but have no one to attend, and I mean devastating. It goes without saying, Robin can NOT be in all places, at all times. And I must add it is so MUCH MORE enjoyable when there are two folks at the table. It really is a great experience talking to kids and teachers about our “craft” and then go out for a nice lunch or drink afterwards! SO..... PLEASEwhen the call goes out for volunteers for these events..... please, please dig deep. Like I said, we have ALL the SCHTUFF,,,,,,we just need the humans. Thanks for listening. Laura.

FOR SALE
PASSPORT TOUCH
\$2500 OBO

CONTACT TRICIA LYONS
602-468-9694



**Arizona Court Reporters
Association**

5350 West Bell Road, Suite C-122, #520 • Glendale, AZ 85308
(602) 679-6995 • www.acraonline.org • office@acraonline.org

...Daily Sun Article continued from Page 4

recording. Even when a court reporter is not present, there is still a record being made. However, that record might not be available on paper until it is requested.

“I’ll tell you right out, I’m not in favor of it, but that’s the way it’s going,” Slayton said.

Audio and video recording equipment can be updated in courtrooms, but technology isn’t always reliable.

“We had a proceeding in which a judge had three hearings. One was recorded, one was not recorded, and the third was, in fact, recorded. It looked like it was recording everything, but there was one hearing in the middle and it was a significant issue,” Slayton said.

He also mentioned that there are challenges associated with making a complete and accurate audio record — even when equipment is cooperative.

Attorneys at trial, particularly during serious criminal proceedings, don’t tend to stay near a fixed microphone. They walk around the courtroom. They address the jury.

Slayton said while the court can explore purchasing high-quality lapel microphones or headsets for counsel, that move comes with pitfalls as well.

“In a serious criminal case, you don’t want a client leaning over to their attorney and whispering something like ‘I did it’ on the official record. It’s presenting opportunities for change and growth,” the longtime judge said.

The presiding judge will be the first to say he’s old school when it comes to having court reporters present, and the future of the judicial system won’t arrive without growing pains.

Being down to one local court reporter has Coconino County Superior Court utilizing zoom to enlist per diem court reporters from outside the area to take down the official record remotely.

“There you get the sum of new and old,” Slayton said. “The court reporter is there and can say, ‘I didn’t hear that,’ if there is a delay or something is unclear. They can still hear and see the proceedings remotely. She can stop the proceedings, just like she would if she was here personally.”

The system is working for now, but Slayton and Yates say they’re still hoping to hire more personnel.

“We would love to have court reporters here. I’m still of the mind that they are an essential and necessary part of our judicial system,” Slayton said.

According to Yates, the positions are funded — with a boost in court reporter pay.

A court reporter-stenographer at the Coconino County Courthouse will make \$61,568.00-\$70,803.00 a year, according to the current job posting. The county is also offering up to \$2,000 in relocation assistance, a \$500 hiring bonus and additional transcript income opportunities.

Some incentives are provided to combat one of the main drivers of attrition for government workers in general, and one of the main reasons why hiring is tricky: Flagstaff’s cost of living.

“We’ve had a couple of court reporters that would have been perfect and were well qualified and they looked at the cost of living in Flagstaff and said, ‘I can’t do it.’ It’s hitting a lot of government agencies,” Slayton said.

The other challenge in hiring more court reporters goes back to the way times are changing.

“There just aren’t that many people learning the art of court reporting,” Slayton said. “It’s a major change for courts. We have to adjust.”

(By Sierra Ferguson, Arizona Daily Sun)

