COURT REPORTERS CERTIFICATION ADVISORY BOARD Meeting Minutes

Office of Court Administration Tom C. Clark Building 205 W. 14th Street First Floor Conference Room Austin, Texas 78701 **Friday, December 20, 2019** (10:00 a.m. Until Adjournment)

The meeting of the Court Reporters Certification Advisory Board (Board) was called to order by Molly Pela at approximately 10:06 a.m. Molly Pela, Robin Cooksey, Deborah Hamon, Kim Tindall, Janice Eidd-Meadows, and Whitney Lehmberg-Riley attended by teleconference. Presiding Officer Judge Lori Valenzuela did not attend.

Staff members present were Jeff Rinard, Scott Gibson, Sheryl Jones, Michele Henricks, Tyees Holcombe, and Rachel Davis.

Jeff Rinard welcomed everyone to the meeting.

The Board members reviewed and approved the prior Board meeting minutes from the June 28, 2019 meeting.

Agenda item IV, Development of Rules Relating to SB 891:

- A. Provisional and Apprentice Certifications for Court Reporters. Revisions regarding new apprentice certifications, including supervisory oversight, and new provisional certifications were discussed.
- B. Conditions Under Which a Shorthand Reporting Firm or Affiliate Office is Subject to Disciplinary Action for Unprofessional Conduct Exhibited for Repeated Failure to Fulfill a Commitment to Provide Court Reporter Services. Discussion focused on developing a rule tracking statutory language relating to firms repeatedly committing to provide at a specific time and location, court reporting services for an attorney in connection with a legal proceeding, and then unreasonably failing to fulfill the commitment under the terms of that commitment.

Upon proper motion and second, the Board voted to accept draft of proposed rule revisions as referenced in A. and B. above to recommend to the Commission for approval to forward to the Supreme Court for adoption.

Agenda item V, Jeff Rinard gave an update on reciprocity in other states. JBCC contacted 30 states regarding interest, if any, in a reciprocity agreement with Texas pursuant to requirements in SB 891. Approximately 8 – 10 responses were received including the state of Kentucky who does not have a licensing program. The JBCC continues its outreach to other states. SB 891 requires the JBCC to provide a report with this information in April 2020.

Agenda item VI. States Substantially Equivalent to Texas. The Board previously made a determination on nine states that were substantially equivalent to Texas: Alabama, Idaho, Kansas, Louisiana, Mississippi, Missouri, Oregon, West Virginia (official court reporters only), and California. The Texas Court Reporters Association (TCRA) identified an additional nine states substantially equivalent to Texas for the Board's consideration.

Upon proper motion and second, the Board voted to accept Georgia, Hawaii, Illinois, Iowa, Michigan, Nevada, New Hampshire, New Jersey, and Utah as substantially equivalent to Texas providing all parameters for endorsement of the skills test are met, including but not limited to passing 3 legs in one sitting. The vote was 4 in favor and 1 opposed for a total of 18 states determined to be substantially equivalent to Texas.

Agenda item VII. National Certifications. The Board discussed scenarios in which the National Court Reporters Association (NCRA) skills test may be accepted as substantially equivalent to Texas.

A motion was made and seconded to accept national certification as substantially equivalent to Texas for purposes of endorsement of skills test within set parameters, including but not limited to same speeds as Texas exam, 3 legs passed in one sitting, and certified in a jurisdiction accepting national certification as state issued certification. The motion failed.

Agenda item VIII, Consideration of Applications for Licensure in Texas by Endorsement. Licensing Manager Sheryl Jones provided an overview of an application for endorsement from Nicole Bulldis (Washington and Arizona).

Upon proper motion and second, the Board voted to deny the application with a recommendation that applicant apply for provisional certification.

Public comment was provided by Lori Schnoor and Art Richardson. Written public comment was received from Attorney Keith Oakley (TEXDRA), Attorney Craig Enoch (TEXDRA), and Attorney Steve Bresnen (TCRA).

The meeting was adjourned at 12:48 p.m.

______/s/ Molly L. Pela ______ 04/29/2021 Molly Pela ______ Date Court Reporters Certification Advisory Board