

# VIRGINIA REPORTER

Virginia Court Reporters Association

Fall 2010

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## PRESIDENT'S MESSAGE

Greetings, VCRA members! I hope all of you had a fantastic summer and enjoyed your vacations. I'm so looking forward to fall and the beautiful autumn colors. The kids have gone back to school and it's time to gear up for the usual busy final quarter of the year!

Colette has been working diligently the past few months sending out membership renewal packets. If you haven't renewed, it's not too late. Just contact Colette and she'll help you get back on track.

The VCRA board has begun the process of forming a certification committee to begin delving into mandatory certification. Carol Tayloe has agreed to chair the committee for us. Her previous experience on the board and steps towards licensure in the past will certainly be an asset to the new committee. NCRA has graciously agreed to help us in this endeavor by holding a boot camp where we can learn the importance of mandatory certification and whether we should take those steps in Virginia.

For those of you who haven't seen the opinion and article regarding Attorney General Cuccinelli, please take the time to read it (see page 7). It's very concerning, given that Cuccinelli has given the opinion that it is legal for circuit courts in Virginia to record proceedings electronically and sell the transcripts. This opinion was driven by inquiries from Mr. Surovell, who began this inquiry last year. He introduced a bill to "modernize the Virginia court system" by allowing courts to electronically record proceedings and do away with court reporters altogether.

I've received a great many emails from reporters all over Virginia voicing their concerns. Well, I have listened and I've taken action. Within two days of the Cuccinelli article going public, Adam Finkel from NCRA contacted me to offer his help. After speaking with Adam and Dave Wenhold, the NCRA lobbyist, they are willing to help formulate a letter to present to Attorney General Cuccinelli. We'll be working together for the next month or so gathering information and facts to support the value a live court reporter brings to the courtroom.

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### Upcoming VCRA Events:

- March 12, 2011  
*Education Day at the Jepson Alumni Center, University of Richmond, Richmond, Virginia*
- March, 2012  
*VCRA's Convention in Virginia Beach, Virginia*  
*(Stay Tuned for Details)*

## "A Blessing to Everyone Once a Month" by Pat Gardiner

Because of availability, time constraints and/or cost, have you considered providing CART/captioning once a month for a church or place of worship?



Lois Boyle, RMR, BA, does just that and, although it is still in the very early stages, so far it is working well. Lois's home church is in Newport News, VA, where she is a greeter for their children's ministry, but once a month, for the 11 a.m. church service, Lois provides CART at Kempsville Presbyterian Church.

How did Lois choose which Sunday of the month would work? It was an easy decision. She chose the first Sunday of every month because it was the only Sunday that she did not volunteer as a greeter at her home church.

It all began when Lois was first contacted through her office to rotate with another reporter to provide CART at the church of a lady named Angela on Sundays. Unfortunately, it was not financially feasible for Angela and services had to be discontinued.

But Lois knew there had to be a way to make this work, and tells us, "However, I offered to provide CART pro bono if there was any special service or event Angela really wanted to attend, but I could not do it every Sunday nor could I do it for free, especially since we lived a considerable distance apart. Angela's church is about 35 to 40 miles away, one way.

"Seeing how Angela truly desired CART services for church services and needed it, as she does not sign, I decided I would research if there was a way for CART services to be funded for her. In speaking with her, I knew she had been diligently and persistently doing her own research in trying to find funding for CART services.

"We exchanged information we had gathered and kept in touch. I CARTed for Angela one more time for a conference. Unfortunately, this was not something she could get funding for.

"Realizing how passionate Angela was about getting CART for church services, I volunteered to provide CART one Sunday out of a month if her church was willing to pay for my gas and wear and tear on my equipment, a very nominal amount, but they declined.

"But as the Word promises, 'Seek and you shall find, knock and a door will be opened.' Long story short, through other channels, Angela was connected with Kempsville Presbyterian Church in Virginia Beach, VA, that was willing to pay for CART one Sunday a month."

Angela is thrilled at having a Sunday CARTed for her, and says, "Having CART is a blessing, as I am able to read what is being expressed verbally, much like having closed captioning for television. Since a child, I have been hearing impaired for over 40 years, with a progressive sensorineural bilateral hearing loss. Yet, I have always been immersed in the hearing culture. Thus, I am now considered oral-deaf. Sign language, on the other hand, was not something that came second nature to me, despite my attempt to learn it in my early 20s.

"Nonetheless, church has been a staple in my life ever since I was a little girl, but it has been difficult to really enjoy the church service with a profound hearing loss. Within a group setting like the church, understanding what is being said can be a major feat. With the type of hearing loss that I have, my hearing aid cannot adequately provide the means to take the various sounds that are going on around me and make something meaningful out of them.

"Often, people do not realize that the deeper the hearing loss for someone wearing a hearing aid, the acoustics, both inside and outside a building, can prove to be problematic. The distortion of sounds can be quite unbearable. So, communication for me seems to be best one-on-one where I can utilize my speechreading skills with the use of my hearing aid.

"Because church has always played a role in my life, finding a way to be a part of the service is of importance to me. Here is where CART has become a viable option." To my delight, I came in contact with Lois Boyle. I first got to know her about four years ago, when I contacted the company where she works as a court reporter for their assistance in providing CART for a church service.



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## "A Blessing to Everyone Once a Month" (Continued from Page 2)

"From that request, they teamed me up with her and another young man. At first, I only had the opportunity to have her CART for me maybe once or twice at this particular church that I also attend. After that, Lois and I only stayed in contact with each other sporadically, until I asked her to CART for me at a religious conference that was held during the spring of 2009.

"It was during that conference that Lois had such an increased desire to help me be more included in the worship service. She was so instrumental in advocating on my behalf and finding a way to make her service to me more economically feasible. Then, four months later, I explained to a friend of mine who attends KPC how I would love to be in church more often.

"At that time, my cousin, out of the goodness of her heart and as a form of ministry, had been typing for me for quite some time, long hand, (similar to CAN – Computer Assisted Notetaking) one Sunday out of a month and whenever there was a 5th Sunday at the initial church I attend. Because of my desire to attend services beyond those Sundays, this friend from KPC, in turn, invited me to attend her church.

"Rather quickly, she and a number of members from KPC worked out the finances in arranging for Lois to come one Sunday out of a month, as well. That indeed and most certainly is a blessing!!!! So, now I attend two different churches, with my cousin typing at one and Lois providing CART at KPC. God is good.

"So, I am looking forward to continued expansion at KPC whereby this service, along with sign interpreting, can be available to the hearing impaired who have the option of choosing which communication method is most appropriate for them in a worship setting."

**"Paula Markham, KPC Deaf Life Group member and Interpreter, adds, 'Our Deaf Ministry really likes the idea of expanding to at least a larger screen'."**

"To provide CART," Lois explains, "I use my steno machine and laptop. The church provides a table. The church has a designated section for their deaf and hard of hearing members and the technical people have provided me a three-prong adapter for the outlet. That is all I have needed so far."

Does Lois get prep material beforehand? She explains, "I am e-mailed the sermon the Saturday before the Sunday that I am going to CART so I am able to read it over and create briefs for words not in my dictionary."

As often happens, Lois has encountered some difficulties. They are at the back of the church and to the left, not directly facing the pastor and/or other speakers and choir, and it proves a little difficult to hear and understand if they turn away from her.

And something we sometimes don't think about, what happens when all the lights go out? Lois gives us an example. "For their Christmas program/play, I was given the script, but not realizing the lights would be turned off, that proved to be difficult as I couldn't hear over the applause and couldn't read the script in the dark!

But, Lois says, "To solve these problems that I have encountered, I was told it may be possible for me to get an audio feed, so that is in the works. And next time I CART during a program where the lights will be turned off, I will be provided with a personal light."

Any plans of expanding all of this? Lois answered, "There has been mention of perhaps moving to a larger screen, but that would be in the future if it does happen, as I would have to have time to build a Biblical dictionary and feel comfortable with my skill level before moving to a bigger screen. We are still very much in the beginning stages."

Paula Markham, KPC Deaf Life Group member and Interpreter, adds, "Our Deaf Ministry really likes the idea of expanding to at least a larger screen. And since we have another court reporter in our membership, we'd love to see her join in the effort eventually so that we could provide it more often.

"We're in such an early pilot stage right now, it's hard to know exactly, but we are very interested in expanding in whatever way we could reach the most number of people. We need to find out how many people would use the service. I'm guessing there are many more people who would want the service if it was offered on a grander scale, but we just don't have those numbers yet."

Well, this is indeed a church with a big heart, willing to help in whatever way they can to make their church accessible, and we applaud them for all that they are doing. Whether providing CART for one, or more than one, each person is of great value.



(Continued on Page 8)

## 2010 NCRA Annual Convention

Okay, so I arrive at Chicago Midway airport and meet up with a fellow reporter from MN with whom I used to work when she lived in Charlottesville. We get on the shuttle and after about 20 minutes on the road we are stopped in traffic. I mean the kind that people in front of us are out of their cars walking around. Come to find out the president was on his way back to his home and the roads were shut down. Ugh. Luckily I was able to make the meeting I was there to attend, and Lori make the tour she was taking.

About the conference. The state meeting was very interesting. We are not the only state wading our way through certification vs. licensure vs. doing nothing. One state HAD certification/licensure and it was revoked by the state when they started to cut their budget. The official reporters who have been let go in quite a few states are now doing other things. Some went to freelance, some are still in the courts but in different positions, some left the field all together. It's scary out there. The suggestion is to get the judges and lawyers behind you en masse, and if jobs start being cut either due to DR or budget or anything else, rally the troops and go to the mucky-mucks and be heard.

That evening Lori and I did a "haunted segway tour." Ever rode one? Man, did our calves ache the next day but they were as fun to ride as they look. I can appreciate Paul Blart, Mall Cop. I would love to see the out-takes of that movie. Anyway, we rode around the city and were told of spirits and sightings that took place (and still supposedly do) in various locations around town. We also met quite a few younger-than-us people camping outside the gates to Grant Park (it's 11:30 p.m. at this time) waiting to get into LOLLAPALOOZA the next night for Lady Ga Ga.

By the way, the hotel was directly across the street and we got to hear all the good bands including Lady G, and Sound Garden, Green Day. One reporter called her 20-something son and held her phone out so he could hear Lady G. The sights we saw...



Oops – the conference. I personally felt the seminars were official heavy. But there's just so many sometimes it's hard to choose. You're looking for a free couple minutes to go to the exhibit hall. While there I did learn that Eclipse users will be able to download their transcripts onto a Kindle and proofread from it by highlighting what needs to be fixed, and then re-loading it back into Eclipse for correction. Pretty cool. CaseCatalyst, on the other hand, is going keyless. I'm going to be a test person and try it out for the next few months before it hits whatever version it's going to be in. Lori and I opted NOT to attend the social events that were offered, but I have attended them at other NCRA conventions, and they are fun. Obviously we found our own. The next night we walked to Navy Pier, had dinner and some weird sounding but delicious drinks, and sat like two old people on a bench and just people watched. It's not possible to describe the sights, so I'll leave it to you to come up with your own pictures in your head. Remember, Lollapalooza was in town.

Okay, back to the conference. Backing up is always a hot topic seminar. It was almost like listening to a "can you top" this nightmare story about lost jobs. As we all KNOW but don't DO, **backup now!** Stop reading this and backup your untranscribed and finished work to something other than your computer. Preferably NOT a flash drive. DVD, external, online backup like Carbonite. Heard that name from even non-reporters. If you were at our convention in March, even the accountant we had suggested that source.

Conventions are fun and very informative. Yes they're expensive, but what you take away from them is worth it. You don't have to do it all. It's also a good way to get a mini vacay and write it off. I strongly encourage you to attend at least one convention. The VCRA Ed-day is March 12, 2011 in Richmond. The next NCRA convention is March 25-27 in Baltimore. And don't forget our VCRA convention in Virginia Beach in 2012. Looking forward to seeing you at ALL of them!!!!

(Submitted by Marilou DeSetto, CCR)

## DID YOU KNOW?

### APPLE OF YOUR EYE:

The original meaning of the term 'apple of your eye' was the iris or center of the eye. Shakespeare used the term with this meaning in 'A Midsummer Night's Dream' - "Flower of this purple dye. Hit with Cupid's archery, Sink in apple of the eye."

The Bible also uses the term as well, but the meaning has shifted to mean something that is most dear or most cherished. Modern usage of this idiom usually refers to something that is especially beloved.

The saying originally meant the central aperture of the eye, presumably because apples were the most common sphere-shaped object around. The apple and apple tree were also a sacred symbols for the early British peoples. This is reflected in such stories as the Island of Avalon (which literally means Apple Island). Now, this phrase is usually figurative, meaning something, or more usually someone, cherished above others. As sight is so precious, someone who is called this as an endearment is similarly precious.

### CONEY ISLAND'S CYCLONE

This historic hybrid roller coaster in the Coney Island section of Brooklyn, New York City, opened on June 26, 1927. When it debuted, a ride cost **25 cents**. Today it costs **\$8.00**.

### SMALL STEPS LEAD TO SMALLER WAISTS

People getting up to turn the TV channel instead of using the remote (and similar small uses of energy) have waists that are typically two inches smaller than those who stay put.

(Australian study)

## THE IMPORTANCE OF CONTINUING EDUCATION

Author: Tony Jacowski is a quality analyst for The MBA Journal

Over the last few years, the number of adults who are continuing with their education has increased tremendously. This term "continuing education" describes the opportunity and process of learning new skills and acquiring knowledge that is far superior to what we are taught during our formal schooling years.

**"You must have long-range goals to keep you from being frustrated by short-range failures."**

(Charles C. Noble)

Most people opt for continued education to further their knowledge base and even their employability.

### Continuing Education vs. Traditional

Usually, what we learn in all of those long, arduous years of our formal schooling are just basic skills that are good enough to help us start working, but not good enough to take us further in our careers, especially with the rapid changes and advancements in technology that demands for a more sophisticated and educated workforce.

Students who participate in continuing their education are generally working professionals who seek to further advance and promote their intellectual capabilities while still working. Since their time is divided between studies and full-time work, they have to be extremely motivated in order to succeed. One of the biggest characteristics that distinguish students who are participating in continuing education is their tendency to relate the lessons that they learn in class to their work experience.

Instructors must have the proper and appropriate practical experience and knowledge in order to address the issues and concerns of these special students. Students involved in continuing education can be very selective when it comes to choosing their courses. The courses that they choose have to be in some way relevant to their work and should be able to benefit them. If the right course is chosen, it can benefit you a great deal both educationally and professionally.

More and more adults are now engaged in continuing education that leads to formal qualifications that provide them with the adequate knowledge pertaining to a certain area of study. Furthermore, continuing education also provides us with a certain pride of accomplishment as we take our courses.

**"Arriving at one goal is the starting point to another."**

(John Dewey)

Offering an affordable, faster, and definitely more focused means of acquiring career or personal objectives, continuing education credentials can be put on resumes and presented anywhere as evidence of the individual's professional studies.

**"Know your limits, but never stop trying to exceed them."**

(Author Unknown)

### The Importance of 'Continuing Education' in the Workplace

A skilled workforce will always result in increased economic productivity. Here is how continuing education benefits the working force:

- A more skilled workforce is always more productive - These days, skills and education are seen as the most important elements of the employability and income potential of a candidate. Since the economy has shifted to one that values an educated workforce more than an uneducated workforce, employers are now seeking both educated and skilled workers. The demand for continuing education has thus increased two-fold.

- Continuing education helps employers retain better employees while remaining as competitive as ever. A more educated employee will always be more productive, so companies have now started hiring employees who are continuing with their education. Continuing education can be seen as a way to retain the better, more educated employees.

With the rapid advancement of the information technology sector, continuing education will not be confined to only physical space. Distance learning through interactive media will form a major part of continuing education. The internet will also play a huge role in delivering the course materials to the students.

A virtual course that is aimed at extending an individual's knowledge beyond those formal years of education has now become reality. With respect to all of this development in the field of continuing education, we have only one question to ask: how much further can continuing education go?

Author: Tony Jacowski is a quality analyst for The MBA Journal

(Submitted by: Jennifer Metesh, CCR)

### **CONGRATULATIONS TO THOSE WHO BECAME REGISTERED PROFESSIONAL REPORTERS IN MAY:**

- Sarah Bickel Ashland, VA
- Bria Bisignano Norfolk, VA
- Kimberly Watrous Virginia Beach, VA

**AND TO FRANK AUSTIN WHO BECAME A REGISTERED MERIT REPORTER.**

(Submitted by Kerry Zahn, RMR-CRR-CLR)

## President's Message (Continued from cover page)

Marilou DeSetto and Amy Sikora attended the National Convention of State Associations last month in Chicago during the NCRA annual convention. These NCSA meetings are a wonderful opportunity to gain knowledge on important topics and concerns of other state associations, as well as focusing on problem-solving skills, networking, and how to garner new membership for our association.

Colette has also been working diligently to complete the membership directory. In the past a booklet was printed and given to members, but VCRA is following in the footsteps of other states and Going Green! We are instead going to send it to you by email as soon as it's completed.

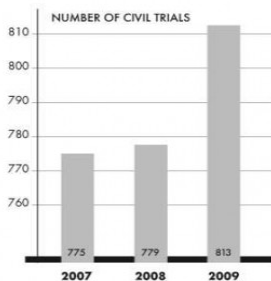
Our next Education Day will be held March 12, 2011, in Richmond at the Jepson Alumni Center. This will be one full day of interesting and entertaining speakers, along with an introduction to new technology. Keep your calendars open and join us. I look forward to seeing you there. More information will be coming soon. Take the time to tell a fellow reporter how informative and fun a VCRA convention is. We couldn't function without your continued support in your profession!

*Gwendolyn Applegate, RPR-CRR*

VCRA President

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## Long decline in jury trials may be over



The long decline in the number of jury trials in Virginia courts – civil and criminal – appears to have ended, according to the recently released 2009 State of the Judiciary report. The number of trials in both categories bottomed out in 2007 with 775 civil trials and 1,021 criminal trials. The number of civil trials increased in 2008 and 2009 to 799 and 813 civil trials, and the number of criminal trials climbed to 1,269 in 2008 and dropped by only four to 1,265 in 2009.

(Taken from the Virginia Lawyers Weekly website)

### WE NEED YOUR ARTICLE!

If you have something that you would like to share, please submit your article to the VCRA Newsletter. Our next publication will be in the Winter of 2010. Deadline for submission is November 1, 2010. Please email your articles to [executivedirectorcb@cox.net](mailto:executivedirectorcb@cox.net)



## "VCRA: Keeping You Informed"

### CLERKS MAY RECORD COURT PROCEEDINGS

A new Attorney General opinion states that court clerks can make and sell recordings of court proceedings. The August 2 opinion from Attorney General Ken Cuccinelli, is in response to a request from Delegate Scott A. Surovell, D-Fairfax, for an official advisory opinion, and is available for viewing/downloading by clicking on the following link:

[http://www.oag.state.va.us/OPINIONS/2010opnCOMMONWEALTH of VIRGINIA/10-063-Surovell.pdf](http://www.oag.state.va.us/OPINIONS/2010opnCOMMONWEALTH%20of%20VIRGINIA/10-063-Surovell.pdf)

&

Check out the article in the August 5, 2010 publication of the Virginia Lawyers Weekly.

Visit their website at: [www.valawyersweekly.com](http://www.valawyersweekly.com)

(Kathleen Chancery, CCR contributed to this article)

### USEFUL TIP

**Be mindful of your Notary expiration date!**

**The Notary Division has NOT been notifying notaries of upcoming expirations. To complicate matters, the Division is now taking almost eight weeks to process renewal applications.**

**Below is the contact information for the Notary Division.**

#### **Jennifer Crown**

Director - Notary and Authentications Divisions  
Office of the Governor - Secretary of the Commonwealth  
1111 East Broad Street, 1st Floor  
Richmond, VA 23219  
(804)692-2536 - direct  
(804)692-0115 - receptionist  
(804)371-0017 - fax  
[jennifer.crown@governor.virginia.gov](mailto:jennifer.crown@governor.virginia.gov)

(Submitted by Kerry Zahn, RPR-CRR-CLR)

## A PLEA FOR ASSISTANCE

### VOLUNTEERS NEEDED TO ASSIST WITH REPORTING LEGAL SKILLS TRIALS IN WILLIAMSBURG

This coming January and February, the second-year (2L) law students at William & Mary Law School will try their two-hour Legals Skills trials. Unlike the past couple of years, I have the responsibility of reporting all 50-some trials again. In the past few years, I have only been responsible for the cases being appealed.

Consequently, I am looking to you, my dear colleagues, to volunteer to assist by reporting a trial or, hopefully, more than one trial. I do not have the docket yet and will not until after the new year, but as soon as I have it, I will send it to you via e-mail.

Any trial not reported and transcribed by a stenographic reporter or voice-writer will be recorded by digital recording on an FTR unit. Let's try not to have the FTR recording serve as the official record of the trials for the law students.

For those of you who ALWAYS show your professionalism by offering your skills and services, thank you in advance for your willingness to assist. And for those who have never been to the McGlothlin Courtroom to report a small bench trial, why not give it a try? And students from Fortis College, please e-mail me in advance of the trials commencing so I can send you a copy of the docket, too. I am counting on all VCRA members and reporting students for help, and I know you won't let me—or the law school—down!

Diane Mason Gray, RPR, CRR, CVR

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757-221-7759

## "A Blessing to Everyone Once a Month" (Continued from Page 3)

Angela and Lois, well done on persevering and finding a way to make this all happen! "I find CARTing for Angela," Lois says, "very rewarding and challenging. Her gratitude motivates me to fine tune my realtime skills and strive for more accuracy to achieve a better translation rate. Her passion to be able to participate in church services on Sunday mornings, to be able to worship with fellow believers, has ignited a new passion in me for court reporting, a new challenge I am embracing, one that has also been thus far a blessing."

### **Briefs:**

Good Shepherd:	TKPW EPD	kingdom	KEUGD
Shepherd	SHEPD	Old Testament	OELT
scripture	SKR -PT	New Testament	TPHAOUPLT
scriptural	SKRURL	baptized	BAPD
Holy Spirit	H -TS	Jesus	SKWR -Z
Holy Bible	HOEBL	Jesus Christ	SKWR -BG

(Taken from JCR Magazine)



### **ABOUT LOIS BOYLE:**

Lois Boyle is a working reporter who volunteers her time to perform her duties as a VCRA board member. Upon reading the article about Lois in the JCR, Gwenda Applegate, VCRA President sent Lois the following message. Gwenda's message "says it all" and echoes the sentiment of the entire board:

"Lois,

"What a great article about you in the JCR!!! I think it is so fantastic that you are offering your services to help your client at church services. I'm sure you are very busy on "normal" time, let alone weekends. You are an asset to the VCRA board, for sure!"

### **A NOTE FROM THE EXECUTIVE DIRECTOR**

On behalf of VCRA, I would like to thank ALL VCRA board members-and volunteers—past and present—for your service, your caring and your commitment to the Association. All of you have selflessly volunteered your time and your talents to help make this organization and this profession better.



# Potpourri Page



## HELPFUL HINTS

- **COOL DOWN WITH A HOT DRINK:**  
Drink some hot tea. To compensate for the hot temperature of the liquid, your body becomes cooler. That's why Indians and Asians drink so much of it.
- **THE SINK:**  
The sink responds brilliantly, to only a quick swipe with baby oil and a paper towel.
- **SLEEP LIKE A BABY:**  
Sprinkle a little baby powder on your sheets. It'll absorb heat and moisture and the scent is proven to boost mood. So you wake up refreshed and happy.
- **UNCLOG YOUR DRAIN WITH COLA:**  
Pour 3 cups of warm cola down your drain and let sit overnight. The soda's citric acid will break up any buildup in your pipes. In the morning, run hot water to help flush the debris.

## RECIPE CORNER



### Easy Sangria

#### Ingredients:

- 2 bottles of Red Wine – any type
- 2 twelve-ounce cans of 7-Up or any lemon-lime soda
- 2 ounces of Triple Sec
- ½ cup of Brandy
- ½ cup of sugar
- 1 orange (sliced)
- 2 lemons (sliced)
- Ice

#### Preparation:

- Slice orange and lemons about 1/8 inch thick. Place in large punch bowl or large mixing bowl. Add sugar and wine. Mix thoroughly. Add Triple Sec, Brandy and stir. Add the two cans of soda and stir
- Serves 6 – 8.



“ENJOY”

(Submitted by Stacey Halberg, RPR)

## HEALTH NEWS!

### Cherries fight aging

**Tart cherries contain a natural plant compound that minimizes the inflammation that contributes to premature aging, reveals a University of Michigan study.**

**The study proven dose: 1 1/2 cups of cherries a day.**

(Woman's World)

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**We're On The Web!**  
[www.vcra.net](http://www.vcra.net)



**"It was one of those perfect English autumnal days which occur more frequently in memory than in life."**

- P. D. James

## THE BOARD

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Gwenda Applegate

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Colette Boes