



State of Nevada
Certified Court Reporters Board

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LORI JUDD – Chairperson
PEGGY ELIAS – Vice Chairperson
PEGGY HOOGS – Board Member
SEVERIN CARLSON, ESQ. – Board Member
CHRISTINE ALAIMO – Board Member

OPEN MEETING MINUTES

Date: Tuesday, January 8, 2013
Start Time: 2:00pm
End Time: 5:09pm

Location: Esquire Deposition Services, LLC
2300 West Sahara Avenue, Suite 770
Las Vegas, Nevada 89102

Present: Lori Judd Peggy Elias Severin Carlson Peggy Hoogs
Debbie Uehara Alycia Hansen Rose Marie Reynolds Clara Casey
Mickey Chan Brandy Matthews Mary Cox Daniel Peter Hellman
Lisa Pribyl Gloria Perry

ITEM #1: Meeting Called to Order: The meeting was called to order by Chairperson, Lori Judd.
Board Members:
Lori Judd – Present
Peggy Elias – Present
Peggy Hoogs – Present
Severin Carlson – Present

ITEM #2: Public Comments: No public comments.

ITEM #3: Approval of Agenda:
MOTION by Peggy Hoogs: That the Board approves the agenda in its entirety. Motion seconded by Severin Carlson, all in favor, motion moves forward.

ITEM #4: Designate an Annual Chairperson and Vice Chairperson:
MOTION by Peggy Hoogs: That the Board re-appoints Lori Judd as the Chairperson and Peggy Elias as the Vice Chairperson; the Board will readdress this matter at the next scheduled open meeting when the public board member has been appointed. Motion seconded by Peggy Elias, all in favor, motion moves forward.

ITEM #5: Adoption Hearing for LCB File No. R072-12:
MOTION by Peggy Elias: That the Board adopt R072-12 with changes made to NAC 656.350(3) replacing the word “reproducing” with “producing” and replacing the word “produced” with “certified” and correcting the spelling of the word “disk” in NAC 656.390(d). Motion seconded by Peggy Hoogs, all in favor, motion moves forward.

A copy of the amended language is attached and will be kept on file.

- ITEM #6: State of Nevada Certified Court Reporters Board v. Kim Tuchman, CCR 811 Discipline Hearing:**
MOTION by Lori Judd: That the Board finds Kim Tuchman in violation of the Nevada Revised Statutes Chapter 656 and the Nevada Administrative Code Chapter 656 governing court reporters and revokes her certificate and assigns a fine of \$65,000.00 for committing 13 violations of law, plus \$900.00 for the Board's attorney fees and costs; the total fine of \$65,900.00 is due to the Board within five years pursuant to a schedule of equal installment payments of \$1,098.33 and if Ms. Tuchman misses any installment payment, the remaining balance of the total fine accelerates and is due within 15 days of the missed payment. Motion seconded by Severin Carlson, Peggy Elias in favor, Peggy Hoogs recused, motion moves forward.
- ITEM #7: Approval of Meeting Minutes:**
MOTION by Peggy Elias: That the Board approves the meeting minutes in its entirety for the September 12, 2012 open meeting, November 17, 2012 closed meeting, November 26, 2012 open meeting and the December 10, 2012 closed meeting. Motion seconded by Peggy Hoogs, all in favor, motion moves forward.
- ITEM #8: Ratify the November 17, 2012 Certification Exam Results:**
MOTION by Peggy Hoogs: That the Board ratifies the test results from the November 17, 2012 certification exam. Motion seconded by Severin Carlson, all in favor, motion moves forward.
- ITEM #9: Approve Proposed Definitions of the Nevada Administrative Code Chapter 656:**
MOTION by Peggy Elias: That the Board approves the proposed definitions to Chapter 656 of the Nevada Administrative Code that will provide consistency with the Nevada Revised Statutes Chapter 656. Motion seconded by Peggy Hoogs, all in favor, motion moves forward.
- A copy of the proposed language is attached and will be kept on file.
- ITEM #10: Approve Proposed Language of the Nevada Administrative Code, NAC 656.350:** The proposed language was addressed and approved in item #5. No further comments.
- ITEM #11: Approve Continuing Education Program provided by the Nevada Court Reporter's Association:**
MOTION by Severin Carlson: That the Board approves the Nevada Court Reporters Association seminar scheduled for February 8 – 10, 2013 to provide certificate and license holders the opportunity to earn continuing education credits. Motion seconded by Peggy Hoogs, all in favor, motion moves forward.
- ITEM #12: Collection Process Against former Executive Secretary Dawn Jackson:**
MOTION by Severin Carlson: That the Board assigns the Executive Secretary to seek all options from the State Controller's office to obtain restitution payments from former employee Dawn Jackson. Motion seconded by Peggy Hoogs, all in favor, motion moves forward.
- ITEM #13: Public Directory for Certificate and License Holders:**
MOTION by Peggy Hoogs: That the Board will provide a directory to include the name, status, phone number and email address for each certificate and license holder on their website to provide efficiency to the public to contact a licensee. Motion seconded by Peggy Elias, all in favor, motion moves forward.
- ITEM #14: Appoint Members to the Legislative Regulations Committee:**
MOTION by Peggy Elias: That the Board appoint Severin Carlson as the Chairman for the Legislative Regulations Committee and appoint Sherrill Grotheer as a member of the committee. Motion seconded by Severin Carlson, all in favor, motion moves forward.

ITEM #15: Provide Website Link to the National Verbatim Reporters Association:

MOTION by Severin Carlson: That the Board will provide a link to the National Verbatim Reporters Association website on the State of the Nevada Certified Court Reporters Board's website. Motion seconded by Peggy Hoogs, all in favor, motion moves forward.

ITEM #16: Assign New Signatories to the Board's Checking Account:

MOTION by Lori Judd: That the Board will remove Sherrill Grotheer as a signatory from all accounts with Nevada State Bank and assign Lori Judd, Peggy Elias and Severin Carlson as signatories for all financial accounts with Nevada State Bank. Motion seconded by Severin Carlson, all in favor, motion moves forward.

ITEM #17: Approve Office Lease Contract with the State of Nevada Department of Administration:

MOTION by Severin Carlson: That the Board authorizes Lori Judd, Chairperson, to enter into a 3 year lease contract with the State of Nevada, Department of Administration, Public Works Division as the lessee for Board office space. Motion seconded by Peggy Elias, all in favor, motion moves forward.

ITEM #18: Review and Approve 11-12FY and 12-13FY Budgets: Debbie Uehara submitted the 11-12FY and 12-13FY budgets and expenditure reports to the Board for their review. No action taken. No further comments.

ITEM #19: Renew Executive Secretary's Annual Employment Contract:

Motion by Severin Carlson: That the Board approves and extends the Executive Secretary, Debbie Uehara's employment contract for 1 year with the following changes:

- Increase 1 paid vacation day per calendar year; total of 8 vacation days per calendar year.
- Increase 1 paid personal day per calendar year; total of 8 personal days per calendar year.
- Replace state mileage rate of 55.5¢ to read "as set by GSA".

Motion seconded by Peggy Elias, all in favor, motion moves forward.

ITEM #20: Executive Secretary's Report: Debbie Uehara submitted the financial report for Board review. A copy is attached and will be kept on file. Ms. Uehara reported there are 15 active disciplinary matters. No written comments submitted to the Board. No further comments.

ITEM #21: Board Member Comments: No board member comments.

ITEM #22: Public Comments: In reference to agenda item 6, if a licensee is charged with a fine due to late or unfinished transcripts; as an incentive, Gloria Perry suggested to reduce the fine if the transcripts are turned in. Ms. Perry offered Esquire Deposition Services as a possible exam site if the Board is unable to secure a facility. No further comments.

ITEM #23: Next Scheduled Meeting and Future Agenda Items: The next scheduled open meeting and agenda will be determined at a later date. No further comments.

Adjournment:

MOTION by Lori Judd to adjourn at 5:09pm. Motion seconded by Peggy Elias, all in favor, motion moves forward.

New language bolded and italicized. Strikethrough represents deleted language.

General Provisions

NAC 656.XXX “Temporary certificate of registration” defined. (NRS 656.130) Temporary certificate of registration has the meaning ascribed to it in NRS 656.030.

NAC 656.XXX “Certified transcript” defined. (NRS 656.130) Certified transcript has the meaning ascribed to it in NRS 656.030.

NAC 656.XXX “License” defined. (NRS656.130) License has the meaning ascribed to it in NRS 656.030.

NAC 656.XXX “Licensee” defined. (NRS.656.130) Licensee has the meaning ascribed to it in NRS.030.

NAC 656.XXX “Voice writing” defined. (NRS 656.130) Voice writing has the meaning ascribed to it in NRS 656.030.

NAC 656.350 Accuracy of reporting; alteration of records. ([NRS 656.130](#), [656.250](#))

1. Except as otherwise provided in this subsection, a court reporter who provides services as a court reporter shall treat all words spoken during a proceeding to be on the record and shall accurately report all words spoken during the proceeding. This subsection does not apply if the judge or arbiter presiding over the proceeding instructs otherwise and if each party to the proceeding or the party’s attorney stipulates otherwise. Except as otherwise provided in [Rule 30](#)(d) of the Nevada Rules of Civil Procedure, during the proceeding, if a party or his or her attorney instructs the court reporter to go off the record, the court reporter shall stop reporting unless another party or his or her attorney makes an immediate objection to the instruction.

2. ~~A~~ ***Except as otherwise provided in subsection 3, a court reporter or firm*** shall not alter the record of a proceeding ***after the transcript of the proceeding has been certified*** unless:

(a) Each party to the proceeding ~~or the party’s attorney~~ stipulates to the alteration; ~~and or~~

(b) The judge or arbiter presiding over the proceeding orders the alteration.

3. ***A firm may, upon receiving a transcript from a court reporter for the purposes of producing and distributing the transcript, make typographical, clerical or other similar nonsubstantive alterations to the transcript if the firm notifies the court reporter who certified the transcript of the proposed alterations and receives his or her approval for each alteration.***

(Added to NAC by Cert. Court Reporters’ Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004)