



State of Nevada
Certified Court Reporters Board

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PEGGY ELIAS – Chairperson
HEIDI KONSTEN – Vice Chairperson
CHRISTINE ALAIMO – Board Member
DAN WAITE, ESQ., - Board Member
LORI JUDD – Board Member

OPEN MEETING MINUTES

Date: Wednesday, September 20, 2017
Start Time: 5:35pm
End Time: 7:00pm

Location: Office of the Attorney General
555 East Washington Avenue, Room 4500
Las Vegas, Nevada 89101

Present: Peggy Elias Heidi Konsten Dan Waite Lori Judd
Christine Alaimo Asheesh Bhalla Debbie Uehara Mark Ivey
Paul E. Larsen

Present via Telcon: Dina Marcus Angelique Ferrio Peter Hellman
Jocelyn Galvan Clara Casey Josie Roper Matthew Spievak

ITEM #1: Meeting Called to Order:

The meeting was called to order by Chairperson, Peggy Elias:

Board Members:

Present: Peggy Elias, Chairperson
Present: Heidi Konsten, Vice Chairperson
Present: Christine Alaimo
Present: Dan Waite
Present: Lori Judd

ITEM #2: Public Comments: No public comments.

ITEM #3: Approval of the Agenda:

MOTION by Lori Judd: That the Board approves the agenda with the amendment to move agenda item #19 to follow item #4 and item #14 is removed from the agenda. Motion seconded by Dan Waite, all in favor, moves forward.

ITEM #4: Approval of Meeting Minutes:

MOTION by Lori Judd: That the Board approves the June 12, 2017 open meeting minutes in its entirety. Motion seconded by Heidi Konsten, all in favor, motion moves forward.

MOTION by Heidi Konsten: That the Board approves the July 20, 2017 Legislative Regulations Committee meeting minutes in its entirety. Motion seconded by Dan Waite, Christine Alaimo abstained, all others in favor, motion moves forward.

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MOTION by Lori Judd: That the Board approves the August 31, 2017 Exam Committee meeting minutes in its entirety. Motion seconded by Christine Alaimo, Dan Waite, Heidi Konsten and Peggy Elias abstained, all others in favor, motion moves forward.

MOTION by Heidi Konsten: That the Board approves the September 6, 2017 Legislative Regulations Committee meeting minutes in its entirety. Motion seconded by Lori Judd, Christine Alaimo abstained, motion moves forward.

Items taken out of order.

ITEM 19: **2017-2018 Fiscal Budget:** Debbie Uehara presented the proposed 17/18 fiscal budget and provided a copy of the 16/17 fiscal budget as a comparison. Due to a drop in licensing fees and the requirement to obtain the services of a C.P.A. to prepare the Board's biennial audit, the 17/18 budget is in deficit of approximately \$12,000.00. Upon review of the 17/18 fiscal budget, Lori Judd suggested the Board revisit the budget in 6 months. A copy of budget is attached and will be kept on file. No further comments.

MOTION BY Lori Judd: That the Board revisit the 17/18 fiscal budget in 6 months to review the current status and determine if modifications can be applied. Motion seconded by Heidi Konsten, all in favor, motion moves forward.

ITEM #5: **Exam Committee Report:** Lori Judd shared updates from the August 31, 2017 Exam Committee meeting and reported the committee will increase the question bank for the certification written exam and shared the exam schedule for 2018. Ms. Judd stated the committee will address the firm owner's exam question bank once they complete the certification written exam. A copy of her report is attached and will kept on file. No further comments.

ITEM #6: **Applicability of NAC 656.160(2) for October 14, 2017 Certification Exam:** Debbie Uehara referenced NAC 656.160(2), where a passing grade carries over for 2 succeeding exams. Ms. Uehara asked the Board if a passing grade from the October 14, 2017 written exam would carry over into 2018 when new statutes go in to affect; allowing an applicant who possesses an RPR and passes the written exam would be allowed to register for their certificate. No further comments.

MOTION BY Lori Judd: That the Board will allow a passing grade from the October 14, 2017 written exam to be carried over to 2018 and applied to the January 6, 2018 and April 7, 2018 exams. Motion seconded by Heidi Konsten, all in favor, motion moves forward.

MOTION BY Lori Judd: That pursuant to Counsel's advice and changes to NRS Chapter 656 that go in to affect in 2018, a passing grade from the October 14, 2017 skills exam will not carry over into 2018. Motion seconded by Heidi Konsten, all in favor, motion moves forward.

ITEM #7: **Legislative Regulations Committee Report:** Heidi Konsten shared updates from the September 6, 2017 Legislative Regulations Committee meeting and reported the committee reviewed each section of NAC Chapter 656 to determine if any sections should be amended or repealed. Ms. Konsten reported the committee completed the 10-year review of NAC Chapter 656 and will begin to work on bill draft requests for the next legislative session in 2019. A copy of her report is attached and will be kept on file. No further comments.

ITEM #8: **Proposed Amendments to NAC Chapter 656 General Provisions Section:** A copy of the amendments is attached and will be kept on file.

MOTION by Dan Waite: That the Board approve the amendments made to the General Provisions section in NAC Chapter 656 and will submit the language to the Legislative Counsel Bureau for drafting. Motion seconded by Lori Judd, all in favor, motion moves forward.

ITEM #9: **Proposed Amendments to NAC Chapter 656 Certification Section:** A copy of the amendments is attached and will be kept on file.

MOTION by Lori Judd: That the Board approves the amendments made to the Certification section in NAC Chapter 656 and delete a section of NAC 656.150(4) and delete NAC 656.150(5)(6) and will submit the language to the Legislative Counsel Bureau for drafting. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #10: **Proposed Amendments to NAC Chapter 656 Continuing Education Section:** A copy of the amendments is attached and will be kept on file.

MOION by Lori Judd: That the Board approves the amendments made to the Continuing Education section of NAC Chapter 656 and will submit the language to the Legislative Counsel Bureau for drafting. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #11: **Proposed Amendments to NAC Chapter 656 Practice by Firm Section:** A copy of the amendments is attached and will be kept on file.

MOTION by Peggy Elias: That the Board approves the amendments made to the Practice by Firm section of NAC Chapter 656 and will submit the language to the Legislative Counsel Bureau for drafting. Motion seconded by Christine Alaimo, all in favor, motion moves forward.

MOTION by Lori Judd: That the Board amend the proposed language outlined in NAC 656.280(2) to read as follows:

2. Each firm must provide the service of court reporting by certified court reporters only as an officer before whom proceedings may be taken.

Motion seconded by Christine Alaimo, all in favor, motion moves forward.

ITEM #12: Proposed Amendments to NAC Chapter 656 Miscellaneous Provisions Section: A discussion ensued regarding the proposed language to provide an aspirational goal for court reporters to donate their time towards pro bono services. This matter will be deferred to the Legislative Regulations Committee for further discussion. A copy of the amendments is attached and will be kept on file.

MOTION by Dan Waite: That the Board approves the amendments made to the Miscellaneous Provisions section of NAC Chapter 656 with the amendment to remove the line in NAC 656.400 that reads:

The aspirational goal is for each court reporter to donate a half day of pro bono service annually.

Motion seconded by Lori Judd, all in favor, motion moves forward.

ITEM #13: Proposed Amendments to NAC Chapter 656 Disciplinary Procedure Section: A copy of the amendments is attached and will be kept on file.

MOTION by Lori Judd: That the Board approves the amendments made to the Disciplinary Procedure section of NAC Chapter 656 and will submit the language to the Legislative Counsel Bureau for drafting. Motion seconded by Christine Alaimo, all in favor, motion moves forward.

ITEM #14: Confer with the Nevada Supreme Court Rules Committee Regarding Notaries: This item was removed from the agenda.

ITEM #15: Establishing a Late Fee for Certificate and License Holders:

MOTION by Lori Judd: That the Board defer this matter to the Legislative Regulations Committee for further research and discussion. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #16: Continuing Education Courses Administered by the Board:

MOTION by Dan Waite: That the Board take no action to this agenda item. Motion seconded by Heidi Konsten, all in favor, motion moves forward.

ITEM #17: Former Executive Secretary, Dawn M. Jackson Update: Debbie Uehara outlined the options to collect the outstanding restitution of \$33,865.00 from former Executive Secretary, Dawn Marie Jackson who was charged with 1 count category B felony of theft and 1 count category D felony of forgery of a public officer on May 30, 2006. Ms. Uehara sought the assistance of the debt collection service provided by the State of Nevada Controller's office in 2010 and has not received any results from them. The Board determined that seeking the services from an outside collection agency might produce results. No further comments.

MOTION by Heidi Konsten: That the Board will direct the Executive Secretary to seek the services of an outside debt collection agency to collect the outstanding restitution of \$33,865.00 from former employee, Dawn Marie Jackson. Motion seconded by Christine Alaimo, all in favor, motion moves forward.

ITEM #18: Renewal of Board Office Lease: Debbie Uehara reported the Board's office lease will expire on January 31, 2018 and presented a renewal lease along with a proposal from a different commercial building for a market comparison. Due to budget constraints, it was determined that it would not be favorable to relocate the Board's office at this time. No further comments.

MOTION by Lori Judd: That the Board will renew the Board's office lease with KFRE Office Suites for the period of February 1, 2018 through January 31, 2021. Motion seconded by Heidi Konsten, all in favor, motion moves forward.

ITEM #20: Executive Secretary Report: Debbie Uehara presented the financial report to the Board. A copy is attached and will be kept on file. Ms. Uehara reported there were no active investigations and the biennial audit will take place on September 27th through 29th by Heather Grech, C.P.A. of Bradshaw, Smith & Co. No further comments.

ITEM #21: Public Comments: Paul Larsen of Snell & Wilmer Law Offices submitted written comments for agenda item #14, a copy is attached and will be kept on file. Peter Hellman reminded the Board that it is comprised of 2 certifications provided from NCRA and NVRA. Mr. Hellman stated that NVRA has an appeal process for their certification exam and he will submit a copy to the Board. No further comments.

ITEM #22: Next Open Meeting Date and Agenda Items: The next open meeting date and agenda items will be determined at a later date.

Adjournment:

MOTION by Heidi Konsten: That the Board adjourn the meeting at 7:00pm. Motion seconded by Christine Alaimo, all in favor, motion moves forward.