



State of Nevada
Certified Court Reporters Board

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

OPEN MEETING MINUTES

Date: Monday, January 28, 2019

Start Time: 9:03am

End Time: 12:20pm

Location: Lewis Roca Rothgerber Christie, LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169

Present:	Heidi Konsten	Lori Judd	Peggy Elias	Dan Waite
	Asheesh Bhalla	Sophia Long	Debbie Uehara	Cheryl Gardner
	Michelle Ferreyra	Humberto Rodriguez	Jualita Stewart	Dawn Gustin

Present Via TelCon:	Mary Cox Daniel	Diane Lusich	Judy Johnson
	Tammy Breed	Denise Hinxman	Monice Campbell
	Kevin Daniel	Robin Ravize	Shawn McCusker
	William LaBorde	Jocelyn Galvan	Kerrie Keller
	Michael Thompson	Jennifer Daly	Tyler Larsen

ITEM #1: Meeting Called to Order:

Without motion, Heidi Konsten called the meeting to order at 9:03am.

Board Members:

Present: Heidi Konsten, Chairperson

Present: Dan Waite (arrived at 11:38am)

Present: Lori Judd

Present: Peggy Elias

ITEM #2: Public Comments: No public comments.

ITEM #3: Approval of the Agenda:

MOTION made by Peggy Elias: That the Board amend the agenda and move item #13 to the next scheduled open meeting and change the order of items #9 and #10, with #10 being first and change the order of items #15 and #16, with #16 being first. Motion seconded by Lori Judd, all in favor, motion moves forward.

ITEM #4: **NVCRA’s 2019 Convention Program to Earn Nevada Law Credits:** Kristy Clark presented NVCRA’s program proposal to earn 2 Nevada law credits at their 2019 annual convention for Board consideration. Heidi Konsten requested the Association monitor the doors and have each attendee personally sign in for these 2 programs. Lori Judd requested the speakers provide a letter to the Board confirming they read NRS Chapter 656 and NAC Chapter 656 in its entirety, in advance. Peggy Elias requested to place this matter on the next agenda to determine final approval of this program. A copy of the proposal is attached and will be kept on file.

MOTION by Lori Judd: That the Board will approve the 2 programs to earn NV law credits pending confirmation that the presenters submit a letter stating they read NRS Chapter 656 and NAC Chapter 656 in advance and in its entirety by the next scheduled open meeting. Motion seconded by Peggy Elias, all in favor, motion moves forward.

ITEM #5: **Disciplinary Hearing for Jualita Stewart, CCR #807:** Jualita Stewart, CCR #807 appeared before the Board for providing court reporting services for a non-registered firm on a Nevada case. Based on testimony and exhibits admitted at the hearing, the Board found Ms. Stewart in violation with the requirements of NAC 656.320 for engaging in the practice of court reporting for a non-registered firm and her failure to verify whether the firm was registered with the Board. No further comments.

MOTION by Peggy Elias: That the Board finds Jualita Stewart, CCR #807 in violation for the First Claim for Relief; NAC 656.320 for engaging in the practice of certified court reporting for a non-registered firm. The Board also finds Ms. Stewart in violation for the Second Claim for Relief; NAC 656.320 for failing to verify whether the firm was registered with the Board before engaging in the practice of court reporting. Motion seconded by Lori Judd, Dan Waite absent, all others in favor, motion moves forward.

MOTION by Lori Judd: That the Board approves the relief sought and assess a fine of \$250.00 for each violation, a total amount of \$500.00, complete 6 continuing education credits in addition to amount currently required for this reporting period and submit a signed affidavit to the Executive Secretary that she has read NRS Chapter 656 and NAC Chapter 656 in its entirety. Motion seconded by Peggy Elias, Dan Waite absent, all others in favor, motion moves forward.

10 Minute Recess

ITEM #6: **Disciplinary Hearing for Humberto Rodriguez of S.O.S. Litigation Services, LLC, dba Lawyer Solutions Group, Firm, #049F:** S.O.S. Litigation Services, LLC, dba Lawyer Solutions Group, Firm #049F, owned and operated by Humberto Rodriguez appeared before the Board for unprofessional conduct, pursuant to NRS 656.250(10a). Based upon the preponderance of the evidence, the Board concluded Mr. Rodriguez is subject to discipline for failing to make payment to 2 court reporting firms for their services. No further comments.

MOTION by Lori Judd: That the Factual Allegations outlined in items #4 through #10 are proven correct. Motion seconded by Peggy Elias, Dan Waite absent, all others in favor, motion moves forward.

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MOTION by Lori Judd: That the Board finds Humberto Rodriguez, owner and operator of S.O.S. Litigation Services, LLC dba Lawyer Solutions Group in violation for the First Claim of Relief; pursuant to NRS 656.250(10a) for failing to make payments to the court reporting firm for services on March 25, 2015 and April 16, 2015. The Board also finds Mr. Rodriguez in violation for the Second Claim of Relief; pursuant to NRS 656 250(10a), for failing to make a payment to the court reporting firm retained for services on February 9, 2017. Motion seconded by Peggy Elias, Dan Waite absent, all others in favor, motion moves forward.

MOTION by Peggy Elias: That S.O.S. Litigation Services, LLC, dba Lawyer Solutions Group, Firm #049F, owned and operated by Humberto Rodriguez is assessed a fine of \$1,000.00 for each violation, a total of \$2,000.00 and is due in 1 year. If Mr. Rodriguez satisfies the outstanding invoices, the Board may waive the assessed fines. Mr. Rodriguez shall reimburse the Board for costs and fees associated with this proceeding in the amount of \$680.82; an exact amount will be sent to Mr. Rodriguez. Mr. Rodriguez' license to operate a court reporting firm shall be suspended until the full assessed fines and costs are paid in full. Mr. Rodriguez will need to appear before the Board to reinstate his license and will be placed on a 1-year probationary status. Motion seconded by Lori Judd, Dan Waite absent, all others in favor, motion moves forward.

10 Minute Recess
Revisit Item #5 at approximately 11:45am

ITEM #5: Disciplinary Hearing for Jualita Stewart, CCR #807: Asheesh Bhalla, Deputy Attorney General asked the Board to revisit item #5 to amend their motion to include a deadline for Ms. Stewart.

AMENDED MOTION by Lori Judd: That the Board amend the previous motion to include a deadline for Ms. Stewart to submit a fine of \$250.00 for each violation, a total amount of \$500.00, complete 6 continuing education credits in addition to amount currently required for this reporting period and submit a signed affidavit to the Executive Secretary that she has read NRS Chapter 656 and NAC Chapter 656 in its entirety on or before December 31, 2019. Motion seconded by Peggy Elias, Dan Waite abstained, all others in favor, motion moves forward.

ITEM #7: Approval of Meeting Minutes:

MOTION by Lori Judd: As the only Board member present at this meeting, Ms. Judd moved to approve the October 6, 2018 closed meeting minutes in its entirety, Peggy Elias abstained, motion moves forward.

MOTION by Lori Judd: That the Board approve the October 8, 2018 open meeting minutes in its entirety. Motion seconded by Dan Waite, all in favor, motion moves forward.

MOTION by Peggy Elias: As the only Board member present at this meeting, Ms. Elias moved to approve the November 20, 2018 Legislative Regulations Committee meeting minutes in its entirety, motion moves forward.

MOTION by Peggy Elias: As the only Board member present at this meeting, Ms. Elias moved to approve the January 25, 2019 closed meeting minutes in its entirety, motion moves forward.

ITEM #8: Annual Appointment of Chair and Vice Chairperson:

MOTION BY Lori Judd: That pursuant to NRS 656.080(1), the Board appoint Dan Waite as the 2019 Chair. Motion seconded by Peggy Elias, all in favor, motion moves forward.

MOTION by Peggy Elias: That pursuant to NRS 656.080(1), the Board appoint Lori Judd as the 2019 Vice Chair, all in favor, motion moves forward.

ITEM #10: Appointment of Chair and Vice Chair and Members to the 2019 Legislative Regulations Committee: As the current Legislative Regulations Committee Chair, Peggy Elias volunteered to continue to serve as the Chair of the committee. Due to the larger number of candidates seeking to serve on the Legislative Regulations Committee and a nominal number of candidates to serve on the Exam Committee, Peggy Elias recommend to transfer several candidates to serve on the Exam Committee.

MOTION by Peggy Elias: That the Board appoint Heidi Konsten as the Vice Chair for the 2019 Legislative Regulations Committee. Motion seconded by Dan Waite, all in favor, motion moves forward.

MOTION by Peggy: That Gina Shrader, Cameo Kayser and Francis Arenas be moved to the Exam Committee and William LaBorde, Jocelyn Galvan, Michelle Ferrerya, Peter Hellman, Pauline May and Don Fritsch be appointed to the 2019 Legislative Regulations Committee. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #9: Appointment of Chair and Vice Chair and Members to the 2019 Exam Committee:

MOTION by Peggy Elias: That the Board appoint Lori Judd as the Chair for the Exam Committee and the Vice Chair position will remain vacant until further notice. Motion seconded Dan Waite, all in favor, motion moves forward.

MOTION by Peggy Elias: That the Board appoint Robin Ravize, Cheryl Gardner, Gina Shrader, Cameo Kayser and Francis Arenas as members of the 2019 Exam Committee. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #11: Ratify the January 25, 2019 Certification Exam Results: Debbie Uehara reported 8 applicants registered and took the January 25, 2019 exam. No incidents to report. The Exam Committee confirmed 6 out of 8 applicants passed the exam. No further comments.

MOTION by Lori Judd: That the Board ratify the test results from the January 25, 2019 exam. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #12: Legislative Regulations Committee Report and Proposed Regulations: Peggy Elias presented the proposed regulations formulated by the Legislative Regulations Committee for Board review and approval. Ms. Elias made a change to the proposed language in NAC 656.210(5) to delete the word “cycle” and replace with “reporting period” to keep consistent with subsections 3 and 4. No further comments.

MOTION by Peggy Elias: That the Board approve the proposed language and submit to LCB for drafting. Motion seconded by Lori Judd, all in favor, motion moves forward.

ITEM #13: Appeal October 6, 2018 Exam Results and Amend Exam Format: Speaker Mickey Marez was unable to appear and requested that his agenda item be moved to the next scheduled open meeting.

ITEM #14: Update Signatories with Nevada State Bank: Debbie Uehara asked the Board to update the signatories for all financial accounts with Nevada State Bank by removing former Board member Christine Alaimo and adding Lori Judd as a signatory. No further comments.

MOTION BY Peggy Elias: That the Board remove former Board member Christine Alaimo as a signatory and confirm Dan Waite, Lori Judd, Peggy Elias and Heidi Konsten as signatories on all financial accounts with Nevada State Bank. Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #16: Update Administrative Forms for Court Reporting Firms: Debbie Uehara proposed to amend the attestation on all administrative forms for court reporting firms; outlining certain rules and regulations to ensure court reporting firms adhere to the laws that govern them. No further comments.

MOTION by Lori Judd: That the Board approve the revised administrative forms for court reporting firms. Motion seconded by Peggy Elias, all in favor, motion moves forward.

ITEM #15: Update Administrative Forms for Court Reporters: Debbie Uehara proposed to amend the attestation on all administrative forms for court reporters; outlining certain rules and regulations to ensure court reporters adhere to the laws that govern them. Peggy Elias proposed to add the following to the attestation: “In accordance with NAC 656.330, I will not enter into any contract or agreement to provide court reporting services that may compromise the impartiality of the court reporter or firm.” Dan Waite proposed to insert the word “knowingly” after the word “not”. No further comments.

MOTION BY Lori Judd: That the Board approve the revised administrative forms for court reporters with the amendment to add the following to the attestation:

“In accordance with NAC 656.330, I will not knowingly enter into any contract or agreement to provide court reporting services that may compromise the impartiality of the court reporter or firm.”

Motion seconded by Dan Waite, all in favor, motion moves forward.

ITEM #17: Executive Secretary's Report: Debbie Uehara submitted the January 16, 2019 financial report for Board review. A copy is attached and will be kept on file. Ms. Uehara presented the January 2019 issue of Nevada Lawyer, showcasing the Board's full-page advertisement on the requirements of using certified court reporters and licensed firms on Nevada cases. Ms. Uehara reported the office lease will be up for renewal on February 1, 2020. No further comments.

ITEM #18: Public Comments: Michelle Ferrerya expressed her appreciation to the Board for her appointment to serve on the Legislative Regulations Committee; Ms. Ferrerya looks forward to her involvement and future endeavors with the Board. Kevin Daniel sought clarification regarding Imagine Reporting's registration status; that as a non-registered firm, they provided court reporting services on a Nevada case. Asheesh Bhalla, Deputy Attorney General for the Board stated the Board could not respond or discuss this matter. No further comments.

ITEM #19: Next Scheduled Meeting and Requests for Agenda Items: Peggy Elias requested to increase the Executive Secretary's salary and to place this matter on the next agenda. The date, time and location of the next open meeting will be determined at a later date. No further comments.

Adjournment:

MOTION by Lori Judd to adjourn the meeting. Motion seconded by Dan Waite; meeting adjourned at 12:20pm.