

1 **III. Approval of Minutes from last meeting**

2 The Tennessee Board of Court Reporting meeting was
3 reconvened to the public at 9:20 a.m. EST (8:20 a.m. CST)
4 All the previously mentioned board members were still
5 present with John Green now in attendance physically.
6 Members of the public present were Sheila Wilson, Pat
7 Gildea, Teri Campbell, Jim Vowell, Gene Jennings and Trish
8 Smith.

9 Motion made by Earl Houston to approve the minutes from
10 the last meeting.

11 Motion seconded by Ken Mansfield.

12 No discussion. Vote taken and motion passed
13 unanimously.

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15 **IV. Old Business**

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17 **Report and Recommendation from Subcommittees**

18 Earl Houston reported from his research US Legal was in
19 violation of our rules. Recommended we, as a board, can
20 only take action against reporter who holds license.
21 Suggested we send a letter to US Legal putting them on
22 notice and advising them about anti-contracting in TN. And
23 if actions persist, to refer to AG's office. The subject
24 was opened for discussion and lengthy discussions were had.
25 (Sheila Staggs, board member, is now physically present.)
26 Sheila Wilson advised of her findings and communications
27 involving US Legal. Motion was made by JJ for a generic
28 letter to all outside national agencies advising on laws and
29 responsibility of producing transcripts in the State of
30 Tennessee to be composed by Aaron Conklin and JJ to co-sign.
31 A later letter to follow to all reporters. Judge Martin
32 amended the motion to include that "it's come to our
33 attention the law is being violated." Motion seconded by
34 John Green. No further discussion. Vote taken and motion
35 passed unanimously.

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37 Second subcommittee report from Judge Martin and John
38 Green and JJ. Report not ready. Tabled until December.

39 **Update on Disciplinary Counsel**

40 No discussion was had.

41 **Certificates for Licensure Renewal**

42 Discussion on certificate of licensures and license
43 renewals was had after a₂report from Debbie Hayes and Aaron

1 Conklin. It was determined that we need statutory authority
2 to create a seal specific to our board. We can use state
3 seal. Next certificate renewals should have state seal on
4 them with date issued, issuing authority and expiration
5 date.

4 **Licensure Stamp**

5 Aaron Conklin determined we need a rule to make a stamp
6 mandatory and recommends either promulgating a rule to
7 regulate a stamp and make it mandatory or just leave the
8 issue alone. It was discussed that we should go ahead and
9 determine what would be needed to make a rule.

8 **Report on Statutory Exemptions to License Changes**

9 Aaron Conklin gave report on his findings. After
10 discussions Judge Martin made a motion that we adopt a
11 policy that when complaint is made and responded to that
12 nothing is published unless and until any adverse action is
13 taken. Ken Mansfield seconded the motion. No further
14 discussion. After vote taken, motion passed unanimously.

13 **V. NEW BUSINESS:**

14 **Complaints and Follow Up Action**

15 *First complaint - 2011-5.* Debbie Hayes sent complaint out
16 certified and reporter never picked it up or responded.
17 Sheila made a motion that the matter be referred to the AG's
18 office for civil penalties and remedies and the DA's office
19 for criminal penalties. Motion seconded by Ken Mansfield.
20 No further discussion. After vote taken, motion passed
21 unanimously.

19 *Second complaint - 2011-6.* Sheila disclosed conflict and
20 abstained from discussions. Ken Mansfield made motion to
21 dismiss complaint. JJ seconded motion due to no actionable
22 complaint. No further discussion. Vote taken. Motion
23 passed unanimously with Sheila abstaining from voting.
24 Debbie Hayes to assign complaint numbers and Aaron Conklin
25 to send letters.

23 **Budget and Accounting Report**

24 JJ provided earlier proposed budget and fiscal notes.
25 Pam Hancock and Libby Sykes gave report on budget and formal
accounting and answered questions.

1 **Discussion of Future Rule Changes**

2 JJ wants the Board to adopt NCRA's language on gift
3 giving with the exception that we maintain our \$25 cap.
4 TCRA supports this. This pertains to Rule
5 0455-01-04-.1(1)(0). A hearing will be held possibly in the
6 spring. Discussions followed.

7 A discussion was had on CEU's. Ken suggested we match
8 NCRA and NVRA credits on college courses and if there's no
9 proof of membership, then CEU's would revert to our credits.
10 This pertains to Rule 0455-01-06-.02(2) and .03(1)(F).
11 Discussions followed.

12 A discussion on making changes to our rules if the
13 legislature changes our licensure language next year as
14 pertaining to grandfathering was had since all
15 grandfathering will expire at that time.

16 A discussion was had pertaining to temporary licenses
17 pertaining to Chattanooga State students or any other
18 reporter coming from another state with no license who is
19 not an RPR. Aaron advised we couldn't do this without
20 making a new rule.

21 A discussion was had that we'd need a rule to use stamp
22 or create a seal. After discussion it was decided we'd
23 leave this alone at this time.

24 JJ made a motion to change rules on gift giving and on
25 revoking grandfathering rules as expired. The other rule
changes will be reviewed. JJ withdrew motion and the issue
was left open for further review.

1 **VI. Miscellaneous**

2 Websites - A discussion was had regarding posting CEU
3 status on website and feasibility. A letter is to go out to
4 advise reporters of their status at beginning of year with
5 renewals.

6 Sheila Wilson commented on 4055-01-04.01, standards of
7 professional conduct, subsection (d) on conflict of
8 interest. Suggests the Board notify reporters of AG's
9 opinion gotten by TCRA. In addition Ms. Wilson suggested
10 that the Board consider updating FAQ's on our website to
11 include answers to questions on what's production, what's
12 distribution, what's contracting and what violates rules as
13 relates to responses to letters the Board receives.

1 **VII. Adjournment**

2 A motion was made to adjourn by Ken Mansfield.
3 The motion was seconded by John Green.
4 A vote was taken and the motion passed unanimously.
5 The regular meeting of TBCR was adjourned at 11:15 a.m.
6 CST, 12:15 a.m. EST.
7 Minutes submitted by Sheila Staggs, acting secretary.
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