

MINUTES

STATE BOARD OF EXAMINERS OF SHORTHAND REPORTERS

FEBRUARY 28, 2007

The State Board of Examiners of Shorthand Reporters convened December 20, 2006 at 8:32 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Board Members Present: John C. Brandon, Chairperson, Shorthand Reporter
 Susan K. Whitt, Shorthand Reporter
 Joseph N. Defilippo, Attorney
 William Mangini, Public Member
 Cheryl Stern, Public Member

Board Vacancies: One Shorthand Reporter

Board Counsel Present: Jose Rene Martinez, Assistant Attorney General

DCP Staff Present: Nelson Leon, Board Secretary
 Vicky Bullock, DCP Attorney
 Linda Roberts, Executive Assistant

Public Present: Christopher J. VanDeHoef, TCORS
 Les Seligson
 Tracy Grieder
 Robert Miller

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information call Richard M. Hurlburt, Director, at (860) 713-6135.

Agency Web Site: www.ct.gov/dcp

Mr. Brandon opened the meeting and indicated that there were corrections to the minutes of the October 28, 2006, November 22, 2006 and December 26, 2006 meeting minutes. The Board voted unanimously to approve the minutes as amended.

Discussion regarding the penalty language: A hearing is scheduled at 1:00 p.m. tomorrow, at the Legislative Office Building.

Discussion regarding continuing education: Auditing 10% of applicants. Ms. Bullock questioned whether to do the audit this year. Mr. Brandon suggested doing the audit after 1/1/08. Ms. Bullock said it would be a computer generated audit and can be any percentage the Board wants, it is up to the Board. However, 10 percent is a good number. Ms. Bullock questioned whether provisional licensing will have an impact on the number of people audited.

New Business: Special Meeting dates were scheduled for April 25, 2007 and June 27, 2007. Mr. Leon will mail out Special Meeting notices to the Board.

Mr. Brandon discussed the situation with Alex DeVecchio regarding his name being taken off the DCP website for an alleged violation. Ms. Stern queried what the complaint was. Mr. Brandon said for unlicensed reporter and he was penalized. Mr. DeVecchio's name was on the website for years. It's a DCP policy that names stay on the DCP website for three years. Mr. Seligson asked whether the case was brought before the Board. Mr. Brandon answered there was a complaint, no hearing held, there was a meeting and the matter was raised.

Mr. Brandon mentioned that he got a call three weeks ago from an attorney in Middlefield, CT. regarding a complaint concerning the Cunningham Group, owned by Michael Harrison. The complaint was not put in writing. The Middlefield attorney found Mr. Harrison's firm on the internet, and contracted with Mr. Harrison's firm for court reporting services. Mr. Harrison has an impressive website, but no reporters. He contacts other firms and uses their reporters. The Middlefield attorney said he received a 100 page transcript and was charged \$5,500.00. He didn't pay and was threatened with a lawsuit. The Middlefield attorney never filed a complaint. There was discussion. Mr. Brandon suggested we be cautious about making allegations. Mr. Martinez said we should have a complaint and hearing process. Ms. Whitt said the Association can warn the reporters. Mr. Martinez suggested we should have complaints and hearing and give the process an opportunity to work. It was decided no action would be taken without a formal complaint to the Board.

Ms. Whitt brought up the issue of font size, explained font size and how it can be manipulated, etc.

Mr. Brandon said that the Board can do nothing until it gets penalty language. Ms. Bullock said these are things to be aware of, but we have to make sure they are true.

Mr. Brandon brought up the subject of provisional licenses. At the State Association Executive Committee meeting, the vote was unanimous to do so. The vote of the State Board of Examiners was 3 to 1 in favor. The only thing to do is finalize the language. Mr. Brandon asked if we have language. Mr. Defilippo said its Section 20-650-656. Mr. Brandon read the provision and Section 20-654(d), at which point there was discussion regarding these sections. Mr. Brandon said that Ms. Bullock feels the Board has the authority and doesn't need additional legislation. Ms. Whitt asked for a citation. Mr. Brandon said Section 20-654-5(a), last sentence. Mr. Brandon said the Board can amend examination requirements, the Board doesn't need legislation or amendment of the regulations, the Board can move ahead. Mr. Seligson questioned whether it was an actual regulation. Ms. Bullock said 20-654 allows the ability to propose. Ms. Whitt questioned, does it have to be proposed? Ms. Bullock said DCP establishes the requirements. Mr. Brandon asked, assuming the language is acceptable, what do we need to do? Ms. Bullock said lobby faster.

Mr. Brandon said the Board has the power to change the test. Ms. Whitt said the license and the test are not the same. Mr. VanDeHoef said the Board has to establish a provisional license, and then asked, does the Board have the authority to create a provisional license, and can you do it through the legislative process? Ms. Bullock answered, either way. Mr. Brandon said it should be done in the least time consuming way. Mr. VanDeHoef said to pass the language that was read. The definition puts it in the statute, then allows us to change it. You have to create the language.

Mr. Mangini said he was hung up on "under supervision". Mr. Brandon said throughout history, we always had apprenticeship. It can't be defined. Every situation is different. Its no good to anyone to be sending someone where they don't belong. Mr. Mangini questioned, would the agency be liable? Mr. Brandon responded, he was not aware of someone being sued for something a reporter did. Mr. Defilippo said the agency could be liable.

Mr. Brandon brought the meeting to a conclusion by mentioning the meeting before the legislature tomorrow. Mr. Defilippo asked whether provisional licensing would be discussed then. Mr. Brandon responded "No".

There being no further business, the meeting adjourned at 9:21 a.m.

Respectfully submitted,

John C. Brandon
Chairperson

The next meeting of this Board is scheduled for Wednesday, May 30, 2007 at 8:15 a.m.