DOCKET NUMBER 2010-69	)	OFFICE OF STATE ETHICS
	)	
IN THE MATTER OF A	)	18-20 TRINITY STREET
	)	
COMPLAINT AGAINST	)	HARTFORD, CT 06106
	)	
TARA BATEMAN	)	APRIL 26, 2011

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, Conn. Gen. Stat. §§ 1-79, *et seq.*, Patricia Masi, a member of the public, issued a complaint ("Complaint") against the respondent Tara Bateman ("Bateman" or "Respondent") for a violation of the Code of Ethics. Following a preliminary investigation conducted by the Enforcement Division of the Office of State Ethics, the Ethics Enforcement Officer believes that the Respondent, a former court monitor for the Connecticut Judicial Department at the Hartford Connecticut Court Reporters Office, overcharged members of the public for the reproduction of transcripts.

The Parties have entered into this Stipulation and Consent Order following issue of the Complaint, but without adjudication of any issue of fact or law herein. With the Respondent's stipulation to entry into this agreement, the Respondent admits to the allegations detailed below.

I. STIPULATION

The Ethics Enforcement Officer and the Respondent stipulate to the following facts:

1. At all times relevant hereto, the Respondent was employed as a court monitor for the Connecticut Judicial Department and worked in the Hartford Connecticut Court Reporters Office.

2. At all times relevant hereto, the Respondent was a "State Employee" as that term is defined in General Statutes §1-79 (m).

3. As part of her state employment, the Respondent recorded and transcribed court proceedings in the Connecticut superior courts and the Appellate Court.

4. At all times relevant hereto, the Respondent and other court monitors were required to follow a mandatory price schedule when providing transcripts to requestors.

5. At all times relevant hereto, court monitors were required by the mandatory price schedule to charge $1.75 per page for requests for copies of previously produced transcripts, $3.00 per page for requests for copies of originally produced transcripts, and $3.50 per page for requests for expedited copies of previously produced transcripts.

6. Despite the mandatory price schedule, on or about September 11, September 18, December 22, 2009, and May 5, 2010, the Respondent charged amounts greater than those allowed by the schedule.

7. General Statutes § 1-84 (c) states in pertinent part:

> [N]o public official or state employee shall use his public office or position or any confidential information received through his holding such public office or position to obtain financial gain for himself . . . .

8. By overcharging requestors in excess of the amounts allowed by the mandatory price schedule, the Respondent used her state position to obtain financial gain in violation of General Statutes § 1-84 (c).

9. The Respondent understands that she has the right to counsel and has expressly waived such right.

II. RESPONDENT'S POSITION

1. The Respondent acknowledges that the stipulated conduct amounted to a violation under the law, but argues that any violation was technical in nature and unintentional.

NOW THEREFORE, the Ethics Enforcement Officer of the Connecticut Office of State Ethics and the Respondent hereby enter into this Stipulation and Consent Order and hereby agree as follows:

III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's employment practices, to issue a Complaint against the Respondent, and to enter into this Stipulation and Consent Order.

2. The provisions of this Stipulation and Consent Order apply to and are binding upon the undersigned Parties.

3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights she may have under General Statutes §§ 1-82, 1-82a, 1-87 and 1-80, including the right to a hearing or appeal in this case, and agrees with the Ethics Enforcement Officer to an informal disposition of this matter as authorized by General Statutes § 4-177 (c).

5. The Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the

Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.

IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics and Respondent agree to settle the matter in the manner described below:

1. Pursuant to General Statutes § 1-88 (a) (1), the Office of State Ethics orders, and the Respondent agrees, to cease and desist from any future violation of General Statutes § 1-84 (c).

2. Pursuant to General Statutes § 1-88 (a) (3), the Office of State Ethics orders, and the Respondent agrees, that the Respondent pay civil penalties to the State in the amount of five hundred dollars ($500) for violation of General Statutes § 1-84 (c).

3. Pursuant to General Statutes § 1-88 (d), the Office of State Ethics orders, and the Respondent agrees, that the Respondent reimburse the member of the public, Nicholas Harding, in the amount of one thousand three hundred thirty dollars and fifty cents ($1,337.50), representing the amount of the overcharge to which the Respondent admits in Section I above.

4. Respondent agrees that, should she become employed as a court monitor or court reporter for the state in the future, she will provide a detailed invoice to the requestor for every transcript produced for profit by the Respondent. Such detailed invoice shall include the total number of pages charged under any rate, specify the per page rate charged, and a total amount due.

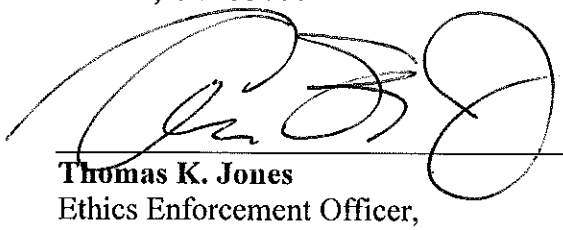
5. Respondent agrees to henceforth comply with the requirements of the Code of Ethics for Public Officials.

WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated April 26, 2011.

Dated: 4-29-11

Tara Bateman
P.O. Box 678
Marion, CT 06444

Dated: 5/4/11



Thomas K. Jones
Ethics Enforcement Officer,
State of Connecticut Office of State Ethics
18-20 Trinity Street
Hartford, CT 06106
(860) 263-2390