

TENNESSEE BOARD OF COURT REPORTING
ADMINISTRATIVE OFFICE OF THE COURTS
511 UNION STREET/NASHVILLE
JUNE 27, 2014 TELECONFERENCE
MINUTES

Chair Jimmie Jane McConnell called the teleconference to order at 8:02 a.m. CT. Members present were Jimmie Jane McConnell; Ginger Truesdel; Terri Beckham; Briton Collins; Ken Mansfield; Earl Houston. AOC staff, David Haines and Debbie Hayes were also present. Members of the public present were Max Curry and Jim Beres.

Special meeting had been called by Chair Jimmie Jane McConnell to close out several complaints after Disciplinary Counsel submitted recommendations.

Complaint 2013 – 02

Disciplinary Counsel recommended complaint be dismissed. Motion was made and seconded. Vote passed unanimously.

Complaint 2013 -07

Disciplinary Counsel recommended complaint be dismissed as the complaint was not filed timely. Chair concurred with Disciplinary Counsel's recommendation.

Chair Jimmie Jane McConnell asked Debbie Hayes to contact the reporters via phone to advise of the dismissal. Written notification will follow.

Board member Briton Collins mentioned that the information on the FAQ section of the AOC website did not include the requirement that complaints be filed within 90 days of any alleged violation. Suggestion was made to add that information to the Complaint Form. The form will be updated.

Complaint 2012-05

Briton Collins moved to ask Disciplinary Counsel to set for hearing at next scheduled meeting on August 22, 2014 and send notice of hearing to the last known address of the expired court reporter. Board will omit committee review and go straight to hearing. Motion was seconded and passed unanimously.

Complaint Thomas v. Lotz (unlicensed reporter)

Ms Lotz was never licensed therefore not the jurisdiction of the board. Ken made a motion to turn over to the DA's office in the reporter's judicial district. The motion was seconded and passed unanimously.

Discussion was had as to whether the board has jurisdiction when a complaint comes in for a reporter who is not licensed. David Haines will research this matter.

Discussion was had regarding materials received from Matt North with suggested changes to rule & regs along with request to investigate several reporters. It was unclear if this was truly a complaint or just suggestions for rules changes. It was decided to treat as a complaint. Notification will be sent to the reporters.

Reporter Max Curry reported that he employs a reporter who holds a temporary license and has renewed the additional three times allowed. He feels certain that she will pass the last leg of the RPR, but in the event that she does not pass, he asked the board if there would be any violation for the reporter to transcribe tapes for law firms and certified with her notary. The board did not think there would be any violation to do so.

Mr. Curry also asked if the board has subpoena powers. Staff attorney David Haines was of the opinion that the board does have subpoena powers. He also asked if a licensed reporter who is also a firm owner can be held accountable if practices of the firm violate the anti-contracting laws. The board was not prepared to answer such questions and suggested he submit his questions ahead of the next board meeting. Mr. Curry also asked if it was too late to submit suggestions to the Rules & Regs. Chair Jimmie Jane advised that the time had expired to submit such questions. Attorney David Haines informed that suggestions could be voiced by the public at the Rulemaking hearing.

9:05 a.m. CT motion was made, seconded and passed unanimously to adjourn meeting.