

STATE OF MINNESOTA

IN SUPREME COURT

81-876

ORDER

In re Minimum Qualifications for Court Reporters:

WHEREAS, the accuracy of the Court record is of critical importance to the integrity of the court process;

WHEREAS, the Minnesota Shorthand Reporters Association has indicated that significant problems exist with the competency of currently practicing court reporters;

WHEREAS, the Minnesota Shorthand Reporters Association has recommended testing to insure a minimum level of competence by Minnesota Shorthand Court reporters;

WHEREAS, M.S. 486.02 provides that the Supreme Court shall establish minimum qualifications for competent stenographers;

WHEREAS, it is the intention of the Supreme Court to adopt the following administrative provisions in response to the concerns of the Minnesota Shorthand Reporters Association:

1. That all official stenographic reporters shall certify that they have passed the Registered Professional Reporter (RPR) examination by July 1, 1993, and shall file a notarized copy of the RPR certification with the State Court Administrator.
2. That each official stenographic reporter or per diem stenographic reporter serving a court shall retake the RPR exam at least once every six years and shall file the resultant certification.

3. That effective July 1, 1993, any document filed with the court prepared by a free lance court reporter shall include an affidavit attesting that the court reporter has passed the registered professional court reporter examination within the last six years.
4. That complaints about the competency or conduct of official or free lance court reporters in a particular judicial district shall be filed with the Chief Judge and Judicial District Administrator of the appropriate judicial district.

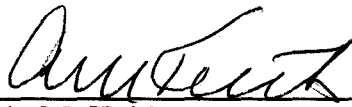
IT IS HEREBY ORDERED that any individual wishing to provide statements in support or opposition to the proposal shall submit nine copies in writing addressed to the Clerk of the Appellate Courts, 25 Constitution Avenue, St. Paul, Minnesota 55155 by April 30, 1992.

Dated: March 13, 1992

OFFICE OF
APPELLATE COURTS

MAR 19 1992

FILED



A. M. Keith
Chief Justice

Lynne Johnston
Official Court Reporter
18-C Government Center
Minneapolis, MN 55487

March 27, 1992

OFFICE OF
APPELLATE COURTS

APR 1 1992

FILED

Honorable A. M. Keith
Chief Justice Supreme Court
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

This letter is in response to your Order of March 13, 1992 concerning Minimum Qualifications for Court Reporters.

I have been a court reporter for nearly 30 years. In all that time I have had only one complaint about my job performance. (We had a trial with three young children as witnesses -- defense counsel did not like it that I smiled at them as they sat next to me in the witness chair to testify.) I have never been late with an appeal transcript, or any other transcript. I have asked only once for an extension, and that was because my typist was ill. By the time the Appellate Court contacted me to see if I really needed the extension, I had found another typist and did not need the extension.

Thirty years ago I successfully completed the courses required to graduate from the accredited Court Reporting Course at the Minnesota School of Business. I graduated in September, 1962. I do have a high school diploma, two years of college and the Court Reporting Certificate. I know that many of my contemporaries have the same qualifications as I do.

I joined the National Reporters' Association and received my RPR certification. Because I had to make some hard financial decisions some years back I dropped my membership in the National Association. Unlike other professions we must belong to the National Association to maintain our RPR. I maintained my Minnesota membership because I felt it would be better to keep my certification from Minnesota as that is where I worked. Having an RPR was never a requirement of my employment. I have kept up with the CE courses through the years.

I strongly feel that if there is to be additional certification for court reporters that those who already have the various qualifications mentioned, graduated from an accredited reporting school, State certification or RPR, should not have to be retested to be certified.

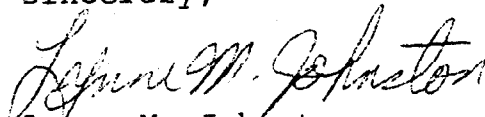
Honorable A.M. Keith
March 27, 1992

Page 2

Thank you very much for your patience in reading this letter. Again, I strongly urge you to certify qualified reporters already in the system without testing, or in the alternative drop the whole certification matter.

Twenty-five plus years ago when I campaigned for you and voted for you in your bid for the Governor's Office I didn't anticipate that I would one day be asking you to "vote" for me in my bid to keep my employment. But here I am doing just that.

Sincerely,


Lynne M. Johnston

CAROL A. SUILMANN
COURT REPORTER
307 GRAIF BUILDING
MANKATO, MN 56001

(507) 625-7021

S.S. 470-78-7284

April 1, 1992

OFFICE OF
APPELLATE COURTS
APR 06 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

Re: Minimum Qualifications for Court Reporters

To Whom It May Concern:

I would like to comment on your recent proposal to certify reporters every six years.

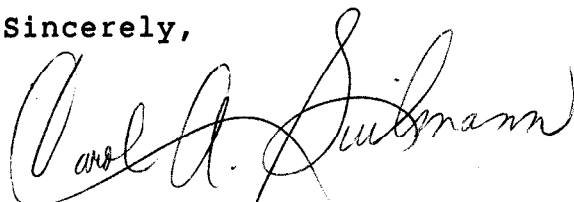
In my opinion to require all reporters to meet this requirement would be an overwhelming and expensive task. In the same vein, I'm sure you wouldn't advocate that attorneys retake the bar exam every six years, the reason being that it is unnecessary, burdensome, and would be prohibitive to the profession.

Our organization is concerned with and committed to high standards for all reporters. I believe we have lived up to those goals consistently. Reporters with 10, 20, 30 and more years in the field should allow their experience to speak for itself. I feel that grandfathering in this group would be much more expedient.

I urge you to engage in further discussions on this matter in order to reach a compromise that ensures the quality of new reporters in the market, but recognizes and reaffirms the role of experienced reporters presently.

Thank you for your attention.

Sincerely,



Carol A. Suilmann

Terri R. Hanson

COURT REPORTER

April 2, 1992

OFFICE OF
APPELLATE COURTS

APR 06 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

RE: Order, In re Minimum Qualifications for
Court Reporters

Dear Sir or Madam:

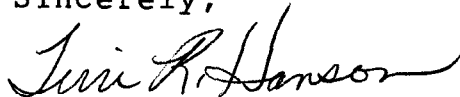
I wish to provide a statement in opposition to
the proposed requirements.

While I appreciate the willingness of the
Supreme Court to begin action on court reporter
certification, I view the proposed order as
only a starting point for discussion. I
strongly urge the Supreme Court to work with
MCRA and the reporters appointed to the
Conference of Chief Judges CSR subcommittee to
develop an order acceptable to all parties in
the judiciary.

I believe that there needs to be a provision to
certify qualified reporters already in the
system without testing and that the proposed
requirement for retesting is unnecessary,
burdensome and inconsistent with any other
professional testing requirement in the
judiciary or the state.

Thank you for your consideration of my
comments.

Sincerely,



Terri R. Hanson
Court Reporter

cc: MCRA

(612) 522-6212

4242 THOMAS AVE. NO.

MINNEAPOLIS, MN 55412

C1651 Government Center
Minneapolis, Minnesota 55487
April 3, 1992

OFFICE OF
APPELLATE COURTS

APR 06 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Minimum Qualifications for Court Reporters

I oppose Chief Justice Keith's Order dated March 13, 1992 on the above-referenced matter.

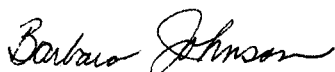
As an official court reporter who has worked in Hennepin County for almost 17 years, I do not feel there is a problem with the competency of official court reporters presently working for judges. If an official court reporter were incompetent, the judge would not keep that reporter on staff. I do feel that new reporters who are hired and per diem reporters should be RPR's. This would reduce the likelihood of entrance-level reporters being used who cannot handle or don't have the endurance to handle difficult courtroom situations.

I do not feel that it is necessary for court reporters to retake the RPR exam every six years. I passed the RPR exam in 1976. There were over 60 other people in the room taking it with me, and only three of us passed. This is a difficult test. Once should be enough. Other professions do not require recertification. If this Order goes into effect, it is my understanding Minnesota would be the only state in the United States requiring recertification for court reporters. Our jobs are very difficult and very stressful. Most of us work long hours. Retesting would add another time-consuming stress which is unnecessary.

Once we have passed the RPR exam, we must accumulate 30 CE credits every three years to keep the RPR current. As a court reporter, I feel my time is well spent attending seminars that keep me up to date in the reporting profession.

I would like to see Minnesota require certification and testing. I do not want Minnesota to become the place to go for court reporters who are not qualified to work in other states. However, I do not feel it is necessary to retest court reporters who have already been certified.

Sincerely,



Barbara Johnson, RPR
Official Court Reporter



Phone: (612) 259-3676

Mary C. Boom
Official Court Reporter

District Court
Stearns County Courthouse
St. Cloud, MN 56302

April 3, 1992

OFFICE OF
APPELLATE COURTS

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

APR 07 1992

FILED

Re: Order regarding Minimum Qualifications for Court Reporters

Dear Sir/Madam:

I appreciate the opportunity to respond to the March 13 Order signed by Justice Keith. Before addressing the issue, I would like you to know my general background. I have been a court reporter since 1977, and have had experience both as a free-lance court reporter, a court reporting instructor, and have worked as an Official Court Reporter for the past ten years. I have passed both the Registered Professional Reporter examination and the Certificate of Merit examination.

I recognize the need to assure that court reporters are competent and that minimum qualifications are needed; however, I strongly disagree with the methods that have been suggested. I believe that the RPR exam is a good measure of one's reporting abilities, but to require each reporter to pass it by July 1, 1993, puts so much pressure on a reporter that I am not sure if it's a realistic standard. My suggestion would be that currently practicing reporters be allowed to remain status quo, and that this requirement would be in place for entry level reporters. I believe that any currently practicing official court reporter who is not competent, will not remain employed far into the future. Also, you should be informed that the RPR examination is given only twice per year.


The second paragraph of the Order suggesting that each official reporter shall be retested every six years also seems senseless. The more experience a reporter gets, the better reporter they become. Again, I think that a 15-minute test which dictates whether or not a person can maintain their job is absurd. I personally have passed tests at 260 wpm. The only goal I had at the time of taking that test was

Clerk of the Appellate Courts
April 3, 1992
Page 2

to attain the Certificate of Merit, not to determine whether or not I would remain an Official Reporter. With the amount of significance Justice Keith intends to place on the RPR examination, I don't know how I would react to the testing at 225 wpm. I would presume that any professional asked to retake their licensing test would react in the same fashion, wondering if they can withstand the stress of the test but knowing that they are competent to practice in their chosen field. This requirement is inconsistent with any other professional testing requirement in the judiciary or state.

I strongly urge that the Proposed Order of March 13, 1992, be rejected and that consideration be given to the notion of working with reporters to establish requirements that would be more tolerable. Thank you for your consideration.

Sincerely,


Mary C. Boom
Official Court Reporter

MICHELLE L. JORGENSON

District Court Reporter
Seventh Judicial District



Otter Tail County Courthouse
Fergus Falls, MN 56537
Phone (218) 739-2271, Ext. 263

April 13, 1992

Registered Professional Reporter

OFFICE OF
APPELLATE COURTS

APR 16 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications for Court Reporters
Proposed Supreme Court Order dated March 13, 1992

Dear Sir or Madam:

Thank you for the opportunity to respond to the Supreme Court's proposal regarding qualification of court reporters. I would like to take advantage of this invitation for comment by expressing various concerns with the proposal.

I have been working in my chosen field of court reporting since June 1984. I completed my Registered Professional Reporter examination in November of 1984 and attained my Certificate of Merit last May. I was required to take two-voice question/answer dictation at 260 words per minute to attain my Certificate of Merit. I am currently an official reporter in the Seventh Judicial District, and every day I work I am honing my reporting skills.

I wholly disagree with the indication the Supreme Court received that significant problems exist with the competency of currently practicing court reporters. If there are problems that arise, the Appellate Court has several safeguards already in place to deal with problems in transcript delays; and the very nature of an official reporter's employment at the pleasure of their appointing judge will take care of any other conflicts. Freelance reporters deal with the scrutiny of their clients. If the client is not satisfied, I would presume they take corrective measures.

I want to express my concern for the proposal that reporters will need to retake the RPR examination every six years. I support professional testing as being imperative for the entry-level individual. However, once an individual is working in their chosen profession and is gaining valuable experience every day, there is no need to periodically test again. Personal growth is accomplished through continuing education.

I agree with the proposal that each reporter should certify that s/he has successfully completed the Registered Professional Reporter examination. I strongly disagree with the proposal of retesting every six years. Once there is RPR certification, I

Clerk of the Appellate Courts
Page 2
April 13, 1992

believe that is sufficient, along with meeting the necessary continuing education requirements.

A reporter who has remained in the profession for several years has learned from experience what it takes to be a good reporter. I personally feel after seven-plus years of experience as a reporter I am fully qualified for my position as an official reporter, and retesting every six years would be of no benefit.

I respectfully ask that you reconsider your proposed Order dated March 13, 1992. The thrust of this Order will have a significant impact upon the court reporting profession; and, therefore, there needs to be further discussion and input from members of the judiciary and representatives from the Minnesota Court Reporters Association before implementing an Order affecting qualifications for court reporters.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,



Michelle L. Jorgenson, R.P.R., C.M.
District Court Reporter

cc: Kathleen Czar
Executive Director
Minnesota Court Reporters Association
P. O. Box 433
Stillwater, MN 55082

ASSOCIATES

ERVIN G. GROSS
DONALD G. HESSBURG
NOEL TRIDEN
ALAN KUNDE
RICHARD K. AUGUSTINE
JAMES M. TRAPSKIN
DOROTHY MC CORMACK
PATRICIA MC LEAN
TERRANCE A. FAUSKEE
LYNDA PLUNKETT-WRIGHT
KIMBERLY WOOD
MARK HEGLE
MARCIA KLADEK
VICKI GARDNER

*retired

RAY J. LERSCHEN & ASSOCIATES

COURT - DEPOSITION - GENERAL REPORTING
VIDEO TAPING



620 PLYMOUTH BUILDING
MINNEAPOLIS, MINNESOTA 55402

TEL: (612) 341-2122
FAX: (612) 336-4420
1-800-225-0753

KRISTINE MOUSSEAU
PAM GEISINGER
BARBARA EGGERTH
HART ERICKSON
MARY ALDORFER
LORRAINE MATUSESKI
BARBARA STROIA
CHRISTOPHER J. HEGLE
RANDALL OLSON
KATHY L. SOPER
RONALD J. MOEN
ROBIN M. RITSCH
MARSHA DUMEZ
JEAN DILLON
ROSE SODERBERG

April 13, 1992

OFFICE OF
APPELLATE COURTS

APR 15 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Dear Ms. Czar:

I am writing in regard to the controversy requiring all Minnesota court reporters to pass a state CSR/RPR test.

I have been a practicing court reporter for two years at the reputable firm of Ray J. Lerschen and Associates. Upon making it through my first year as a professional reporter, I feel I have proven my ability in this field. My father is Ervin George Gross, past president of both the National Shorthand Reporters Association and the Minnesota Court Reporters Association. Therefore, I have been exposed to the field of court reporting all of my life. I firmly believe I have the same pride in this field as my father did. I am a practicing member of the National Shorthand Reporters Association and have attended numerous seminars. I attended a portion of my education in San Francisco, California and completed the program in Minneapolis; therefore, I am well aware of the requirements of a graduating reporter.

It is my belief, first of all, that a state CSR would not distinguish between the skilled and the unskilled. As each court reporter knows, passing a test does not prove the competence and common sense of a professional court reporter.

Secondly, current practicing reporters of a year have proven their skills and abilities by graduating from an accredited school and practicing in a very competitive marketplace and it is my feeling they should be grandfathered in.

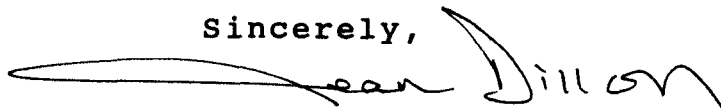
Thirdly, it is unfortunate that there are some reporters that lack common sense and do not have the pride in their work in order to deliver a product to the attorney/court system that does not meet up to the professional standards of a quality and verbatim transcript. Rest assured, having a state CSR would not enhance these certain reporters' work ethic.

I firmly believe continuing education is important to stay up-to-date in this computer-aided field. Integrating a state test would not force reporters to stay abreast of changing technology and it would not help them in their day-to-day reporting practices. It is not feasible to require all of the practicing reporters to quickly pass this state test before July 1992.

If, for some reason, the State of Minnesota enacts the CSR/RPR test, there should be absolutely no reason to pass it every six years. That, basically, proves my point that a state examination of this sort proves nothing. As you know, lawyers, judges, doctors, and nurses are not required to retake their board every six years. It is redundant to have practicing court reporters, first of all, pass the stringent requirements of an accredited school and then to have to pass the CSR or RPR equivalent.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink that reads "Jean Gross-Dillon". The signature is written in a cursive style with a long horizontal stroke under the name.

Jean Gross-Dillon

ASSOCIATES

* ERVIN G. GROSS
DONALD G. HESSBURG
NOEL TRIDEN
ALAN KUNDE
RICHARD K. AUGUSTINE
JAMES M. TRAPSKIN
DOROTHY MC CORMACK
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* retired

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TEL: (612) 341-2122
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KRISTINE MOUSSEAU
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April 13, 1992

OFFICE OF
APPELLATE COURTS

APR 16 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Dear Ms. Czar:

I am writing in regard to the controversy requiring all Minnesota court reporters to pass a state CSR/RPR test.

I'd like to tell you a little bit about myself. I have been practicing in this field for eight years. I practiced for two years in Portland, Maine. I've practiced in the State of Minnesota for six years at the reputable court reporting firm of Ray J. Lerschen and Associates. I was fortunate enough to have been chosen to fly to Puerto Rico for the San Juan Dupont Plaza fire case in 1988. I also have taken a large amount of the Midwest Federal/Green Tree litigation, Endotronics litigation and the Stroh discrimination case currently in litigation.

I have taught court reporting night school classes at Rasmussen Business College for two years so I am up-to-date on the requirements of graduating students.

Because of the slowdowns in our business, I decided to take the California CSR, which is known to be the most difficult CSR in the United States. I was one of the lucky 132 out of 535 to pass. Three out of the six reporters from my firm did not pass. I respect the quality of their work product and their pride in their profession. I sincerely feel that passing the California CSR does not prove I'm a better reporter than those who did not.

It is my belief, first of all, that a state CSR would not distinguish between the skilled and the unskilled. As each court reporter knows, passing a test does not prove the competence and common sense of a professional court reporter.

Secondly, current practicing reporters of a year have proven their skills and abilities by graduating from an accredited school and practicing in a very competitive marketplace and it is my feeling they should be grandfathered in.

Thirdly, it is unfortunate that there are some reporters that lack common sense and do not have the pride in their work in order to deliver a product to the attorney/court system that does not meet up to the professional standards of a quality and verbatim transcript. Rest assured, having a state CSR would not enhance these certain reporters' work ethic.

I firmly believe continuing education is important to stay up-to-date in this computer-aided field. Integrating a state test would not force reporters to stay abreast of changing technology and it would not help them in their day-to-day reporting practices. It is not feasible to require all of the practicing reporters to quickly pass this state test before July 1992.

If, for some reason, the State of Minnesota enacts the CSR/RPR test, there should be absolutely no reason to pass it every six years. That, basically, proves my point that a state examination of this sort proves nothing. As you know, lawyers, judges, doctors, and nurses are not required to retake their board every six years. It is redundant to have practicing court reporters, first of all, pass the stringent requirements of an accredited school and then to have to pass the CSR or RPR equivalent.

Thank you for your attention in this matter.

Singerely,



Lorraine Matuseski
California CSR

Nancy J. Meyer

Registered Professional Reporter

March 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 16 1992

FILED

Re: Minimum Qualifications for Court Reporters.

Gentlemen:

This letter is in opposition to the proposed order dated March 13, 1992, concerning the qualifications of court reporters.

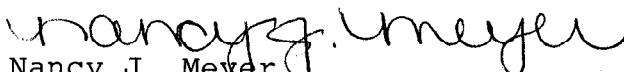
I would strongly encourage the Supreme Court to make a provision to certify qualified reporters who are currently working in the field without testing; i.e., years of experience or successful completion of the RPR or CM examination without any boundaries on time.

The proposed requirement for retesting for court reporters is unnecessary and burdensome due to the fact that we are continually updating our education. This requirement also is inconsistent with any other professional testing in the judiciary or the state.

I would ask that you sit down and talk with the court reporters of Minnesota so that a mutually agreeable order can be reached.

Thank you for your time and consideration.

Sincerely,


Nancy J. Meyer
Registered Professional Reporter



DISTRICT COURT OF MINNESOTA
TENTH JUDICIAL DISTRICT



DONALD J. VENNE
JUDGE OF DISTRICT COURT

CHAMBERS
ANOKA COUNTY COURTHOUSE
ANOKA, MINNESOTA 55303
(612) 422-7440

April 7, 1992

The Honorable A. M. Keith
Chief Justice
Minnesota Supreme Court
427 Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 16 1992

FILED

RE: Court Reporter Certification Order

Dear Mr. Chief Justice:

I understand that you are being asked to modify your position with respect to court reporter certification, as you have outlined it in your order of March 13, 1992. I would encourage you not to abandon the basic procedure which you have adopted.

Having reviewed the legislative proposal for a certification board, I take great issue with that approach, which has several undesirable effects, as follows:

1. The court reporter, who is now the direct employee of the judge, subject to his or her supervision and discipline, under the bill becomes a hybrid. The judge for the time being still hires and fires, but the certification board has the power to discipline, including the power to suspend. It seems to me that that approach invites irreconcilable conflict. An employer who supervises the employee's entire work responsibilities is in the best position to determine whether, under the totality of the circumstances, that person is performing properly. Dividing the supervision makes that impossible.

To adopt the certification bill approach would be analogous to your giving authority over your own staff to another body. Judges need staff support, and they need to have dedicated staff whom they supervise without interference. I have never seen people at any professional level similar to that of a judge who do not have significant direct staff support. Most executives, both in the government and in private sector enterprises, have their own staff. Judges are certainly not over-staffed, and we should not be asked to give up control over that dedicated, judge-supervised staff which we now have.

2. The bill constitutes a breach of the separation of powers doctrine, for reasons I need not elaborate, since I know you have been considering them.

The Honorable A. M. Keith
April 7, 1992
Page 2

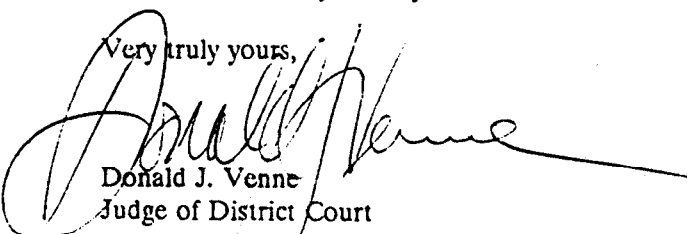
3. The bill creates an unnecessary bureaucratic system, where a perfectly adequate method of certification already exists. I have long felt that the RPR certification process, already in existence, together with the required continuing education necessary to maintain RPR status, is an inexpensive and effective way to certify reporters. The procedures are already in place, an organization exists, and no additional government agency is required. The certifying agency can certify that the reporter is in good standing with respect to testing and credits, and the State Court Administrator or the District Administrator can maintain records of the same.

With regard to your order of March 13, 1992, that approach seems most sensible to me, in that it does not create significant new government activity, and it leaves the supervision in the hands of the direct employer, the judge who hires the reporter. The only changes in procedure I would recommend are the following:

1. A reporter who has attained and maintained RPR status should not have to retest every six years. This serves no useful purpose, and is not required of other professionals, most notably the lawyers of our state.
2. Whether you leave the order unchanged or modify it to remove the retesting provision, I suggest that any Official Court Reporter who has at least 5 years of service should be grandfathered. Those people have proven their capability by their years of successful daiiy service.

Thank you for your consideration of these comments.

Very truly yours,



Donald J. Venne
Judge of District Court

DJV/abm
c:\work\keith2.ltr

OFFICE OF
APPELLATE COURTS

APR 15 1992

FILED

April 13, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: ORDER OF SUPREME COURT REGARDING MINIMUM
QUALIFICATIONS FOR COURT REPORTERS

Dear Judges of the Supreme Court:

It is with great concern that I am writing in response to the proposed Order of the Supreme Court regarding the court reporting profession. While I support the requirement for the certification of court reporters in the state of Minnesota, I think it is beneficial to all to strike some neutral ground.

Retesting of court reporters every six years is absolutely absurd! Are lawyers required to take the bar every six years to continue practicing law? Do doctors have to pass their boards every six years to practice medicine? Quite frankly, I feel that once the RPR examination is passed, that should constitute a lifetime certification to be a court reporter contingent upon completion of a required amount of continuing education credits.

You may not be aware that the RPR examination is only offered twice a year with both a written and a skills portion which are graded separately. If a reporter fails one portion of that test, he or she will not be issued their certification. This puts a significant amount of anxiety on the practicing reporter to recognize that his or her entire career is on the line, so to speak, every six years. Repercussions of this retesting could possibly eliminate several competent court reporters just because of the increased stress of "having to pass," thus creating a shortage of court reporters, which, in turn, could slow the legal process even more and result in higher costs borne by the litigants.

In essence, possible solutions are as follows:

- 1) Once the RPR examination is passed, a reporter must meet the required continuing education credits to maintain his or her certification.

Page two
April 13, 1992

- 2) A grandfathering clause to the Bill which states that an individual actively engaged as a shorthand court reporter on the effective date of this Bill be registered as a Minnesota certified shorthand court reporter without the need for the individual to take a certification test.
- 3) That there be a system established to provide a way for any party involved in the legal process to address concerns regarding incompetent and unethical practices of court reporters.
- 4) That testing be provided for any future court reporting school graduates.

Thank you for giving me the opportunity to express my view on this matter. Hopefully we will be able to reach a decision that is mutually beneficial to all persons involved in the legal process.

Sincerely,

Jan Jansen, Court Reporter
2227 Woodlynn Avenue
Maplewood, MN 55109
(612) 770-2789

Schultz & Sorenson

REPORTING, Inc.

April 12, 1992

Minnesota Supreme Court
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 14 1992

FILED

Your Honors:

Thank you for giving all reporters in Minnesota a chance to respond to the Order/proposal dated 3/13/92 regarding minimum qualifications for court reporters.

Speaking as a firm owner and as an individual reporter, there is no question in my mind that CSR is imperative for the future of our profession. I've dealt with far too many students who are not sufficiently prepared for the myriad of testimony and procedures dealt with every day in court reporting and also far too many reporters engaging in unethical practices, with no recourse to deal with these matters. CSR could be extremely helpful in these two areas.

The continuing education offered both nationally and at the state level is excellent, but available only for those who choose to partake. Registered Professional Reporter (RPR) and Certificate of Merit (CM) examinations are given by the National Court Reporters Association biannually, but, again, it's one's personal choice whether or not to attain such status. To keep either your RPR or CM status, you must earn continuing education points. These same stringent requirements could be implemented for CSR status.

Retesting of court reporters every six years is not consistent with any requirements imposed on other legal-related professions within the state of Minnesota, nor is it a viable solution in dealing with ethical questions arising in our profession, a profession where all costs are borne by the litigants at a rate of \$3 billion per year.

As court reporting stands in Minnesota today, we have no certification required for competency, no entity to go to which can/will act on ethical issues involving our profession, and no way of keeping all reporters abreast of Rule changes and changes in procedures. CSR would meet all these needs.

I encourage the Supreme Court to meet with the Joint MFCRA/
MCRA CSR Committee, a committee aware of the situations unique
to our profession, and develop a plan acceptable to both parties.

Thank you for your time and consideration.

Sincerely,



Cindy L. Schultz, RPR, CM

cc: Minnesota Freelance Court Reporters Association

Ronald O. Finstad
Freelance Court Reporter
Suite No. 214
3320 Louisiana Avenue South
St. Louis Park, MN 55426-4

OFFICE OF
APPELLATE COURTS

APR 14 1992

FILED

April 13, 1992

The Honorable A. M. Keith
Chief Justice of the Supreme Court of Minnesota
25 Constitution Avenue
St. Paul, MN 55155

In re Minimum Qualifications for Court Reporters

Sir:

Thank you for providing this opportunity to communicate my feelings about the adoption of administrative provisions that bear directly on my profession.

I support the requirement that testing should be provided to certify the qualifications of court reporters. However, I think that reporters who have been practicing and have had no complaints lodged against them from the legal community should be grandfathered in. If proof of competency is necessary, I support the idea of having a set number of attorneys and/or judges familiar with the reporter's work product attest to the reporter's competency.

I support the requirement that all court reporters, regardless of the amount of time practicing, should complete a specified number of continuing education credits within a certain time period. This requirement would be in conformance with the requirements of most other professions.

I support the idea that there needs to be a body in place to establish guidelines for court reporters to follow. This same body could address problems regarding competency and matters dealing with questionable ethics of reporters.

The Honorable A. M. Keith
Page 2
April 13, 1992

I support the idea that official reporters and freelance reporters should operate under the same administrative provisions.

I support the idea of having reporters registered so there is a means of communicating changes in rules and procedures in an orderly and documented fashion.

I do not support the idea of a certification requirement that mandates membership in one national association. At the present time, the only way to take the RPR exam is to be a member of the National Court Reporters Association. The annual dues are \$135, and there is an additional test fee of \$75. Also, the test is only offered two times annually. If the effective date of an adopted administrative provision requiring RPR testing is July 1, 1993, that would provide for only two testing dates for reporters to qualify.

Thank you for your consideration in this matter.

Yours very truly,



Ronald O. Finstad
Court Reporter

enclosures - eight copies
cc: Minnesota Freelance Court Reporters Association



Logan & Styrbicki

COURT REPORTERS

1702 AMERICAN NATIONAL BANK BLDG.

SAINT PAUL, MINNESOTA 55101

PHONE (612) 291-1095

FAX (612) 297-6884

PARTNERS:

VERN J. LOGAN
LEO J. STYRBICKI
JOHN E. STYRBICKI
BERNARD A. LILJA
GERALD D. SCHISLER
ROBERT W. WALSH
JOHN A. DUNTON

April 8, 1992

Clerk of Appellate Court
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURT

APR 13 1992

FILED

RE: Minimum Qualifications for Court Reporters

To Whom It May Concern:

Maintaining the quality of my profession is, of course, a primary concern. The means of ensuring quality is open to debate. I am opposed to the proposal by the Minnesota Supreme Court on minimum qualifications for court reporters.

If you are going to have any kind of testing, I suggest it start and end with beginning reporters, those with three or less years of experience. If there is an issue of competency, I feel that is where it lies.

As a reporter with 25 years of experience, I feel that a competency test is totally unnecessary. I'm sure that I speak for many fellow reporters of many years of demonstrated experience when I state that the blanket testing requirement for the entire profession is not only unnecessary, but also logistically and logically a problem.

In conclusion, the proposed requirement for retesting is unnecessary, burdensome and inconsistent with any other professional testing requirement in the judiciary or the state.

Please work with the Minnesota Court Reporters Association and the reporters appointed to the Conference of Chief Judges CSR subcommittee so that we can have quality in our profession.

Sincerely,

Gerald D. Schissler
Court Reporter

JEFFREY J. WATCZAK
COURT REPORTER Phone: 726-2567
ROOM 423, COURTHOUSE
DULUTH, MN 55801

March 26, 1992

OFFICE OF
APPELLATE COURTS

MAR 30 1992

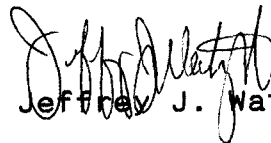
Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

Enclosed please find nine copies of my input regarding Chief Justice Keith's March 13, 1992 order concerning minimum qualifications for court reporters.

Thank you.

Sincerely,



Jeffrey J. Watczak



BALLMAN

COURT REPORTING, INC.

2039 Morgan Avenue ■ Saint Paul, Minnesota 55116 ■ (612) 690-5093

April 9, 1992

Minnesota Supreme Court
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 13 1992

RE: Minimum Qualifications for Court Reporters

FILED

Dear Judges of the Supreme Court:

I would like to respectfully state my opposition to the proposed Order of Chief Justice Keith dated March 13, 1992.

My first objection is, the proposed Order addresses only one issue--that of competency--and ignores the many other reasons for implementing CCR in Minnesota.

Secondly, I oppose the way in which the Order addresses the issue of competency (mandatory testing of ALL reporters with retesting every six years). I feel it is unduly burdensome and, in fact, totally unnecessary. I don't see a widespread problem with court reporter incompetency as being the real issue here. In my mind, the primary purpose for having CCR in place would be to have a governing body that all reporters would have to answer to in terms of ethics and minimum qualifications; to 'rule' on previously-unanswered questions such as how long a reporter HAS to save his/her notes. I also believe it to be important that ALL reporters participate in continuing education, as is required in most other professions; it shouldn't be an option.

I would urge you to work with the joint MFCRA/MCRA CCR Committee in an effort to adopt CCR language that is acceptable to all.

Thank you for allowing me the opportunity to express my opinions on this matter.

Sincerely,

Jan Ballman
Freelance Court Reporter

Lisa Richardson, RPR
Post Office Box 62272
St. Louis Park, MN 55426

OFFICE OF
APPELLATE COURTS

APR 10 1992

April 6, 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Proposed Order for Minimum Qualifications for Court
Reporters

To Whom It May Concern:

I am writing in response to the proposed order of the Supreme Court regarding the minimum qualifications for court reporters. I have been a court reporter for sixteen years now, having graduated from an NCRA-accredited court reporting school here in Minnesota. I also have tested twice for the Registered Professional Reporter certificate, passing both times, and also have three of four parts of my Certificate of Merit. I work at the present time for a freelance agency, and I have worked in the court system in Florida. I also have done closed-captioning for three television stations, and do quite a bit of real-time reporting for several different programs for the deaf and hard-of-hearing, including some State agencies.

In my experience in the state of Minnesota, as well as the state of Florida, I have encountered many very qualified reporters as well as incompetent reporters. As in many other occupations, you have some "bad apples" with the good.

I feel very strongly that the state of Minnesota needs to have some way to assure the competency of its court reporters, but I do feel the proposed requirement for retesting is unnecessary, and also goes too far. I know of no other profession that requires its participants to retake their certifying test every six years or, for that matter, ever. Most use the same type of system as our National Court Reporters Association.

Once a reporter has passed the RPR test, in order to maintain it, one must obtain 30 continuing education credits every three years. This requires going to seminars, conventions, doing book reports, and also requires spending the money to do those things. If someone doesn't care about the job they do, I don't think they're going to spend the necessary time or money to join any of the associations, take the tests, much less the continuing education credits.

I also feel that filing a notarized copy with the State Court Administrator is unnecessary. The national association, NCRA, keeps very accurate records regarding RPR status, and I'm sure the state associations would do the same, once a system is in place for a CSR certification.

I feel there should be some sort of reciprocity between the RPR and CSR tests, and once you have passed these tests, you must then maintain the certification with the continuing education credits I spoke of earlier. Perhaps this is the starting place for weeding out the "bad apples."

I am a member of both state associations, the Minnesota Court Reporters Association and the Minnesota Freelance Court Reporters Association. I know that both associations have worked hard on this issue, and I would urge you to work with them and the reporters appointed to the Conference of Chief Judges CSR subcommittee to develop a proposal that is acceptable and fair to everyone in the judicial system.

Also, many other states have CSR certification, and perhaps it would benefit everyone working on this issue to see how other places have implemented this type of program. Perhaps these other states could provide some guidance on instituting something of this magnitude.

I understand the concern you all may have when hearing of "significant problems" existing within the court reporting field. I want to assure all of you that, by and large, most court reporters are extremely dedicated to their careers and want some type of certification to keep up the standards to which they have been adhering. We are like many other professions and simply want to do the best job we can.

Simply put, I oppose the proposed order as stated. I feel there is a way to go about the CSR process but this is taking it to an extreme. I don't feel we should be required to do any more or less than any other profession may require, including, perhaps, the legal and judiciary professions.

In closing, I feel the proposed order is at least a starting place for discussion, and I would hope everyone would work together for a satisfactory and acceptable conclusion to all parties involved.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Richardson". The signature is written in black ink and is positioned above the typed name.

Lisa Richardson, RPR

cc MCRA

OFFICE OF
KIMBERLY D. LECLAIRE
DISTRICT COURT REPORTER

WRIGHT COUNTY COURTHOUSE
10 N.W. 2nd Street
Buffalo, Minnesota 55313
(612) 682-3900
339-6881 (Metro)
1-800-362-3667 (Wats)

SHERBURNE COUNTY GOVERNMENT CENTER
13880 Highway 10
P.O. Box 318
Elk River, Minnesota 55330
(612) 441-3844

April 8, 1992

Justice A. M. Keith
Capitol Building
75 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 09 1992

FILED

Dear Justice Keith:

On March 13, 1992, an Order/proposal was issued regarding Minimum Qualifications for Court Reporters. In the last paragraph of that Order/proposal it asked for statements in support or opposition.

I have been working as an official court reporter in the Tenth Judicial District for nine years. I am not aware of any complaints regarding my work product or the timeliness of preparing the same.

I feel it is unnecessary and cumbersome to require retesting every six years.

There needs to be further discussion between the court reporters and the Minnesota District Judges Association. I pray we can work together to uphold and insure the integrity of the judiciary.

Yours truly,



Kimberly D. LeClaire
Court Reporter

MONDAY, APRIL 6, 1992

BARBARA J. NELSON
BARBARA J. NELSON & ASSOCIATES
1241 ALAMEDA STREET
ST. PAUL, MN 55117

OFFICE OF
APPELLATE COURTS

APR 09 1992

FILED

CLERK OF THE APPELLATE COURTS
25 CONSTITUTION AVENUE
ST. PAUL, MN 55115

re: MINIMUM QUALIFICATIONS FOR COURT REPORTERS

DEAR MADAM/SIR,

I AM WRITING IN OPPOSITION TO THE ORDER DATED MARCH 13, 1992, SUBMITTED BY CHIEF JUSTICE A. M. KEITH CONCERNING MINIMUM QUALIFICATIONS FOR COURT REPORTERS.

THIS IS MY SEVENTEENTH YEAR WORKING AS A PROFESSIONAL FREELANCE COURT REPORTER. I BELONG TO THE MINNESOTA FREELANCE COURT REPORTERS ASSOCIATION. I HAVE WORKED ALL THE FIELDS OF THIS PROFESSION: UNITED STATES OFFICIAL REPORTER FOR THE FEDERAL GOVERNMENT WITH GOVERNMENT CONTRACTS, A FREELANCER WORKING OVERLOAD DEPOSITIONS FOR VARIOUS COURT REPORTING AGENCIES, A SUBSTITUTE COURT REPORTER IN THE RAMSEY COUNTY COURT SYSTEM, AND AS AN OWNER OF MY OWN COURT REPORTING BUSINESS WITH STATE CONTRACTS AND A VERY NICE CLIENTELE.

I FEEL THAT I AM A VERY GOOD REPORTER. CLIENTS HAVE SAID ON THE RECORD THAT I AM AN EXCELLENT REPORTER.

I HAVE NEVER TAKEN THE RPR TEST. I DO NOT WISH TO DO SO NOW. THE QUALITY OF MY WORK IS VERY GOOD. IT HAS TO BE FOR ME TO HAVE BEEN IN THIS PROFESSION FOR SO LONG.

IF A PERSON IS NOT A GOOD REPORTER, HE OR SHE WOULD NEVER HAVE GOTTEN OUT OF SCHOOL, LET ALONE LAST A WEEK ON THE JOB.

I FEEL THIS IS JUST ANOTHER WAY FOR SOMEBODY OR SOME ORGANIZATION TO MAKE A LOT OF MONEY ON RPR TEST APPLICATIONS, OR FIX SOMETHING THAT ISN'T BROKEN, OR ADD MORE STRESS TO WHAT SOMETIMES CAN BE A VERY STRESSFUL JOB.

I LOVE MY CAREER OF COURT REPORTING. I AM VERY GOOD AT IT. I CANNOT SEE MY LIVELIHOOD JEOPARDIZED OR HINGE ON THE

PROSPECT OF PASSING OR NOT PASSING AN RPR TEST. THIS IS RIDICULOUS. I CANNOT BELIEVE THE MAJORITY OF COURT REPORTERS IN THIS STATE ARE SUPPORTING THIS ORDER. I CAN UNDERSTAND, PERHAPS, THE OFFICIALS OF THE ASSOCIATIONS FAVORING IT. THERE IS MONEY TO BE MADE HERE.

I HAVE AN ALTERNATIVE TO SUGGEST. I WOULD RATHER SUBMIT SIGNED STATEMENTS OR AFFIDAVITS FROM MY CLIENTS CONCERNING THE TRANSCRIPTS THAT I PRODUCE FOR THEM. THEY CERTAINLY WOULDN'T KEEP CALLING ON ME TO PROVIDE COURT REPORTING SERVICES IF THERE WERE ANY QUESTION AS TO MY COMPETENCY.

I CANNOT THINK OF ANY OTHER PROFESSION THAT HAS TO SUBMIT TO THIS TYPE OF TESTING EVERY SIX YEARS. ATTORNEYS, PHYSICIANS, ACCOUNTANTS OR OTHER BUSINESS PEOPLE CERTAINLY DON'T HAVE TO DO THIS.

I AM SURE THAT YOU WILL BE SEEING STATEMENTS OF OPPOSITION FROM OTHER COURT REPORTERS WHO HAVE BEEN IN THIS BUSINESS AS LONG AS I HAVE AND WHO ALSO BELONG TO THE VARIOUS ORGANIZATIONS.

WE ARE NOT KIDS ANYMORE. SCHOOL IS OUT. WE HAVE PAID OUR DUES. IF A JUDGE HAS A ROTTEN APPLE FOR A COURT REPORTER, LET THE COURT REPORTER GO. IF AN ATTORNEY RECEIVES A TRANSCRIPT THAT ISN'T UP TO SNUFF, DON'T CALL THAT AGENCY AGAIN. THERE ARE MANY REPORTERS OUT THERE TO CHOOSE FROM. I HAVE NEVER HEARD ANY OF MY COURT REPORTING RELATIVES (THERE ARE FIVE OF US) TALK ABOUT COURT REPORTERS THAT ARE OUT IN THE BUSINESS WORLD DOING AN AWFUL JOB AND GIVING OUR PROFESSION A BAD NAME.

I WOULD LIKE TO CONTINUE MAKING A LIVING (MINE IS THE SOLE INCOME IN THIS HOUSEHOLD) AS I HAVE THESE PAST SEVENTEEN YEARS WITHOUT "BIG BROTHER" INTERFERING. BECAUSE THERE IS A MAJORITY OF WOMEN IN THIS PROFESSION, I FEEL THIS IS JUST ONE MORE WAY TO "KEEP US IN OUR PLACE", WITH THE CONSTANT FEAR OF POSSIBLY LOSING OUR LIVELIHOOD.

SINCERELY,



BARBARA J. NELSON
COURT REPORTER

PC&A

PAT CARL & ASSOCIATES

March 23, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 09 1992

FILED

RE: Minimum Qualifications for Court Reporters
Order of 3/13/92

Dear Honorable Judges:

I am writing in support of your recent Order setting forth qualifications for court reporters.

There are, however, several concerns pertaining to freelance reporters that I would like to raise, since that is my business.

Competency was not the issue in the freelance world that we were hopeful you would address. The issue we were concerned about was gift incentives, i.e., bribes to secretaries and others to obtain business. I'm not sure how this evolved to become an issue of competency, but you have certainly taken care of that matter with this Order, the result of which has panicked many for fear of putting an end to their careers should they not pass the test.

The RPR is given twice annually - May and November, and it is too late to register for May, which means there are only two chances to pass it or we lose our careers. Just the fact of knowing that puts tremendous additional stress and pressure on the reporter.

Another concern is with re-testing every six years, it will greatly reduce attendance at seminars which are held semi-annually because it will not be necessary to attend these after the first three years to maintain RPR status and continuing education points because we have to re-test anyway.

My suggestion is that we learn more by attending seminars and getting education points than we do studying for the same test every six years. Therefore, I would encourage you to reconsider the re-testing requirement. I'm sure your thoughts would be similar in thinking of having to retake the bar exam every six years.

COURT REPORTING SERVICE

Clerk of Appellate Courts
March 23, 1992
Page Two

In my particular agency, I have encouraged the reporters we work with to obtain RPR status; and offer a reduction in commission to reporters that have the Certificate of Merit status, which is one notch above the RPR, and in fact have several reporters that are working on the Certificate of Excellence status, which is two notches above RPR. You are now asking these people to go back and retake the RPR when they have passed two tests beyond the RPR. This appears to be redundant, so I would also be hopeful that you will reconsider the re-testing again to allow for these factors.

Since deposition transcripts are no longer filed with the court until time of trial, No. 3 on its face would appear to indicate that if we are presently taking depositions and they aren't filed until July of 1993, that they would be inadmissible? Please clarify this point.

I sincerely appreciate your attention to these concerns, and to summarize would suggest the following:

3. That depositions taken after July 1, 1994, shall include an affidavit attesting that the court reporter has passed the registered professional court reporter examination.

Sincerely,



Patricia K. Carl
Registered Professional Reporter
05/05/90



**OLIVER,
MITCHELL
& MAVES
REPORTING**

Registered
Professional Reporters

Mary P. Mitchell
Deborah A. Maves
Kelley E. Zilles
Jane C. Norman
Elizabeth J. Gangl
Staci Williams
Mary E. Moore

1028 Northstar East
608 Second Ave. South
Minneapolis, MN 55402
(612) 339-7593
Fax (612) 349-5230

April 7, 1992

OFFICE OF
APPELLATE COURTS

APR 09 1992

The Honorable A. M. Keith
Chief Justice of the Supreme Court
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Dear Judge Keith:

As a freelance court reporter in the state of Minnesota, I am writing to tell you of my concern related to the order which was proposed as minimum qualifications for court reporters.

When a CSR requirement was first discussed among the membership of the two court reporter professional organizations in the state, I looked upon our quest with pride. I felt a CSR requirement would help move my occupation into the more professional status that I strive for through my services. When I was a member of the teaching profession, I was licensed; when I managed a real estate development company, the real estate sales people I worked with were licensed. I was pleased to support licensing within my court reporting profession.

I felt the CSR requirement would aid the legal community, especially the courts, in monitoring the people who are responsible for one of the most important aspects of a lawsuit or court proceedings, the written record of the proceeding. I felt the CSR would give court reporters the ability to monitor each other, setting standards that would not only further our profession but also guarantee that the legal community could expect continuity of product and services. I also felt the CSR would aid in the monitoring of new reporters, helping them to become qualified, experienced court reporters.

I believe that the order you have proposed does not touch on any of the most important aspects of a CSR; instead it seems to have been written to do nothing more than burden court reporters with testing requirements. The testing requirements you have proposed are more stringent than any other professional testing requirements in the state or the judiciary. Lawyers, accountants, and real estate agents, to name a few, are not retested at intervals.

The Honorable A. M. Keith
April 7, 1992
Page 2


I have been reporting for eight years and have been involved in the profession for 17 years. I have attained the status of Registered Professional Reporter by taking and passing the National Court Reporters Association RPR test. I am planning to add to my qualifications by becoming certified as a real-time reporter. I strongly feel that working reporters with the experience and/or certifications such as RPR, CM, or CSR from another state should not have to test to become CSR certified. Reporters who are in the industry now should be automatically certified.

I was surprised by provision No. 2, which requires retesting every six years. A speed test is not the evaluation of a qualified reporter. A much more productive requirement would be continuing education. Seminars are the avenue by which working reporters learn about new technology, subject matter applicable to present-day litigation, and have the opportunity to meet with other reporters. I am strongly opposed to the proposed retesting requirement and encourage you to instead adopt requirements for continuing education.

I believe that the majority of reporters in the state of Minnesota are highly competent. The Twin Cities area especially is very competitive and reporters in this area are forced to stay abreast of the latest technology and happenings in the court reporting field.

I encourage you to work with the MCRA and MFCRA and the reporters appointed to the Conference of Chief Judges CSR Subcommittee to develop an order that will be acceptable to all.

Very truly yours,


Deborah A. Maves, RPR

TODD S. WICKLANDER
REGISTERED PROFESSIONAL REPORTER
CERTIFIED SHORTHAND REPORTER



Third Judicial District
Rice County Courthouse
218 N.W. Third Street
Faribault, Minnesota 55021
(507) 332-6100
FAX (507) 332-6199

April 2, 1992

OFFICE OF
APPELLATE COURTS

APR 8 1992

FILED

The Honorable A.M. Keith
Chief Justice - Minnesota Supreme Court
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Order Regarding Minimum Qualifications
for Court Reporters

Dear Chief Justice Keith:

As an RPR/CSR (Nevada), Minnesota Court Reporters Association (MCRA) board member and court reporter representative to the State Funding Personnel Work Group, I wish to document my strong opposition to the Supreme Court proposal of March 13, 1992.

This proposal misrepresents the position of MCRA and does not satisfactorily address the CSR issues. It really appears to be simply punitive for having dared do something positive for not only the court reporting profession, but also the court system and the public.

CSR is not simply a speed test. It's about professionalism and integrity in court reporting, which can only benefit the system. Significant problems with competency do not exist. However, what harm can possibly result from a self-funding CSR program as originally offered? Because it creates a board, it would not be a further burden on the Supreme Court.

I realize that professionalism in court reporting is inconsistent with state court administration's goals, and this apparently is the impetus for organizing the last-minute CSR opposition. With CSR court reporters were attempting to respond to concerns of the Appellate Court. To subject us to repeated testing is not only unnecessary but does nothing to address those concerns.

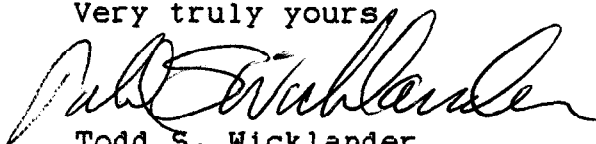
To argue that CSR through the Legislature is an unwarranted intrusion of the Legislature in the internal affairs of the Judiciary just skirts the issue. The focus of all concerned should be to provide the highest level of professionalism and quality in the court record, and when that process can be furthered at absolutely no cost to the state, the opposition is warrantless.

The Honorable A.M. Keith
April 2, 1992
Page Two

I urge you to reconsider the fairness of the Supreme Court proposal of March 13, 1992. The State of Minnesota court system, as well as the court reporting profession and the public, would best be served by adopting a CSR program such as 34 other states have already done.

I appreciate the opportunity to communicate on this issue.

Very truly yours,



Todd S. Wicklander
Registered Professional Reporter

TSW

cc: Hon. Bernard E. Borene
MCRA Board

April 2, 1992

OFFICE OF
APPELLATE COURTS

APR 8 1992

FILED

The Honorable A. M. Keith
c/o Clerk of Appellate Courts
25 Constitution Ave.
St. Paul, MN. 55155

Dear Chief Justice Keith:

I am writing this letter to oppose the proposed Order as to the CSR for court reporters.

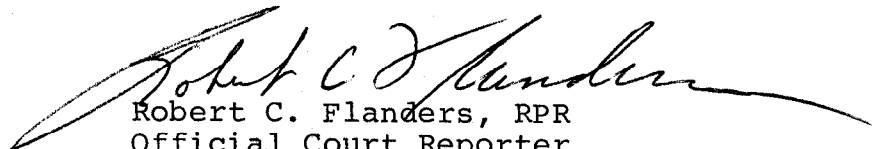
In my 20 years of court reporting I do not recall having heard of any court reporter's competency come into question.

For many years I was on the Certification and Testing Committee of our state association and have witnessed personally the efforts court reporters make to strive to be the best court reporters possible.

I am in favor of CSR qualifications, but not as presently proposed.

Thank you for your consideration in this matter.

Respectfully submitted,



Robert C. Flanders, RPR
Official Court Reporter
C-359, Gov't Center
Mpls, MN. 55487

RCF/rf

OFFICE OF
APPELLATE COURTS

APR 8 1992

FILED

Mitchell J. Horsch
Chambers 1621 Courthouse
St. Paul, MN 55102

March 31, 1992

A.M. Keith, Chief Justice
The Supreme Court of Minnesota
25 Constitution Avenue
Saint Paul, Minnesota 55155

Dear Justice Keith:

I am opposed to the recent Order dated March 13, 1992 In Re Minimum Qualifications for Court Reporters.

My understanding is that the intent of the court reporters was to set up a policy-making/self-policing body in the way that the Lawyers Board of Professional Responsibility watches over the legal profession. The court reporter's proposal is spelled out in H.F. 1819.

Thank you for your attention to this matter.

Sincerely,


Mitchell Horsch

March 24, 1992

Kathy L. Soper
620 Plymouth Building
12 S. Sixth Street
Minneapolis, Minneapolis 55402

OFFICE OF
APPELLATE COURTS

APR 07 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications for Court Reporters

Dear Sir/Madam:

In response to the proposed Order establishing minimum qualifications for court reporters in Minnesota, I support the proposal that all official and freelance stenographic reporters certify that they have passed the Registered Professional Reporter Examination by July 1, 1993.

I oppose, however, the retaking of this exam every six years for both freelance and official stenographic reporters. I am certified as an RPR and have my State certifications in both Idaho and California, and I believe that this retesting is unnecessary, burdensome and inconsistent with any other professional testing requirements.

I believe that required continuing education credits should be established in place of the retesting. English and Speed Testing skills do not change over any period of time, but technology in the field and new areas of medicine and legal situations do change and should be explored by practicing court reporters, through continuing education, keeping us abreast of the latest developments.

Sincerely,


Kathy L. Soper, CSR, RPR
Court Reporter

1001 East 80th Street - #310
Bloomington, MN 55420
April 1, 1992

OFFICE OF
APPELLATE COURTS

APR 02 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Dear Sir:

Please permit me to comment in opposition to the proposed order of the Supreme Court regarding minimum qualifications for court reporters.

1. The correct name of the association of court reporters is Minnesota Court Reporters Association, not Minnesota Shorthand Reporters Association as stated in the proposal.

2. As to Provision No. 1:

It has been the accepted rule in every state establishing a certified shorthand reporter law to include in the certification requirements a so-called grandfather clause, grandfathering in reporters with a requisite number of years of experience. It is my understanding this is general practice with respect to professions requiring certification.

This might be taken into consideration when perfecting the proposed order.

3. As to Provision No. 2:

You may not be aware that the National Court Reporters Association conducts an education program through which each Registered Professional Reporter each three years must acquire a stated number of continuing education credits in order to retain his or her RPR status; and if the requirement is not met, he or she loses the RPR status and must retake and pass the RPR examination in order to retain it.

If Provision No. 1 is effectuated, the National Court Reporters Association education program renders Provision No. 1 superfluous and unnecessary.

For the reasons set forth above I would oppose the order as drawn and suggest further consideration be given to its content.

Respectfully,

Rachel M. Lerschen

Rachel M. Lerschen,

Retired and Honorary Member of the
Minnesota Court Reporters Association,
Past President of the National Court
Reporters Association, and Founding
Fellow of the Academy of Professional
Reporters

April 1, 1992
1339 Courthouse
St. Paul, Minnesota 55102

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 02 1992

FILED

Re: Minimum Qualifications for Court Reporters

To whom it may concern:

In response to your Order of March 13, 1992, I can only respond by saying that I have been a competent court reporter for over thirty years. In that time I have met very, very few court reporters who were incompetent. Unfortunately, I do not believe that testing for speed and knowledge will weed out those few bad apples that every profession has, i.e. the person with the skills and knowledge but lacking the work habits required to produce a quality work product in a timely basis.

In the past, those reporters who were lacking skills just didn't make it -- the requirements of the job swiftly eliminated them from the field. Now, however, times have changed and it would be a fine idea to test the newcomers and prevent even that brief exposure by incompetents to the profession. But to test those already established as court reporters makes no sense at all, and it seems a very selective requirement for our profession.

A review board established to handle problems as they come up makes much more sense as any problems generally would be directed more toward timeliness of transcripts than the lack of skills.

Very truly yours,



Marianne P. Burns
Official Court Reporter

Capital Centre
Suite 1185
386 North Wabasha
St. Paul, MN 55102

March 30, 1992

OFFICE OF
APPELLATE COURTS

APR 02 1992

FILED

The Honorable A. M. Keith
Chief Justice
Minnesota Supreme Court
Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications For Court Reporters

Dear Chief Justice Keith:

As a free-lance court reporter in the state of Minnesota, I am opposed to your March 13, 1992 order. I believe the order is unnecessary and burdensome to the court reporting profession.

I agree that a CSR designation requiring minimum standards for court reporters, especially beginning reporters new to the profession, is very important. However, I am totally against the requirement proposed that working reporters need to prove that they have an RPR status received within the past six years or be retested. The proposal is unnecessary for professional working reporters, as they have already passed the critical time of post-schooling, and have had hands-on experience after that schooling. CPA's, doctors, nurses, dentists, and even lawyers do not have to be recertified. Why is it necessary for court reporters?

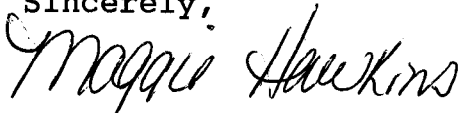
The retesting would be almost impossible to implement. The RPR exam is given twice a year, and your order as written requires that all court reporters will pass the exam by July 1, 1993, and be recertified every six years. This is logistically difficult and expensive. It requires facilities large enough to test and retest current reporters, it requires staff to give, correct, and score the test, and the expense to mail out certificates of proof to the court reporters.

Our national association is a voluntary membership association, but to be eligible to take the RPR exam, you must be a member in good standing, which forces each reporter to join and pay membership fees to an association that is supposed to be voluntary. The reporters also have to pay an additional fee to the national association each time they take the RPR exam.

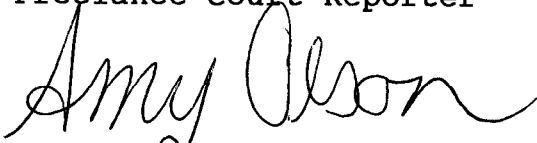
The purpose of a CSR board would be to establish minimum requirements for certification of stenographic reporters, govern ethics, and handle complaints, if any, from outside sources, therefore, I believe that a CSR board is very important to maintaining and improving the quality and knowledge of court reporters by advising current working court reporters of changes in law that affect our jobs every day. It would also implement a tracking system by numerically registering each court reporter in the state of Minnesota.

I strongly urge that you reject your proposed order of March 13, 1992, and feel there needs to be further communication between the court reporters and the Supreme Court to develop an order acceptable to all parties.

Sincerely,



Maggie Hawkins
Freelance Court Reporter



Amy Olson
Freelance Court Reporter

cc: File
MCRA

TCR

Twin City Court Reporters

Capital Centre
Suite 1185
386 North Wabasha
St. Paul, MN 55102
(612) 293-0498



"FOR THE RECORD"

March 30, 1992

The Honorable A. M. Keith
Chief Justice
Minnesota Supreme Court
Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURT
APR 02 1992

Re: Minimum Qualifications For Court Reporters

FILED

Dear Chief Justice Keith:

As the owner of a free-lance agency in St. Paul, and a current RPR, I believe that your order regarding minimum qualifications for court reporters in its present form is unnecessary and burdensome to the court reporting profession, but I do agree that a CSR designation requiring minimum standards for court reporters, especially beginning reporters new to the profession, is very important.

Please be advised, however, that I am totally against the requirement proposed that working reporters need to prove that they have an RPR status received within the past six years or be retested. The proposal is unnecessary for professional working reporters, as they have already passed the critical time of post-schooling, and have had hands-on experience after that schooling. CPA's, doctors, nurses, dentists, and even lawyers do not have to be recertified. Why is it necessary for court reporters?

The retesting would be almost impossible to implement. The RPR exam is given twice a year, and your order as written requires that all court reporters will pass the exam by July 1, 1993, and be recertified every six years. This is logistically difficult and expensive. It requires facilities large enough to test and retest current reporters, it requires staff to give, correct, and score the test, and the expense to mail out certificates of proof to the court reporters.

Our national association is a voluntary membership association, but to be eligible to take the RPR exam, you must be a member in good standing, which forces each reporter to join and pay membership fees to an association that is supposed to be voluntary. The reporters also have to pay an additional fee to the national association each time they take the RPR exam.

I believe that a CSR board would be a benefit to our profession because it would serve, in part, to advise current working court reporters of changes in law that are an integral part of our job, as well as to implement a tracking system for court reporters by numerically registering each reporter in the state of Minnesota.

I strongly urge that you reject your proposed order of March 13, 1992, and feel there needs to be further communication between the court reporters and the Supreme Court to develop an order acceptable to all parties.

Sincerely,



Kara E. Solheid
Owner/Court Reporter

cc: File
MSRA

KATHLEEN M. CONLEE
1509 RAMSEY COUNTY COURTHOUSE
ST. PAUL, MN 55102

OFFICE OF
APPELLATE COURTS

APR 02 1992

FILED

March 31, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

In re Minimum Qualifications for Court Reporters

Dear Chief Justice Keith and Members
of the Supreme Court:

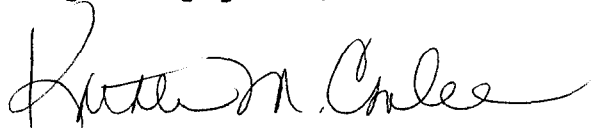
I am writing to oppose the proposed Order of the Supreme Court regarding the mandatory testing of qualified court reporters already in the court system. I strongly believe that this is unnecessary and inconsistent with any other professional testing requirement in the state.

As a court reporter, I am a member of the National Association and the Minnesota Court Reporters Association. Through these groups, I am able to further educate myself and keep up to date on the business of reporting here in Minnesota and throughout the country. I feel my educational qualifications in reporting and my years of experience all contribute to my professionalism as a reporter.

I hope that working together with the Supreme Court an agreement can be met to certify those reporters already in the system. I feel that testing is not the answer.

Thank you for your consideration.

Very truly yours,



Kathleen M. Conlee

March 30, 1992

OFFICE OF
APPELLATE COURTS

APR 02 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

RE: Order on Minimum Qualifications for Court Reporters

In response to the above order, we have the following comments:

1. We feel there should be a provision to certify qualified reporters already in the system without testing.
2. The proposed requirement for retesting is unnecessary, burdensome and inconsistent with any other professional testing requirement in the judiciary or the state. You could upgrade the requirement for credit hours to make sure reporters are keeping abreast of current issues and changes in the system.
3. We feel it is imperative for you to work with MCRA and the reporters appointed to the Conference of Chief Judges CSR subcommittee to develop an order acceptable to all parties in the judiciary.

Court reporter certification is a very important issue and every effort should be made to develop an order that would be as fair as possible to all effected parties.

Sincerely,


Sherri Lemanczyk
Court Reporting Student

d'Anne Meyers
Court Reporter

cc: MCRA





JOHNSON & DZIUK COURT REPORTERS

607 Marquette Avenue
Suite 414
Minneapolis, Minnesota 55402
(612) 333-6022 or (612) 333-8986

Pamela L. Thunnell
Linda G. Oman
Mara E. Yackel
Vicki G. Pierce
Jeanne M. Gaughan
Lisa A. Linder
Monica R. Aumann
Gina M. Fisher

March 30, 1992

The Honorable Justices of the
Minnesota Supreme Court
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 02 1992

FILED

Dear Honorable Justices and Staff:

Thank you for the opportunity to respond to the order regarding minimum qualifications of court reporters.

I appreciate the steps taken by the Court in resolving some questions involving the court reporting profession in the State of Minnesota. I support the intended action taken by the Supreme Court in preparing this order; however, I have several concerns.

One of the major concerns involves the apparent distinction between freelance reporters and official reporters. According to the order, all official reporters must certify that they have passed the RPR examination by July 1, 1993 whereas freelance reporters have to certify that they have passed the RPR examination within the last six years.

This seems to be contradictory since there are many official reporters who do freelance work and freelance reporters who do reporting in the courts. In order for this to be fair, all reporters should certify that they have passed the RPR.

I am not necessarily opposed to retesting; however, there are reporters who have tested, passed and maintained their status as a Registered Professional Reporter for more than ten or 15 years. Those reporters have met both the continuing education requirements and membership requirements set by the National Court Reporters Association.

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March 30, 1992

Page 2

The National Court Reporters Association has never required that reporters retest to maintain their RPR. I suspect that one reason for that is because the manual skill required for use in writing is not lost if that reporter is gainfully employed utilizing that skill, especially for the freelance reporter who is transcribing at a minimum 98 percent of the writing they perform. Freelance reporters are "tested" daily because of this high rate of transcription and the weekly turnaround time for those transcripts.

There are also quite a few reporters who have been working in the field for over 15 years who may not have passed the RPR but who have both the skill and the experience that is necessary for this profession. The one thing that can't be taught by the schools is experience. Reporters are faced with unique situations everyday; reporting witnesses who are from foreign countries and speak with heavy accents and reporting witnesses who are experts in fields of technology that seem to have a language all their own to name but two. These situations have very little to do with the speed at which a reporter can write.

If there does exist a significant problem with the competency of currently practicing reporters, I don't feel that the cause is necessarily due to the lack of mandatory testing or retesting of the RPR examination. The ability to write 225 words per minute on a stenographic machine is not the only skill involved with being a court reporter. Whereas making the record is the province of the Judiciary, a reporter must have the ability and knowledge to produce a legible record. That involves not only basic knowledge of the English language including punctuation, grammar and spelling, but also the ability to learn.

I would also like to point out that the Certificate of Proficiency testing (the machine portion of the test) consists of three 5-minute sessions. The testing process is certainly not representative of a real life situation and the timings are tape-recorded best-case scenarios.

March 30, 1992

Page 3

I am aware that the Minnesota Court Reporters Association in conjunction with the Minnesota Freelance Court Reporters Association presented a draft proposal to the Supreme Court dealing with a certification process for court reporters. I would like to point out that the proposal and/or opinions expressed by the two reporting associations are not necessarily the opinions of the majority of working reporters in the State of Minnesota.

I am not aware of either group conducting a poll of their members or contacting the high number of reporters who are not members of either association concerning the many important issues involved in a certification process. I know that the court reporters in the state were never asked their opinion about a proposed legislative bill. In my opinion, the governing of the court reporting profession lies with the Judiciary.

I would like to see the requirement of mandatory retesting stricken from the order and the following minimum requirements added:

- 1) High school graduate or equivalent GED;
- 2) Graduation from an NCRA-accredited court reporting program;
- 3) Verification of successful RPR testing and maintenance of RPR status, or grandfathering of reporters with more than 5 years of experience;
- 4) Mandatory continuing education;
- 5) Holder of a Notary Public Commission.

As an alternative, the above requirements along with a licensing program set up in conjunction with the Notary Public Commission and an appropriate fee attached.

If reporters are to have successfully passed the RPR examination within the last six years, I would urge the Court to extend the deadline past July 1, 1993. The RPR test is given twice a year, generally in May and November. The NCRA requires that reporters register for the examination up to three months in advance.

March 30, 1992

Page 4

All reporters who currently do not have the RPR or who have to retest because of passing the RPR more than six years ago would have to register for either the November 1992 or May 1993 examination. I believe that there would be a substantial number of reporters who would fall into that category. There is a space limitation set by the NCRA as the test is given by tape recording. This means that a large number of reporters would have to commute to other states in order to complete the RPR.

If possible I would appreciate the opportunity to address further concerns or answer any questions at a public hearing. This would allow all reporters to give you input into this extremely important issue.

Very sincerely yours,

Linda G. Oman

Linda G. Oman, RPR

OFFICE OF
APPELLATE COURTS

APR 2 1992

FILED

March 31, 1992

The Honorable A.M. Keith
C/O Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: MINIMUM QUALIFICATIONS FOR COURT REPORTERS

Dear Chief Justice Keith:

As an Official Court Reporter for the Honorable Mary Davidson Winter in the Fourth Judicial District, Hennepin County, I feel that I must respond to your Proposed Order in regard to Minimum Qualifications for Court Reporters dated March 13, 1992.

I totally agree, as I am sure any court reporter or other court personnel would, that the accuracy of the court record is of critical importance to the integrity of the court process. However, it has never been the position of the Minnesota Court Reporters Association or of the practicing court reporters that significant problems exist with the competency of the currently practicing court reporters. In fact, the certification testing process is intended to ensure that we maintain the high quality of court reporters that we currently have at the present time.

In regard to retaking the RPR examination every six years, there is absolutely no evidence that the practicing court reporters of Minnesota are incompetent; and, therefore, we should not be required to be retested. As with most professions, we further our education by obtaining CE credits to maintain the knowledge and credibility that our profession demands. We do this on our own time and at our own expense.

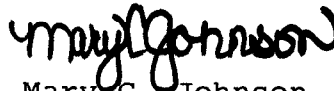
There is not one place in the United States that requires court reporters to be continually retested for their skills by retaking the RPR examination, nor are there any other professions that I know of that require retesting to maintain certification. I feel this is very impractical. Continuing education is more beneficial to us as professionals and to the court system.

Page 2
A.M. Keith Letter
March 31, 1992

I strongly urge you to reconsider your Proposed Order of March 13, 1992, and also to reconsider the proposal of the Minnesota Court Reporters Association with regard to State Certification.

Thank you.

Sincerely,



Mary C. Johnson
Official Court Reporter
C-751 Hennepin County Government Center
Minneapolis, Minnesota 55487
(612) 348-7733

KAREN M. LEBENS
1959 Courts Tower
Hennepin County Government Center
Minneapolis, Minnesota 55487

April 1, 1992

OFFICE OF
APPELLATE COURTS

APR 06 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

Dear Chief Justice Keith and Members
of the Supreme Court:

This letter comes to you as a result of your Order dated March 13, 1992 captioned In re Minimum Qualifications for Court Reporters. First, I would like to thank you for opening the doors of communication and indicating a willingness to work with court reporters in establishing a CSR in the State of Minnesota.

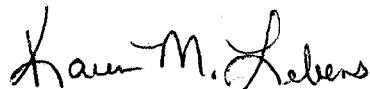
I do, however, strongly oppose the proposal outlined in your Order. It truly does not address the concerns of either court reporters or the Judiciary which our request for a CSR was designed to address. And when you consider that there is no profession which is regulated either by the Judiciary or the state that requires continual retesting, that requirement in the proposal is inconsistent, very burdensome and extremely unfair.

I believe that implementation of the proposal outlined in your Order would cause the collapse of the whole judicial system. I strongly object to the proposition that people who have successfully been working reporters for two or three years need to prove again through testing that they are competent to perform their duties. However, I do feel it would be important for a CSR to have a requirement for continuing education.

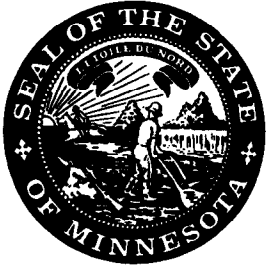
This letter could go on for pages in great detail. However, let me conclude here by requesting that we work together to develop language that is acceptable to all concerned. To that end I urge you to work with the reporters appointed to the CSR subcommittee of the Conference of Chief Judges and MCRA. They are our selected spokespeople.

Thank you for your attention to this matter.

Very truly yours,



Karen M. Lebens



OFFICE OF
APPELLATE COURTS

APR 2 1992

FILED

ROLAND J. FARICY

JUDGE, SECOND JUDICIAL DISTRICT

March 31, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Dear Chief Justice Keith and Members of the Supreme Court:

As you may be aware, the judges of the Second Judicial District unanimously supported the efforts of the Minnesota Court Reporters Association in an attempt to achieve a status of certification. We knew that there was some limited controversy throughout the state and we were aware that Judge Kevin Burke as the president of the Conference of Chief Judges gave this effort a low priority. We know, too, the value of maintaining within the judicial branch of government the right to regulate our own business. So some of us were concerned when the Reporters Association approached the legislature. But we were aware that this conduct was borne out of a frustration from unsuccessful attempts to get the support of the Chief Judges Conference. At a state judges association legislative committee meeting I listened to Judge Burke smugly report that the Court Reporters got what they deserved. It strikes me that that punitive reaction to their good faith effort is unwarranted.

It is my hope that an open dialogue on this subject within the judicial branch of government will provide a positive team work solution for all of us.

Sincerely,


Roland J. Faricy, Judge
Second Judicial District

Suite 1109
15 W. Kellogg Boulevard
Saint Paul, Minnesota 55102

612-292-7107



JOHNSON & DZIUK COURT REPORTERS

607 Marquette Avenue
Suite 414
Minneapolis, Minnesota 55402
(612) 333-6022 or (612) 333-8986

Pamela L. Thunnell
Linda G. Oman
Mara E. Yackel
Vicki G. Pierce
Jeanne M. Gaughan
Lisa A. Linder
Monica R. Aumann
Gina M. Fisher

OFFICE OF
APPELLATE COURTS

March 23, 1992

APR 2 1992

FILED

STATE OF MINNESOTA
SUPREME COURT
ATTN: Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55115

Dear Honorable Justices and Staff:

As a freelance court reporter for many years and a business owner, I would like to express to you my sincere appreciation for the order you've recently issued and the work you've done in addressing the concerns of all conscientious career court reporters in the state of Minnesota, that is, the ostensible decline of standards among our peers as a result of what I believe to be a deterioration of standards at all levels of education within the last several years. I, too, believe that passing the RPR exam would be of help in raising the standards of this highly-skilled profession in our state. However, I would respectfully object to some of the requirements as stated in the order.

I would point out that as a freelancer I object to the requirement in the first part of the order that official court reporters who have passed the RPR exam sometime in the past must retake the RPR exam at any time within the next six years, yet in part three my interpretation of the requirement for freelance court reporters is that they must retake the exam by July 1, 1993 if they have not passed the test within the last six years.

First, I would recommend in the interest of fairness that the testing be equitable for freelance and official court reporters, especially in light of the fact that full-time freelance court reporters are as proficient as and, according to practicing trial attorneys with whom we work who will corroborate this, generally more proficient than official reporters who report proceedings without producing transcripts except at time of appeal, whereas freelance reporters transcribe virtually all of their work. We are also called

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upon for demanding real time readbacks from the record at least and probably more often than official reporters. Also, we are able to produce our transcripts very quickly, many times overnight, with the highest degree of accuracy considering some of the demanding reporting situations.

I would appeal to you in the strongest possible terms to change the every-six-year requirement for RPR testing to a one-time testing requirement. The RPR exam is a stringent exam which tests mechanical skills as well as knowledge and, once passed, such skill and knowledge are retained indefinitely. It is the test recognized and administered by the National Court Reporters Association, our national association which establishes all accreditation standards for our state technical colleges. My colleagues and I would urge you to change this to be a lifetime testing requirement as opposed to every six years. We feel that retaking such a test would be akin to having attorneys, for example, retake the bar exam every six years.

As importantly, I would also urge as strongly that you consider giving a "grandfather" privilege to freelance reporters who have, for example, 15 plus years of experience in the state and who have passed the exam when it was known as the CP exam (Certificate of Proficiency). These experienced freelance reporters have infinitely more skill in turning out high-quality work than recent graduates, and I believe they also should be exempted from retaking the RPR. They graduated at a time when academic standards in school were high, and they are absolutely expert in the field. Again, this can be verified with practicing trial attorneys. That expertise is acquired not just from their academic background and strong English and spelling skills but from years of dealing with the nuances of the spoken word: dialects, accents, colloquialisms, speech impediments and the speech idiosyncrasies peculiar to each person, a skill gained only from years of turning apparent mumbo jumbo into the verbatim record.

A reporter who has passed the RPR exam by definition is required to attend state and/or national continuing education seminars put on by NSRA, MFCRA and MCRA and to earn the required number of CE points yearly, just as must nurses, attorneys and doctors. These highly-educational seminars keep

us abreast of the latest developments in the areas of law, law enforcement, changes in legal practices, developments in court reporting technology, medicine, forensic science and engineering, to name a few of the areas in which we earn CE credits.

In summarizing, we think that a one-time passing of the RPR exam and a "grandfathering" of those who passed the predecessor of the RPR, the CP, in combination with the required CE credits would be sufficient requirements to bring all reporters "in line" in the state. Implementing these standards would be consistent with what has been done in other states that once had the very same types of problems that we are now experiencing, and the guidelines are working very well in those states.

We also would urge you to reconsider the testing deadline date to allow for timely registration for the test and time to study and practice for the test for those who are not currently RPRs or CPs. As you may know, the test is given twice a year. Registration must be done approximately three months prior to the test. The registration deadline for the May, 1992 test has passed. The next test is in November. Registration for it must be done by August. Since there are over several hundred freelance reporters in the state, you can imagine the calamity that will occur if hundreds of people try to take a test which NSRA cannot physically administer to so many people at a time. Perhaps language could be added to the order that extends the deadline. Another provision that needs to be considered, I feel, is a deadline extension for those who do not pass the test the first time.

Again, thank you very much for the attention you've given and the work you've done to help safeguard the future of reporting. With all due respect, we would urge you to implement the recommendations contained in this letter so that we can with your help bring high and consistent quality back to our profession. Indeed the livelihood of all ethical and committed practicing reporters in this state depends on it.

Yours very truly,



Pamela L. Thunnell

Jennifer A. Wolf
Court Reporter to The
Honorable Roland J. Faricy
1109 Ramsey County Courthouse
15 West Kellogg Boulevard
St. Paul, MN 55102

OFFICE OF
APPELLATE COURTS

APR 02 1992

FILED

March 31, 1992

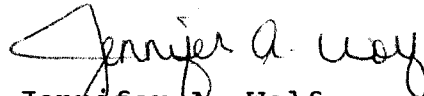
Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Dear Chief Justice Keith and Members of the Supreme Court:

This letter is to express my opposition to the proposed Order of the Supreme Court regarding Minnesota Court Reporters. Our main goal is to achieve and maintain professionalism, and in our proposed language we are requesting some basic guidelines to accomplish that goal. I feel it is unfair and unreasonable to be tested every six years. This would be the only profession that would have this requirement, and I feel that it is a stringent and unnecessary requirement.

Thank you for your time and attention to this matter.

Sincerely,



Jennifer A. Wolf
Court Reporter

cc: Kathy Czar

OFFICE OF
APPELLATE COURTS

APR 1 1992

March 30, 1992

FILED

Chief Justice A. M. Keith
C/O Clerk of Appellate Courts
25 Constitution Avenue
Saint Paul, Minnesota 55155

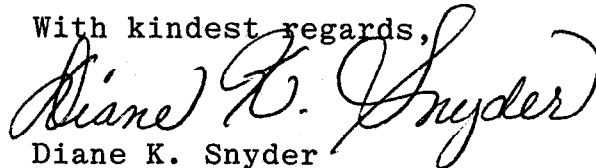
Re: Minimum Qualifications for Court Reporters

Dear Judge Keith:

I am in receipt of a copy of your proposed order dated March 13, 1992 in said regard. Please be informed that I strongly oppose the language in said order that references testing. Having been a reporter in this area for almost ten years, I feel that I have most adequately proved my qualifications as a competent reporter. My belief is that anyone with reasonable tenure in the field should be unequivocally grandfathered into the certification process. As pertains to the continual testing every six years, I feel it would be wasteful, unnecessary and improper. It would be akin to requiring that all practicing attorneys pass the bar exam every six years in order for them to maintain their current status.

I do sincerely hope that you will give careful reconsideration to these terms of your proposed order which is now in circulation. Thank you for giving your undivided attention to this matter.

With kindest regards,



Diane K. Snyder
Official Court Reporter
1015 Courthouse
Saint Paul, Minnesota 55102

Enc.

CYNTHIA THEISEN, OFFICIAL REPORTER
Wright County Courthouse
10 N.W. Second Street
Buffalo, Minnesota 55313

OFFICE OF
APPELLATE COURTS

March 23, 1992

APR 1 1992

Justice A.M. Keith
Capitol Building
75 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Dear Justice Keith:

On March 13, 1992, an Order/Proposal was issued by the Supreme Court regarding Minimum Qualifications for Court Reporters. Part of that Order provided for individuals to write in opposition or in support of that Order.

I, as an Official Court Reporter, oppose that Order for the following reasons:

- a) It is unnecessary and cumbersome to retest every six years;
- b) Nowhere in the United States is it a requirement that any certified professional retest when they are practicing and proven competent by their professional conduct.

No one asserted that we have a "significant problem existing with the competency of currently practicing court reporters." The purpose was to avoid that possibility because of problems that have arisen in the past with substitute court reporters and in locating them.

The certification process was intended to be a means to test the competency of new court reporters and to have a method of locating them when need be.

I feel there is a problem in the communication lines and a dire need for the court reporters and the judges to meet to establish a Rule/Order, or some method to insure we don't encounter such problems in the future. Something that both judges and court reporters could agree on.

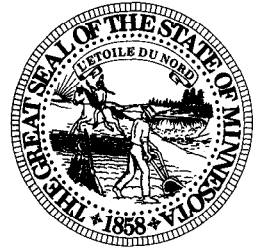
Yours very truly,



Cynthia Theisen, R.P.R.

cc: MCRA

STATE OF MINNESOTA
DISTRICT COURT
SECOND JUDICIAL DISTRICT



March 30, 1992

OFFICE OF
APPELLATE COURTS

APR. 1 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: MINIMUM QUALIFICATIONS FOR COURT REPORTERS

I am an Official Court Reporter in and for the Second Judicial District, working for the Honorable George O. Petersen for the past 16 years.

I would like to indicate my opposition to the proposed Order dated March 13, 1992. I believe the issues which gave rise to proposed certification of court reporters in Minnesota had very little to do with competency of reporters, but, rather, its origin dealt with unresponsive reporters among other things.

All this focus on requirement for testing and retesting of reporters who have been involved in this profession for many years is unnecessary and, frankly, insulting. Again, I oppose the proposed Order of March 13, 1992.

Respectfully,

A handwritten signature in cursive script that reads "C Brunton".

Candise E. Brunton
Official Court Reporter
Second Judicial District
1151 Courthouse
St. Paul MN 55102
298-4539

OFFICE OF
APPELLATE COURTS

March 30, 1992

MAR 31 1992

FILED

Honorable A.M. Keith, Chief Justice
Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Minimum Qualifications for Shorthand Court Reporters

Dear Chief Justice Keith:

After reviewing your proposed Order dated March 13, 1992, I felt that I must respond and express my concerns.

I am a freelance shorthand court reporter and have practiced for over 20 years. Also, I am president elect of the Minnesota Court Reporters Association (MCRA), and I also serve on the Minnesota Court Reporters Association CSR Committee.

I'm opposed to this Order for many reasons, the first of which is that a testing requirement to retest each shorthand court reporter every six years is very unfair, especially to those shorthand court reporters who have previously passed an RPR exam or who have practiced for many years and have demonstrated their competency by the transcripts that they have produced. Many shorthand court reporters in the State of Minnesota have been certified at higher level tests other than just the standard RPR test to better themselves, such as the Certificate of Merit test or the Award of Excellence Test. I believe that to impose this requirement would be analogous to requiring an attorney who had passed the bar exam and having been admitted to prestigious bar association groups being required to retake the bar exam every six years. The real test of a shorthand court reporter's competency is how they are performing every day in their jobs.

I do not believe this Order, as drafted, serves a meaningful purpose of raising the level of professionalism of shorthand court reporters, it creates more confusion. It is costly and burdensome not only to shorthand court reporters but to the judiciary as well. However, I do believe that it is necessary and would be beneficial that all new court reporters be tested to assure competency in the workplace before they are allowed to practice. This testing would ensure that beginning shorthand court reporters would have achieved minimum qualifications.

Honorable A.M. Keith, Chief Justice
Page 2

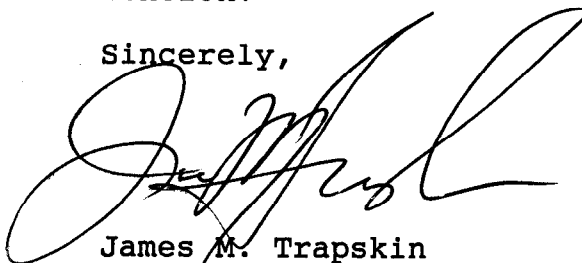
I oppose the Order as drafted because neither the Supreme Court nor the Conference of Chief Judges have really given us an opportunity to sit down and discuss with you our proposal. When the Supreme Court hears cases, it listens to arguments on both sides, not just one, and I feel that we have not been given the opportunity to be heard on this issue.

I feel it is important to point out that MCRA formed a CSR committee in part to respond to concerns raised by Justice Popovich and Judge Wozniak to our association about problems they were experiencing with timeliness of appeals and the problems the CSR Committee became aware of by lawyers and the general public gaining access to the record. Also, the CSR committee, by proposing this concept, attempted to provide a means of having shorthand court reporters be more accountable in their profession.

As a member of the CSR Committee, I stand ready to work with you and the Supreme Court in every way possible to reach a satisfactory agreement that will be fair to the Court and to us as practicing shorthand court reporters.

Thank you for your time and attention.

Sincerely,



JMT:
cc: Kathleen Czar
Executive Director
MCRA

James M. Trapskin
Minnesota Certified Shorthand Reporter
Registered Professional Reporter
Certificate of Merit Holder
California Certified Shorthand
Reporter No. 8407

STATE OF MINNESOTA
DISTRICT COURT, SECOND DISTRICT
SAINT PAUL 55102



ALLAN R. MARKERT
JUDGE

OFFICE OF
APPELLATE COURTS

March 30, 1992

MAR 31 1992

FILED

Honorable A.M. Keith, Chief Justice
THE SUPREME COURT OF MINNESOTA
Minnesota Judicial Center
25 Constitution Avenue
Saint Paul, Minnesota 55155

RE: Proposed Order for
Minimum Qualifications for Court Reporters

Dear Chief Justice:

I am writing to inform you of my opposition to your proposed order regarding the Minimum Qualifications for Court Reporters, dated March 13, 1992. I strongly feel that any problems this order seeks to remedy are both infrequent and more directly dealt with under existing rules and authorities.

In my over 24 years as a Judge of District Court and approximately 34 years as an attorney, I have not received a single complaint about the integrity of a court transcript, nor have I encountered a single instance of court reporter dishonesty.

We, as Trial Court Judges, hire individuals with many years of proven experience. Court Reporters are at will employees and are evaluated daily by the judge for whom they work. If any additional testing of new official court reporters is required, that can be done through the Personnel Rules.

Sanctions for failure to timely complete transcripts for cases on appeal is provided for very adequately in the Rules of Civil Appellate Procedure. I feel the Rules of Civil Procedure provide an effective procedure for correcting an inaccurate record.

Requiring Court Reporters to be retested on a regular basis would be akin to requiring Attorneys to re-take the Bar Exam on a regular basis.

I believe I join with a majority of the judiciary in this Court, when I say that we value the dedication of the Court Reporters who work in our system. These are hard working people in a

A. M. Keith
Chief Justice

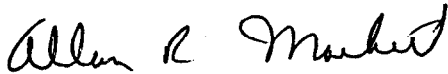
Page Two

March 30, 1992

profession which is admittedly difficult.

I urge you not to issue the Proposed Order in this matter and to allow Judges to administer their own staff with the rules presently in existence.

Sincerely,



ALLAN R. MARKERT
Judge of District Court

cc: Clerk of the Appellate Courts (9 copies)
25 Constitution Avenue
St. Paul, MN 55155

Kathleen Czar, Executive Director
MINNESOTA COURT REPORTERS ASSOCIATION
P. O. BOX 433
Stillwater, MN 55082



STATE OF MINNESOTA

DISTRICT COURT, SECOND JUDICIAL DISTRICT

March 30, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

JOANNE M. SMITH
CHIEF JUDGE
OFFICE OF
APPELLATE COURTS

MAR 31 1992

FILED

In re Minimum Qualifications for Court Reporters

Dear Chief Justice Keith and Members
of the Supreme Court:

I am writing to strenuously oppose the proposed Order of the Supreme Court as it relates to Court Reporters in the State of Minnesota.

The Court Reporters have tried in earnest, in my opinion, to work through the Conference of Chief Judges in order to implement a system whereby Court Reporters would be certified. When their efforts stalled and the Conference refused to even study their proposal, the reporters were left with no other option than to pursue their goals through legislation. As I understand it, the proposed Order of the Court reflects a reaction to a directive of certain legislators that the Court address the concerns raised by the Court Reporters.

The proposed Order does not speak to their concerns. Rather, it strikes me as a reactive response to the reporters for having dared gone to the legislature on this issue after the Conference of Chief Judges refused to act.

I assume you will hear from the Court Reporters as to how this proposed Order differs from their intended goals.

If you desire any further information, please contact me accordingly.

Sincerely,

Joanne M. Smith
Chief Judge

JANE SCHLEUSNER
DISTRICT COURT REPORTER
SEVENTH JUDICIAL DISTRICT

Benton County Courthouse
531 Dewey Street
Foley, MN 56329

Stearns County Courthouse
P.O. Box 1378
St. Cloud, MN 56302
OFFICE OF
APPELLATE COURTS

MAR 30 1992

FILED

March 25, 1992

The Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications for
Court Reporters

Dear sir/madam:

As an Official Court Reporter for the Seventh Judicial District, I wish to thank you for your interest in the need to address the court reporter's certification issue. I have been an Official Court Reporter since 1975. I worked for fifteen years in Hennepin County District Court and transferred to the Seventh Judicial District two years ago. I also taught court reporting at Northern Technical School of Business for four years at night school and in doing that I was in regular contact with students and/or new reporters.

As a professional, I do believe that there needs to be a minimum requirement established for entrance-level court reporters. I say this because I have experienced problems myself with pro tem reporters who are right out of school and are not ready to handle the rigors of a courtroom. However, I do not believe that reporters who have been in the field for more than two to three years need be a concern. People who are reporting for that length of time and are making their living doing it, have experience and are able to handle any situation. However, I do agree that there should be some way to certify beginning reporters.

Please be advised, however, that I am totally against the requirement proposed that working reporters need to prove that they have an RPR status or be retested every six years. The proposal would be unnecessary in my view for working professional reporters, as they have already passed the critical time of post-schooling and two or three years after that schooling. Also, the retesting would be almost impossible to implement. It seems to me that if we reporters are to be retested, then lawyers should have to take the bar every six years, doctors take their boards every six years, etc.

Page # 2
Letter to Clerk of Appellate Court
March 25, 1992

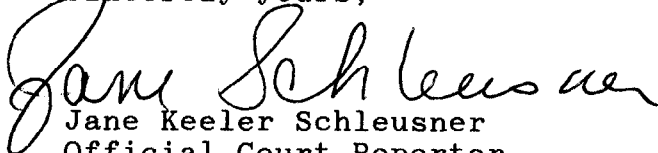
My suggestion would be that the currently working professional reporters with experience of three years or more be allowed to remain status quo and that any new reporters be required to pass the certification tests.

I currently have my Merit, which indicates that I passed a test at a dictation speed of 260 words a minute with 95 percent accuracy. I have been doing this job for 18 years and I feel that I am wholly qualified to continue doing this job without being retested every six years.

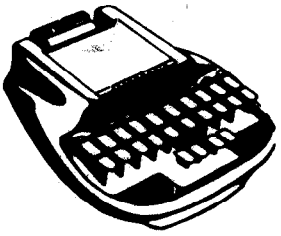
Thank you for your interest in our profession. I trust that these issues will be addressed with my fellow professionals at the Chief Judge's Conference and with the Supreme Court. They are truly our representatives and understand the work that we do. It is a very easily misunderstood profession. It seems that unless you actually are a court reporter, you can't understand the work, the skill required, the tremendous workloads, living on deadlines, etc. These folks who are speaking for us do understand all of those things and I would urge you to listen to their suggestions.

If I can be of any further information to you, please do not hesitate to contact me.

Sincerely yours,



Jane Keeler Schleusner
Official Court Reporter
C.M., C.P.



Roxanne Skube Korman

Official Court Reporter
Carlton County Courthouse
Carlton, Minnesota 55718
218-384-4281 Ext. 108

March 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS
MAR 30 1992

RE: Minimum Qualifications for Court Reporters

FILED

Dear Gentlepersons:

This letter is in opposition to provisions 2 and 3 of the proposed order regarding minimum qualifications for court reporters. I don't feel that a reporter who has already passed the RPR exam and maintained their continuing education requirements should be put to the expense and time of retesting every six years. The reporters already have the burden of the expense and time requirements of maintaining the RPR through the continuing education program. To add to that expense by mandating retesting every six years is an additional unnecessary burden.

I would suggest that provision 2 be dropped from the order. I also suggest that provision 3 should be amended to delete the language "within the last six years."

Thank you for the opportunity to respond to this proposed order. I feel very strongly about the unnecessary burden provisions 2 and 3 would place upon Minnesota's court reporters.

Sincerely,


Roxanne Skube Korman
Official Court Reporter

Karen J. LaMar

Registered Professional Reporter • Certificate of Merit Holder

Official Court Reporter

March 27, 1992

OFFICE OF
APPELLATE COURTS

MAR 30 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Minimum Qualifications for Court Reporters

Dear Gentlepersons:

This letter is in opposition to provisions 2 and 3 of the proposed order regarding minimum qualifications for court reporters. I don't feel that a reporter who has already passed the RPR exam and maintained their continuing education requirements should be put to the expense and time of retesting every six years. The reporters already have the burden of the expense and time requirements of maintaining the RPR through the continuing education program. To add to that expense by mandating retesting every six years is an additional unnecessary burden.

I would suggest that provision 2 be dropped from the order. I also suggest that provision 3 should be amended to delete the language "within the last six years."

Thank you for the opportunity to respond to this proposed order. I feel very strongly about the unnecessary burden provisions 2 and 3 would place upon Minnesota's court reporters.

Sincerely,



Karen J. LaMar
Official Court Reporter



STATE OF MINNESOTA
DISTRICT COURT OF MINNESOTA
SIXTH JUDICIAL DISTRICT

DENNIS J. SEITZ
JUDGE OF DISTRICT COURT

CARLTON COUNTY COURTHOUSE
CARLTON, MINNESOTA 55718
218-384-4281
WATS 1-800-862-3760

March 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

MAR 30 1992

FILED

RE: Minimum Qualifications for Court Reporters

Dear Gentilepersons:

I am in receipt of the proposed order setting minimum qualifications for court reporters. Provisions 1, 3 and 4 of the proposed order are acceptable. Provision 2 requires that the reporter retake the RPR exam once every six years. This provision seems excessive. If a reporter has taken the exam successfully and is current with their continuing education that is required to maintain that RPR status, there should not be a need to retake the exam again. Only if a reporter allows their RPR to lapse, because of failure to maintain their continuing education credits, should the reporter be required to retake the RPR exam. That is comparative to taking the Bar examination every six years!

Thank you for the opportunity to respond to this proposed order. I also agree that the problems, if any, associated with our court reporters can be handled internally through personnel procedures. My reporter is evaluated on a daily basis as she performs her duties. I can be the judge of her performance. If I feel she is not performing her duties satisfactorily, I can always require that she retake the RPR exam.

Very truly yours,

THE HONORABLE DENNIS J. SEITZ

DJS/rsk

OFFICE OF
APPELLATE COURTS

MAR 30 1992

FILED

March 26, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Dear Sir:

By way of introduction, I am an RPR, Registered Professional Reporter, certified since 1976 and working as a free-lance reporter in the legal field for the past 16 years. In addition, I hold a B.S. Degree from the University of Minnesota, Minneapolis.

I am writing in response to the March 13, 1992 Supreme Court Order which sets forth minimum qualifications for court reporters.

I commend you on your desire to maintain our already high speed and accuracy standards in the field of court reporting in the State of Minnesota. After having worked as a CSR in Illinois and an RPR in Minnesota, I can only say that it has been my experience that it is not our competency that should be monitored and retested every six years, but our professional ethics. An affidavit attesting to our ethical code adopted by NCRA, National Court Reporters Association, formerly NSRA, should be signed and attached to every transcript that appears before the Courts. I quote from Chapter 13.02 of the NSRA Code of Professional Responsibility as printed in "Basics of Legal Procedure For Court Reporters:"

"1. The shorthand reporter shall avoid any appearance of conflict of interest by conducting himself with impartiality toward all participants in every case. He shall refrain from the acceptance or extension of gifts or favors in connection with his work..."

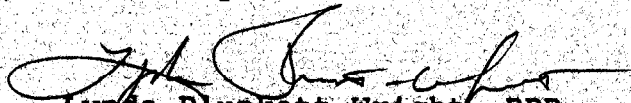
Due to the large number of court reporters in this State, the competition is keen among court reporting firms. Competition is good for any profession, but when this competition degenerates to the level of "gift giving" it raises a serious question of ethics. It has become a standard practice among some court reporters and firms to

solicit business by offering a legal secretary such things as Microwaves, trips, gift certificates, and even cash if she or he will simply schedule depositions with their firm. Not only is this practice demeaning to the court reporting profession, but to the legal profession as well. This dirty and underhanded practice should be stopped. Very few law firms have taken an ethical stance against this unprofessional means of competition.

Concerning the Order at hand dated March 13, 1992 issued by the Supreme Court, I can only say I hope it is revised to reflect a concern for professional ethics as well as a concern for proficiency as outlined in the above paragraphs.

Thanking you in advance, I would much appreciate a response to my proposal.

Sincerely,



Lynda Plunkett-Wright, RPR
4095 Juneau Lane North
Plymouth, Minnesota 55446
559-3392

RENATA M. SKUBE
OFFICIAL COURT REPORTER
COURT HOUSE
VIRGINIA, MINNESOTA 55792

OFFICE OF
APPELLATE COURTS

MAR 27 1992

FILED

March 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Minimum Qualifications for Court Reporters

I am writing in response to the Honorable A. M. Keith's Order dated March 13, 1992 and his letter to Senator Harold R. Finn dated March 4, 1992.

First off, I'd like to say that I feel our association has left us "in the dark" as to what has been transpiring and what they are actually trying to accomplish by this certification issue, as with many Judges obviously.

On the issue of testing, I believe if a reporter wants to enhance his or her professional level, that is up to the individual reporter. If you are an incompetent reporter you are probably not going to last long in the court system or the freelance field. I do not think the Judges are concerned about whether a reporter is an RPR, but rather whether they are performing their job in a satisfactory manner. Also, if an attorney hires a freelancer and is unhappy with the work, I'm sure he or she is not going to hire that individual again.

I am very upset with the Court Reporters Association and Miss Czar. I don't believe they are representing the consensus of the court reporters. I guess I am wondering why all of a sudden there are all these "problems" that need to be addressed. If there are "problems" I believe the freelance association should address their concerns by setting up an freelance ethics board or through their association and the officials should address their concerns internally and in working with the Judges. Official and freelance issues are totally different and cannot be addressed as if it were one and the same.

In closing, I believe that our own association has made us look bad. I am vehemently opposed to any Board of Certified Shorthand Reporters being set up, as I feel what was proposed that the Board would do could be handled internally for the officials and by the

Page 2

freelance association itself. I am very upset with our own association saying we are incompetent and need to be tested. I am tested every day in and out of court and I resent the implication. I am dropping my participation in the Minnesota Court Reporters Association for not being informed and for side-stepping as to what has actually taken place with this issue. This has been going on for three years and there still seems to be a communication problem as to what we are asking for.

Sincerely,

A handwritten signature in cursive script that reads "Renata Skube". The signature is written in dark ink and is positioned above the typed name.

Renata Skube, RPR

Neumann Reporting Agency

AND LITIGATION SUPPORT

1487 Summit Avenue
St. Paul, MN 55105
Telephone: (612) 645-7629
Facsimile: (612) 645-7460

March 25, 1992

OFFICE OF
APPELLATE COURTS

MAR 27 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Minimum Qualifications for Court Reporters

Dear Clerk:

I'm writing to register my support of Justice Keith's March 13, 1992, order establishing minimum qualifications for court reporters by July 1, 1993.

From a freelance perspective, Minnesota has an overabundance of court reporters. While many states have one or no court reporting schools, Minnesota has about half a dozen -- and, of course, most of their graduates choose to remain in our lovely state.

The net effect of this glut of court reporters has been that Minnesota freelance rates have not kept pace with much of the rest of the country. For example, in order to meet competition, I have not increased my rates for almost four years. At the same time, I've had to offer faster delivery, free litigation support software, free condensed transcripts, and a variety of other promotions to secretaries, paralegals and lawyers.

California has the most difficult certification standards in the country. True, their freelance delivery times are quite slow compared to those in the Twin Cities, for example, but they probably have the most qualified and highest paid reporters in the country.

The Registered Professional Reporter examination that Justice Keith would require Minnesota reporters to pass every six years is currently failed by 65% of those taking it, nationwide. I believe this would make us the toughest certification state in the country and would result in an improvement in the quality of Minnesota reporters while at the same time enhancing the business climate for freelance reporters.

Sincerely,



Dale R. Neumann
Registered Professional Reporter



Jane M. Long, RPR

Official Court Reporter
C-400, Hennepin County Government Center
Minneapolis, Minnesota 55487
Tele. (612) 348-7559

OFFICE OF
APPELLATE COURTS

MAR 27 1992

FILED

March 25, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Sir or Madam:

I am writing to express my opposition to the proposal submitted by the Supreme Court in re "Minimum Qualifications for Court Reporters" by instituting a program of retesting for certification (SF1699).

I am writing from the perspective of a seasoned court reporter who has been in the field of reporting since 1976. I brought with me to this field eight years' experience as a legal secretary and four years' experience as an executive secretary for two medical publications of McGraw-Hill Publications. I went through the two-year reporting course in one year and five months and graduated at the top of my class with a typing speed of 123 wpm (5 minutes of material with no errors) and having such good English grammar skills that I tested out of the English class.

I make these comments not to brag, but to point out that most of us in this field are not bumbling idiots turning out shoddy work and hoping nobody will notice. Any court reporter will tell you that making it to the point of graduating from such a course is a feat in itself. Out of 17 people who started in my beginning theory class at court reporting school (some of whom were college dropouts who thought court reporting would be a breeze), more than half of them dropped out before they even got to the first speed class of 80 wpm. They weren't prepared for the fact that court reporting takes immense concentration and stamina and discipline. You can be sure that those of us who made it through are the ones committed to make a success of their chosen career.

Clerk of the Appellate Courts
March 25, 1992
Page Two

I use the aforementioned background as a basis for my opposition to the retesting program proposed. As far as retesting every six years, any court reporter will tell you that as you get older you get unaccustomed to taking tests, not because you can't cut the mustard any more as far as speed goes, but because you're so far removed from a school situation where you get tested as an everyday occurrence and you're no longer of that mindset. It doesn't mean your speed has decreased. On the contrary, we may be writing at speeds higher than the testing speeds every day in court.

Testing requires a great expense on everyone's part as it requires the court reporters to pay a fee every time they take one (currently our testing fees run about \$50 a shot). It requires facilities to give the test, it requires readers to give the test, and it requires people to correct and score the tests and whatever expense is involved to mail out certificates of proof or whatever to the court reporters and other interested parties that they have passed it.

As court reporters we work hard to graduate from our various accredited court reporting schools to be able to take the RPR (Registered Professional Reporter) test to gain our professional standing in the court reporting and judicial community. We also are required to continually go to CLE seminars (at a cost of \$40 to \$50 apiece twice a year) in order to garner enough CLE points to keep our RPR current. This CLE requirement should be quite sufficient to keep up our standards of being informed of the latest legislative rules and laws, of the latest technology in our field to improve the quality of our record, and to add to our already varied knowledge as to the different types of technical testimony vocabulary we need to know in order to interpret and write an intelligent record, etc.

I might point out that judges, referees and other professionals in the legal field and in other fields as well are not asked to retake, for example, Bar exams, medical boards, etc. They attend CLE seminars (like court reporters do) which seems to be sufficient enough to suit the powers that be. So why should court reporters be the exception?

Most of us officials here in Hennepin County have worked hard to get our jobs and keep them. Through our years of experience, we have become proficient in what we do and should not have to be put to the additional burden of continually having to prove ourselves over and over again. As the old axiom goes, "If it ain't broke, don't fix it!"

Clerk of the Appellate Courts
March 25, 1992
Page Three

If we weren't doing our jobs well, our judges and referees would certainly not keep us on staff or even hire us in the first place. If there are a few reporters who are turning out bad transcripts, they are the exception to the rule. Why should those of us who take pride in our work be penalized for what a few do? We have already negotiated with the Appellate Court as to disciplinary measures regarding bad transcripts or untimely transcripts, and that system seems to be working quite well.

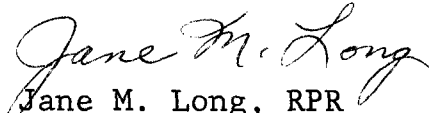
Court reporting in and of itself is its own taskmaster. If a reporter is not worth his/her salt, he or she doesn't last long in this profession. The chaff is separated from the wheat by the mere volume of the workload, in court and in doing transcripts at home, constantly having to keep your speed up just to keep up in court, continuously keeping your attention and concentration at optimum working level throughout the day, meeting deadlines and working long hours. The very job itself is its own constant testing mechanism.

As far as official court reporters go who are already working in the court system, especially those of us who have been here for 10, 15 or 20 years or more, we should be grandfathered in without taking the test. We should also not be asked to assume the burden and stress of retaking tests every six years, the results of which hinge on whether we keep our jobs or not that we've already rightfully earned. New reporters coming into the field for the first time should be tested no differently than the rest of us did when we came on board, but testing should be a one-time only thing.

Obviously, we have proven our staying power. Recertification every six years should only be based, as far as requirements are concerned, on whether the reporter has actively been working in a satisfactory manner, has kept up their CLE credits, has no reported complaints against him or her, and pays his or her recertification dues.

Therefore, I oppose the proposal on retesting of court reporters. Thank you.

Very truly yours,



Jane M. Long, RPR
Official Court Reporter
to the Hon. Bruce Kruger
Referee in Probate
Henn. Co. Dist. Ct.

/jml
cc: Minn. Ct. Rptrs. Assoc.

Jacquelyn Werth Stockman
326 S. Central Avenue, #102
Young America, MN 55397

March 25, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

MAR 27 1992

FILED

Recently I have had the chance to review your proposal for minimum qualifications for court reporters.

I strongly oppose this proposal!!

I do agree there is a need for testing requirements, however, I have to emphasize the need for a provision to certify qualified reporters already in the system without testing.

The best solution will be achieved by you working together with MCRA and the reporters who have been appointed to the Conference of Chief Judges CSR subcommittee. We need to develop an order acceptable to all parties in the judiciary. After all, that is why we have these organizations in place.

If this proposal were to pass how would we test 800 court reporters before 1993 with only two test sittings?

Sincerely,



Jacquelyn Werth Stockman
Court Reporter

3/20

MARY K. SCHULE
COURT REPORTER

Office
111 East Main Street
Steele County Courthouse
Owatonna, Minnesota 55060
(507) 451-8040, Ext. 235
Fax (507) 451-6803

March 23, 1992

RPR
NOTARY PUBLIC

OFFICE OF
APPELLATE COURTS

MAR 26 1992

FILED

Honorable A. M. Keith
Chief Justice
Supreme Court
St. Paul, Minnesota

IN RE MINIMUM QUALIFICATIONS FOR COURT REPORTERS

Dear Justice Keith:

I am writing in response to your Order dated March 13, 1992. There are a few comments I wish to make regarding that Order.

First, I understand the concern for having "competent" reporters in this State. However, I feel that it's quite unfair to sign a blanket order requiring ALL reporters to pass the NCRA RPR exam at this point in time. Personally speaking, after working in the system for 22 years now, I feel that if my work hadn't been exemplary, I certainly would not have been retained as an Official Reporter by Judge Christian after Judge Cashman's retirement in 1990.

Second, if there is a complaint relating to a specific court reporter, that complaint needs to be addressed with that reporter. I wholeheartedly agree, if the reporter is not qualified, he/she certainly should not be in the profession.

Therefore, there should be some provision in your Order for certifying qualified reporters already in the system, without testing.

The provision in your Order dealing with retesting every six years is grossly unfair. It equates to attorneys being required to pass the Bar exam every six years or accountants to sit for CPA exams every six years. I request that portion of your Order be stricken in its entirety.

Just as the Bar exam is not a predictor of one's ability to perform in all aspects of the law, so too, the RPR exam will not guarantee one's performance of the varied duties of a court reporter. The exam is nothing more than a starting point, after which the Judiciary needs to be responsible for staff competency.

Yours very truly,

A handwritten signature in cursive script that reads "Mary K. Schule". The signature is written in dark ink and is positioned above the printed name.

Mary K. Schule
Court Reporter

THOMAS M. IFFERT
OFFICIAL COURT REPORTER
TRAVERSE COUNTY COURTHOUSE
WHEATON, MINNESOTA 56296
(612) 563-4311

OFFICE OF
APPELLATE COURTS

MAR 25 1992

FILED

March 23, 1992

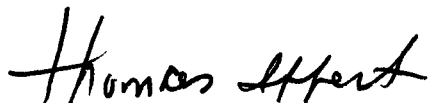
Clerk of the Appellate Court
25 Constitution Avenue
St. Paul, Minnesota 55155

Dear Clerk of the Appellate Court:

Please file or distribute, whatever the case may be, the copies enclosed of my reponse to the Supreme Court order regarding minimum qualifications for court reporters. As per the order, I have enclosed nine copies.

Thank you for your time and consideration of this matter.

Sincerely,



Thomas Iffert,
Court Reporter

THOMAS M. IFFERT
OFFICIAL COURT REPORTER
TRAVERSE COUNTY COURTHOUSE
WHEATON, MINNESOTA 56296
(612)563-4311

OFFICE OF
APPELLATE COURTS

MAR 25 1992

FILED

March 23, 1992

TO: Terry Kay Iffert
The Supreme Court of the State of Minnesota
The Minnesota Shorthand Reporters Association
Nathan T. Peck, Eighth Judicial District Court Reporter
Jeff Agre, Eighth Judicial District Court Reporter
The Other Seven Recipients of the Nine Copies Enclosed

FROM: Thomas M. Iffert, Eighth Judicial District Court
Reporter

RE: Order on Minimum Qualifications for Court Reporters

I'm reminded of the immortal words of my wife, who is truly one of the greatest gifts given to me by God Almighty, my greatest inspiration and the one person I attribute my success as a 'competent court reporter':

"Look out, kids, your father has a screwdriver in his hands!"

Justice Keith's letter to Senator Finn, although it says less than my wife, tells me something also:

"I have spoken to the other justices of the supreme court, some of whom have been members for nearly 20 years and to the state court administrator who has been serving in that position for 10 years. None of us in that entire time has received a single complaint about the integrity of a court transcript."

Why {MSRA} couldn't we leave well enough alone?

Thomas Iffert
Thomas Iffert
Court Reporter

P. S. Terry, I'll get the sitter. Let's go out for steak and wine. We'll use the MSRA dues money.

143

DISTRICT COURT OF MINNESOTA
TENTH JUDICIAL DISTRICT

HONORABLE GARY J. MEYER
JUDGE OF DISTRICT COURT



CHAMBERS
WRIGHT COUNTY COURTHOUSE
BUFFALO, MINNESOTA 55313
(612) 682-3900
Metro 339-6881

SHERBURNE COUNTY COURTHOUSE
ELK RIVER, MINNESOTA 55330
(612) 441-3844

March 20, 1992

OFFICE OF
APPELLATE COURTS

MAR 25 1992

FILED

Justice A.M. Sandy Keith
Capitol Building
75 Constitution Avenue
St. Paul, MN 55155

Dear Sandy:

The order/proposal regarding court reporters has recently come to my attention. I am presently opposed to the order/proposal as it is written. I believe that there needs to be more discussion before such an order/proposal takes effect. I think greater consideration may be given to a "Certified Shorthand Reporter" board in lieu of the test requirement. The court reporter's and the Minnesota District Judges Association should meet and work out an order/proposal which is satisfactory to all concerned. I don't believe this has been done.

Very truly yours,


Gary J. Meyer

GJM:sjs

c.c.: File
Wright Sherburne Judges
Kevin Burke

OFFICE OF
SANDRA J. SHOUTZ
DISTRICT COURT REPORTER

WRIGHT COUNTY COURTHOUSE
10 N.W. 2nd Street
Buffalo, Minnesota 55313
612-682-3900 (X 199)
339-6881 (Metro)
1-800-362-3667 (Wats)

SHERBURNE COUNTY GOVERNMENT CENTER
13880 Highway 10
P.O. Box 318
Elk River, Minnesota 55330
612-441-3844

March 20, 1992

Justice A. M. Keith
Capitol Building
75 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

MAR 25 1992

FILED

Dear Justice Keith:

On March 13th the Minnesota Supreme Court issued an order regarding Minimum Qualifications for Court Reporters. At the end of that Order/proposal it asked for statements in support or opposition.

I am a court reporter who has been working in the Tenth Judicial District for fifteen years. I am not aware of any problems with my work product and I have never been late with transcripts. This district is a very busy district and we have many time constraints on us with regard to transcripts.

I am also not aware of any other profession which has mandatory testing periodically.

There needs to be discussion with representatives of the reporters and the Minnesota District Judges Association to modify and develop an order acceptable to all parties in the judiciary. This will insure the high standards in the court reporting field which both sides are interested in.

Sincerely,


Sandra J. Shoutz, Court Reporter

SJS

c.c.: File
MSRA

JANE HACKENMUELLER
Official Court Reporter

Sherburne Cty. Govt. Center
P.O. Box 318
Elk River, MN 55330
(612) 241-2832

Wright Cty. Courthouse
10 Northwest Second St.
Buffalo, MN 55303
(612) 682-7554
METRO: (612) 339-6881

March 23, 1992

Justice A. M. Keith
Capitol Building
75 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

MAR 25 1992

FILED

Dear Justice Keith:

An Order was issued by the Supreme Court on March 13, 1992, regarding Minimum Qualifications for Court Reporters. At the end of that Order/proposal it asked for statements in support or opposition.

I am a court reporter in the Tenth Judicial District where I have been employed for one plus years. I have been a court reporter for 15 years, 14 of the years in the free-lance field. As a requirement of my current position, I took and passed the RPR exam in November of 1992; and as a requirement of maintaining that RPR status, we must accumulate 30 CE Credits every three years.

As a response to your proposal, I feel it is unnecessary to ask us to retest every six years. I am not aware of any other profession which has mandatory testing periodically.

I feel there needs to be further communication between the Court Reporter Committee and the Minnesota District Judge's Association so that a Rule/Order can be developed which will be acceptable to both the court reporters and the judges to insure high standards and professionalism in the court reporting field.

Yours very truly,



Jane Hackenmueller
Official Court Reporter

JEH

c.c.: File
MSRA

KINSELLA, HARTIGAN & ASSOCIATES

Registered Professional Reporters

754 Norwest Midland Bank Building
Minneapolis, Minnesota 55401
(612) 339-6132
FAX (612) 339-1986

OFFICE OF
APPELLATE COURTS

March 20, 1992

MAR 23 1992

Discovery ZX

Computer
Aided
Transcript

Key Word
Indexing

Richard A. Kinsella
Kevin L. Hartigan
Carol A. Hanlon
Don Beauclair
Milo Ballingrud
Kristina L. Fearing
Doris O. Hoskin

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED



Dear Sir or Madam:

I am writing in response to your proposed order for court reporters, both official and free-lance, in Minnesota.

Your order was given to me this week and it caused me a lot of concern. I can understand your concern and your need for a certification program. Obviously, as you might have guessed, I do not have an RPR. I took it one time and passed the written portion and didn't pass the machine portion, but I don't believe this reflects on my ability as a court reporter. I have been reporting over five years and have never had a complaint or a run-in with an attorney. The attorneys who are our clients have a lot of faith in my abilities as I get many requests. I believe I just don't test well.

Another area of special concern for me is that I have recently purchased the reporting agency I work at and have a large note on that (about the price of a modest home), not to mention about \$40,000 worth of equipment. If my ability to earn a living is taken away from me, I am in serious trouble financially. I can't just pack up and go to another state. I kind of feel the rules are being changed on me in the middle of the game.

It wouldn't do me any good to tell you how to do your job or what you should or shouldn't do, but there will be hundreds of people forced out of jobs and a lot of hardship put on them. The price the reporters will be able to charge will double in a short amount of time and there will be a big shortage of reporters. Minnesota will turn into another California.

I would be happy to talk to any members of the Court and hope you keep my concerns in mind.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin L. Hartigan', is written over a horizontal line.

Kevin L. Hartigan
Court Reporter

me

OFFICE OF
APPELLATE COURTS

MAR 20 1992

FILED

STATE OF MINNESOTA
DISTRICT COURT
SECOND JUDICIAL DISTRICT

JOSEPH E. SALLAND
JUDGE

March 18, 1992

Chief Justice A. M. Keith
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Proposed Order re
court reporter certification

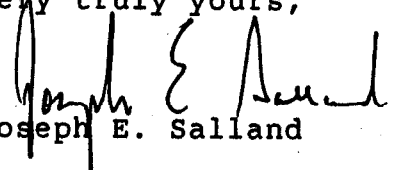
81-876

Dear Mr. Chief Justice:

To require a skilled court reporter with years of vast experience, such as my reporter has, to be tested for certification is comparable to requiring the bench to retake the bar exam. It is demeaning to her and all other experienced official court reporters in Minnesota not to grandfather these reporters into the certification program.

If ever a proposed order cried out for a grandfather clause, surely this one does.

Very truly yours,


Joseph E. Salland

JES/mb

cc: (9) Clerk of the Appellate Courts

ORIGINAL

OFFICE OF
APPELLATE COURTS

APR 22 1992

FILED

March 23, 1992

Hon. A. M. Keith
Chief Justice
The Supreme Court of Minnesota
Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

RE: Order of March 13, 1992 regarding Minimum Qualifications
for Court Reporters

Dear Chief Justice Keith:

The undersigned official court reporters of the Ninth Judicial District at this time would like to take this opportunity to respond to your proposed order dated March 13, 1992 requesting comments about the implementation of minimum qualifications. We also want you to know that we appreciate your consideration to allow comments before enactment of this order.

Back in December of 1981 the Minnesota Supreme Court adopted minimum qualifications for stenographic court reporters at M.S. §486.02. For the most part, we feel those have been adhered to in the Ninth Judicial District and that statute seems to be handling any problems that have existed heretofore. To be quite honest, we were caught off-guard with your order. While there have been some minor problems of which we are aware, as in all professions, we don't feel that the stringent requirements that you are proposing are necessary at this time. We also are in disagreement with the Minnesota Shorthand Reporters Association who claim there are significant problems. We simply don't feel the problems are all that significant and cannot be handled on an individual basis within each district.

Hon. A. M. Keith
Page 2
March 23, 1992

We as a group would much prefer the Court to continue to maintain the requirements that were adopted in 1981, as we feel the trial court judges are very capable of handling any problems that may arise with their court reporters. As our confidential employers, they are well able to understand the quality, accuracy and timeliness that are required of court reporters.

At the same time, we also understand to better the profession occasional improvements must be made and for that reason we have also included an order and a memorandum that we would like for you to consider should you feel some changes are indeed necessary. The enclosed order has some changes that varies from your order and if the Court feels strongly that something must occur, we would much prefer something along our enclosed order.


Thank you for your consideration of the enclosures.

Yours Very Truly,

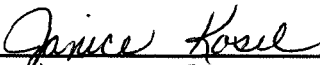
The Stenographic Court Reporters
of the Ninth Judicial District

Enclosures


BY:



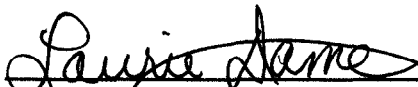
Steve A. McLean
Court Reporter
Cass County Courthouse
Walker, MN 56484



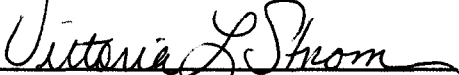
Jarice Kosel
Court Reporter
Cass County Courthouse
Walker, MN 56484



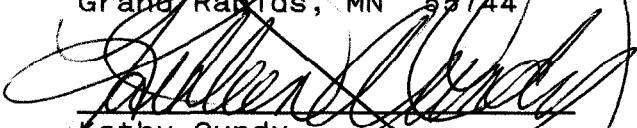
Jodi Buescher
Court Reporter
Itasca County Courthouse
Grand Rapids, MN 55744



Laurie Dame
Court Reporter
Itasca County Courthouse
Grand Rapids, MN 55744



Victoria Strom
Court Reporter
Koochiching County Courthouse
International Falls, MN 56649



Kathy Cundy
Court Reporter
Beltrami County Courthouse
Bemidji, MN 56601

Duane Mitchell

Duane Mitchell
Court Reporter
Koochiching County Courthouse
International Falls, MN 56649

Therese Chisholm

Therese Chisholm
Court Reporter
Crow Wing County Courthouse
Brainerd, MN 56401

Karen J. Newstrom

Karen Newstrom
Court Reporter
Crow Wing County Courthouse
Brainerd, MN 56401

Cheri Olsen

Cheri Olsen
Court Reporter
Hubbard County Courthouse
Park Rapids, MN 56470

Robert Montague

Robert Montague
Court Reporter
Polk County Courthouse
Crookston, MN 56716

Janelle Schaefer

Janelle Schaefer
Court Reporter
Pennington County Courthouse
Thief River Falls, MN 56701

Clarence Taatjes

Clarence Taatjes
Court Reporter
Aitkin County Courthouse
Aitkin, MN 56431

Jean M. Christianson

Jean Christianson
Court Reporter
Roseau County Courthouse
Roseau, MN 56751

STATE OF MINNESOTA

IN SUPREME COURT

ORDER

In re Minimum Qualifications for Court Reporters:

WHEREAS, the accuracy of the Court records is of critical importance to the integrity of the court process;

WHEREAS, The Minnesota Shorthand Reporters Association has indicated that ~~significant~~ problems exist with the competency of currently practicing court reporters;

WHEREAS, the Minnesota Shorthand Reporters Association has recommended testing to insure a minimum level of competence by Minnesota Shorthand Court reporters;

WHEREAS, M.S. 486.02 provides that the Supreme Court shall establish minimum qualifications for competent stenographers;

WHEREAS, it is the ~~intention~~ order of the Supreme Court to adopt the following administrative provisions in response to the concerns of the Minnesota Shorthand Reporters Association:

1. That all official stenographic reporters or per diem stenographic reporters shall either certify that they have passed the Registered Professional Reporter (RPR) examination by July 1, 1993, and shall file a notarized copy of the RPR certification with the ~~State-Court Administrator~~ the respective Judicial District Administrator; or file an affidavit with the respective Judicial District Administrator that they have been an official stenographic reporter working for the courts of this state for one year prior to July 1, 1993.
2. That each official stenographic reporter or per diem stenographic reporter serving a court shall ~~retake the RPR exam at least once every six years and shall file the resultant certification~~ certify to the Judicial District Administrator every three years that they have received 30 continuing education credits approved by the National Court Reporters Association and that each electronic court reporter shall certify that they have 30 hours of

continuing education credits to the
Judicial District Administrator.

3. That effective July 1, 1993, any document filed with the court prepared by a free lance court reporter shall include an affidavit either attesting that the court reporter has passed the registered professional court reporter examination within-the-last-six-years-and is a member in good standing; or has been a free lance court reporter for one year prior to July 1, 1993.
4. That complaints about the competency or conduct of official or free lance court reporters in a particular judicial district shall be filed with the Chief Judge and Judicial District Administrator of the appropriate judicial district.

~~IT-IS-HEREBY-ORDERED-that-any-individual-wishing-to-provide
statements-in-support-or-opposition-to-the-proposal-shall-submit-nine-copies-in
writing-addressed-to-the-Clerk-of-the-appellate-Courts,-25-Constitution-Avenue,
St.-Paul,-Minnesota--55155-by-April-30,-1992.~~

Dated: March 13, 1992.

A. M. Keith
Chief Judge

MEMORANDUM

The major changes in our order at No. 1 are striking the language the "State Court Administrator" and replacing it with "the Judicial District Administrator", since the Judicial District Administrator is better equipped to deal with the official court reporters and the per diem reporters on a daily basis and are better able to deal with the day-to-day operation of the trial courts. This also frees the State Court Administrator for more pressing matters. We have also provided a change that an official court reporter shall have either an RPR or have worked in the trial courts of this state for the year prior to July 1, 1993.

The changes at No. 2 includes striking the language of "retake the RPR exam at least once every six years and shall file the resultant certification" and replaced it with taking 30 continuing education credits that are approved by the National Court Reporters Association and a certification to the respective Judicial District Administrator. This language also includes the requirement that electronic court reporters must take 30 hours, to be designated by the respective Judicial District Administrator, as continuing education. This is the minimum number of credits that the National Court Reporters Association requires for an RPR member to remain in good standing and we feel that this change is in accord with that requirement and insures that court reporters are kept as up-to-date as possible.

The changes at No. 3 is the striking of the language "within the last six years" and inserting "or has been a free lance court reporter for one year prior to July 1, 1993." This is in line with our proposed changes at No. 1 of the Court's Order of March 13, 1992.

In the final analysis, we feel the above changes will solve any concerns that the Court may have regarding competency requirements and we would appreciate any consideration you may give to our proposal.

STATE OF MINNESOTA
DISTRICT COURT, SECOND DISTRICT
SAINT PAUL 55102



MARY LOUISE KLAS
JUDGE

March 30, 1992
OFFICE OF
APPELLATE COURTS

MAR 31 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

Re: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith and Members of the Supreme Court:

I hope you will reconsider and reverse the preliminary order regarding court reporters. I understand, though probably only partially, the exigencies under which it was put together and issued, and I sympathize with the pressure under which the court labored.

However, I think the order does not serve the best interests of the court reporters or the court. It's my understanding that the concerns of the court reporters include proof of competency before a person actively engages in the court reporting profession, a vehicle for addressing complaints about court reporters, requirements for continuing education and a registry of all reporters in the state. The order addresses only one of those--proof of competency by passing the RPR examination--but does so in a way that probably obviates salutary action on the others.

By directing only that a court reporter retake the RPR exam, the court's order removes any incentive for continuing education and sets up no registry.

As lawyers and judges, we determined some years ago that continuing legal education and a Board of Professional Responsibility or a Board of Judicial Conduct were better vehicles to insure the level of competence among those in our profession than would be the requirement that we retake the Bar Exam every few years. I submit that court reporters, as fellow professionals in the court system, should be subjected to no more or no less.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Louise Klas".

MLK/mcm



**OLIVER,
MITCHELL
& MAVES
REPORTING**

Registered
Professional Reporters

Mary P. Mitchell
Deborah A. Maves
Kelley E. Zilles
Jane C. Norman
Elizabeth J. Gangl
Sracl Williams
Mary E. Moore
Lynn M. Handberg

1028 Northstar East
608 Second Ave. South
Minneapolis, MN 55402
(612) 339-7593
Fax (612) 349-5200

April 21, 1992

OFFICE OF
APPELLATE COURTS

APR 22 1992

FILED

Honorable A. M. Keith
Chief Justice
Minnesota Supreme Court
Minnesota Judicial Center
25 Constitution Avenue
Saint Paul, Minnesota 55155

Dear Justice Keith:

I am a practicing shorthand court reporter in the State of Minnesota and am writing in response to your Order dated March 13, 1992 regarding minimum qualifications for court reporters.

I have been a court reporter in the state of Minnesota for 22 years. I am a Registered Professional Reporter and hold the National Certificate of Merit, Minnesota Award of Excellence, Virginia Award of Excellence, and have qualified in the National Speed Contest.

Be that as it may, I feel that subparagraph 2. in your order, "that each practicing court reporter in the state shall retake the RPR exam at least once every six years," is burdensome, costly and has the potential of posing undue stress on reporters, regardless of their competency level. I also feel that this requirement would be inconsistent with any other related professions in the state.

I am strongly in favor of CSR licensure for shorthand reporters in the state of Minnesota and support subparagraph 1. in your order setting forth certification. However, I feel a provision is necessary for the certification of qualified shorthand reporters who presently hold the RPR status or who have been practicing in the profession for a period of time and can show proof of competency via letter from a judge or attorney, and that testing be required only for shorthand reporters at the entry level and those transferring from another state.

I feel that there is a very important missing element to your order, Justice Keith, and that is that there is no provision for continuing education. Continuing education keeps shorthand reporters abreast of ever-changing technology and exposure to and

Honorable A. M. Keith
Page Two
April 21, 1992

understanding of relevant subject matters, technical terminology and pertinent business practice methods. I feel a requirement of continuing education for court reporters would clearly reap more benefits to the bar, judiciary and litigants than simply an onerous periodic retesting requirement.

I was president of the Minnesota Court Reporters Association when the seed was planted for our pursuing state certification back in approximately 1985. At that time our liaison committee met with Justice Popovich when he was at the Court of Appeals. He voiced a strong desire that there be a registry of court reporters so that there is some way of identifying and communicating with all court reporters in the state. Currently there is no system in place for such registration. A mandated-certification would provide that, along with a forum for contact with all court reporters regarding rule changes, changes in procedures, or any other time-sensitive and necessary communication. Our only resource for this type of information at this time is often outdated mailing lists from our state court reporter associations with voluntary memberships.

With respect to subparagraph 4. of your Order, I would suggest that the creation of an ethical practices review board within the state certification program would serve as a much-needed forum for both the bar and judiciary regarding any competency or ethics issues relating to both official and freelance reporters, and I am strongly in favor of such a provision.

Both official and freelance reporters should be included in all of these requirements, since their respective skill, knowledge and experience levels parallel each other.

I would strongly encourage you to renew communications with the joint MCRA/MFCRA CSR committees in order to develop a plan that would address these issues.

Honorable A. M. Keith
Page Three
April 21, 1992

Thank you very much for allowing me the opportunity to
voice my position on these matters.

Sincerely,

A handwritten signature in cursive script that reads "Mary P. Mitchell". The signature is written in dark ink and is positioned directly below the word "Sincerely,".

Mary P. Mitchell, RPR-CM

cc: Clerk of the Appellate Courts (Nine Copies)

April 21, 1992

OFFICE OF
APPELLATE COURTS

APR 22 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

Dear Sir or Madam:

Thank you for giving me a chance to respond to the Order proposing minimum qualifications for court reporters.

First, I oppose two different standards, one for official reporters and one for freelance reporters. We do basically the same job and it would seem confusing and unfair to treat us differently.

Second, this Order would require court reporters, such as myself, who have already passed the RPR test and have kept their status by attending seminars and taking college credits, to be re-tested. This is not only unfair but would take away any incentive for an RPR to continue this education, because he would be re-tested anyway.

Third, I know of no other profession in our state where persons are re-tested every six years, and I feel this would be an unnecessary burden on us. A comparison would be to require lawyers to take the bar exam every six years.

This Order would address one area of a reporter's competence by mandating them to take a test every six years. It does not give court reporters, the people most concerned with competence and ethics in our profession, any control over the process.

Sincerely,



Tom Soger

April 20, 1992

Honorable A.M. Keith
c/o Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 22 1992

FILED

**RE: March 13, 1992 Order
 In Re Minimum Qualifications for Court Reporters
 AND
 Alternative**

Dear Chief Justice Keith:

Thank you for providing an opportunity for court reporters to comment on the issue of professional qualifications and certification.

We firmly believe that the earlier position taken by the Minnesota Supreme Court, the Minnesota Court of Appeals, the Minnesota Conference of Chief Judges and the Minnesota District Judges Association against certification and legislation to implement it is the correct decision at the present time for several reasons.

There has been much confusion among reporters lately as various members of the judiciary have responded to the recent State funding of certain job classifications including court reporters. The need for certification should be studied as part of a large effort to establish meaningful job qualifications and standards.

There is little urgency for immediate change. For example, when asked at the April 10th meeting of the Minnesota Court Reporters Association (MCRA), neither its Executive Director nor its President-elect could point out a significant problem. Also, it is our understanding that the Supreme Court has not received a major complaint of competency or integrity of court reporters, nor has the State Court Administrator or the Minnesota State Bar Association.

Presently the judiciary, and the Appellate Courts, in particular, have an excellent system in existence to deal with problems that may arise with court reporters. Minn. Stat. 486.02 gives the power to regulate "minimum

qualifications" of court reporters to the Supreme Court. Also, since January of this year, all official court reporters have come under State funding and must submit to State personnel rules and regulations, that we consider to be supervised by the Supreme Court and the State Court Administrator with daily review being conducted by our individual judges and/or referees.

State funding was meant to increase the opportunity for unity and consistency throughout the State's judicial system. There must indeed now be a cohesive bond between the official court reporters and the Supreme Court and that every effort should be taken to act together if the judiciary in this state is to act as one well-run unit.

The MCRA does not speak for all court reporters, and certainly not all officials. Let us state unequivocally that we disavow the opinions and strategies that certain officers and/or directors of the MCRA have taken since December. Because the three branches of the judiciary had opposed court reporter certification, the MCRA ought not to have further pursued the concept of CSR and should **NOT** have pressed the measure by legislation without first polling its membership as to how to proceed.

In light of the above, the judicial budget would be best spent on existing programs and higher priority items than reporter certification. Certification would do nothing more than put an added strain on staff and citizens' tax dollars.

As an alternative, we would propose the following:

1. That the Supreme Court declare a one-year moratorium on court reporter certification. That during that time, the Court conduct a comprehensive study of certification that includes a written survey (secret ballot) of all court reporters to encompass the following:
 - a. Are you an official or freelance court reporter?
 - b. Do you support CSR with testing?
 - c. Do you support CSR without testing, i.e. CSR with a "grandfather" provision?
 - d. Do you support the status quo, i.e., no CSR?

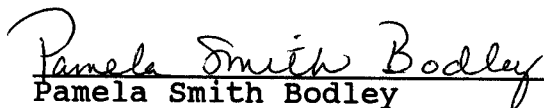
This survey could perhaps be implemented by the MCRA and the Minnesota Freelance Court Reporters Association pursuant to the Supreme Court directive.

2. That the results of said survey be presented

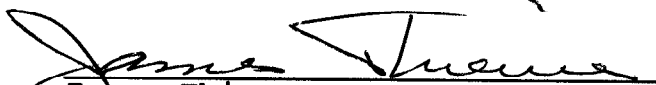
to the Supreme Court by January 1, 1993 and be included in its study to determine if there is need for further action. Said survey shall be of public record.

Thank you for taking the time to study our comments. We look forward to a pleasant and professional relationship with the Supreme Court in the future.

Respectfully submitted,



Pamela Smith Bodley
Official Court Reporter
Hennepin County Housing Court
8C Government Center
Minneapolis, MN 55487



James Thiewes
Official Court Reporter
Hennepin County District Court
19C Government Center
Minneapolis, MN 55487



Roger P. Clark
Court Reporter Pro Tem
Hennepin County District Court
Juvenile Justice Center
626 South Sixth Street
Minneapolis, MN 55415

SANDRA KRUGER,
135 C. J. Kury Cou.
Little Canada Minneso

April 15, 1992

OFFICE OF
APPELLATE COURTS

APR 20 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Subject: Proposed Minimum Qualifications for Court Reporters

To the Clerk:

I am pleased to learn of the proposed qualifications for Court Reporters in the State of Minnesota and am glad to see my profession becoming regulated by this state.

Having been certified by the State of California as a result of their thorough testing procedure and having been "grandfathered in" by the State of Arkansas and also having worked as a reporter in the States of Washington and Minnesota, it seems somewhat of an affront to not have any form of "grandfathering in" for present working reporters. Also, to not have a CSR license from another state recognized as sufficient for licensing in Minnesota seems unreasonable.

It seems redundant and unnecessarily expensive for working reporters to retest every six years for the reason that those who are not competent and accurate will weed themselves out. The law fraternity expects, and rightly so, accuracy and professionalism from Court Reporters.

Granted, we want our profession to maintain a high degree of proficiency and to be respected and regulated, but please reconsider the retesting, nonrecognition of licenses issued by other states and the "grandfathering in" of Court Reporters who have obviously proven their competency if they have survived financially in this demanding profession.

Sincerely,

Sandra J. Kruger
Sandra J. Kruger, CSR

OFFICE OF
APPELLATE COURTS

APR 20 1992

April 6, 1992

FILED

The Honorable A. M. Keith
Chief Justice
Minnesota Supreme Court
25 Constitution Avenue
St. Paul, MN 55155

Re: Order Regarding Minimum Qualifications for Court Reporters

Dear Justice Keith:

The official court reporters of the First Judicial District respectfully submit the following suggestions regarding the Order of March 13, 1992.

We are in agreement with the testing requirement as it relates to future official court reporters in the State of Minnesota; in fact, we would invite entry level requirements because we are concerned with continuing the degree of professionalism that attorneys in Minnesota have come to expect and appreciate. Furthermore, we embrace a requirement that in order to maintain certification in Minnesota, one must satisfy a certain number of continuing education credits within a specified period of time. However, to require that a currently practicing official court reporter pass a Registered Professional Reporter examination once every six years is not consistent with requirements imposed on other legal-related professions within the State of Minnesota. No other profession in the State of Minnesota requires retesting in order to practice in one's chosen profession.

The First Judicial District reporters believe that the ultimate decision regarding required certification of reporters to practice in the State of Minnesota must be done with the provision that all practicing official court reporters that have graduated from an accredited court reporting program or hold a Registered Professional Reporter certificate or demonstrate proof of competency be allowed to continue in their profession without the necessity of testing and retesting. We support the concept that continuing education requirements be satisfied and, thus, maintain a high level of competency for court reporters in Minnesota.

Page 2
April 6, 1992
The Hon. A. M. Keith

Official Court reporters in the State of Minnesota work hard and long to maintain their professionalism, as evidenced by reporters expending personal funds for continuing education seminars and personal purchases of computer equipment to ensure a quality product that is produced in a timely fashion.

We are very proud of the working relationship that we have established with the judiciary and we would encourage the Supreme Court to work with the Minnesota Court Reporters Association and the Minnesota Freelance Court Reporters Association in developing a final Order. A copy of the First Judicial District's proposed order is enclosed.

Thank you for allowing us the opportunity to offer input into this very important matter.

Very truly yours,

Enclosure

<u>Wm. F. Beltinger</u>	<u>Janice E. Dickson</u>
<u>Jerry L. Doodson</u>	<u>Jeffrey J. Lang</u>
<u>Faith West Sherry</u>	<u>Craig J. Peterson</u>
<u>Peggy J. Echison</u>	<u>Mary Shultz</u>
<u>David F. Whalen</u>	<u>Obama M. Koegel</u>
<u>Christ D. Limberis</u>	<u>Dani G. Opsal</u>
<u>Barbara B. Bennett</u>	<u>Wayne R. Miller</u>
<u>Thomas J. Currier</u>	<u>Luoy B. Dayhoff</u>
<u>Luis M. Mitchell</u>	<u>Mark C. Engle</u>
<u>Amanda J. Woods</u>	

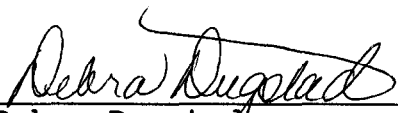
Page 3
April 6, 1992
The Hon. A. M. Keith


J. M. Lomson

Gloria Hart jed

April 14, 1992

I support the proposed Order of the 1st Judicial District.


Debra Dugstad
310 Courthouse
Red Wing, MN 55066


Tom Lawrence
310 Courthouse
Red Wing, MN 55066

I, Karen P. King, Court Reporter, hereby approve of the letter and proposed Order of the First Judicial District exhibited in the meeting of April 6, 1992

Karen P. King

PAUL H. LYNDGAARD, RPR
Official Court Reporter
Le Sueur County Courthouse
Le Center, Minnesota 56057
(612) 665-6056

April 9, 1992

Hon. A. M. Keith
Chief Justice
The Supreme Court of Minnesota
Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

RE: Order of March 13, 1992, regarding Minimum Qualifications
for Court Reporters

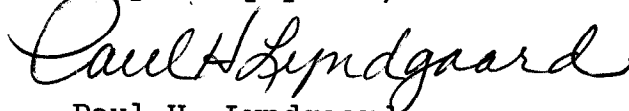
Dear Chief Justice Keith:

I am an Official Court Reporter in and for the First Judicial
District of the State of Minnesota.

I was personally present when the accompanying letter to you was
drafted by the Official Court Reporters of the First Judicial
District setting forth their concerns relative to the above-
reference letter; however, I was not present upon its completion
and therefore I was unable to sign same. At this time I would
like to lend my support to this joint communication.

Thank you for your further consideration.

Very truly yours,



Paul H. Lyndgaard

JAMES E. BENSON
District Court Reporter
Scott County Court House
Shakopee, Minnesota 55379

April 10, 1992

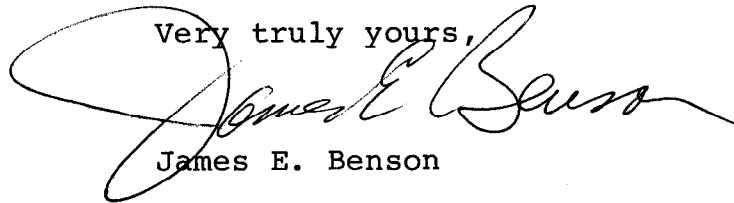
Ms. Janice Dickman
District Court Reporter
Dakota County Judicial Center
Hastings, MN 55033

Re: ORDER: Minimum Qualifications for Court Reporters

Dear Jan:

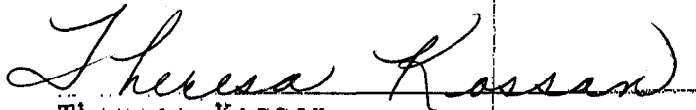
In reference to the above matter please note that I am in favor of the proposed order.

Very truly yours,

A handwritten signature in cursive script, appearing to read "James E. Benson". The signature is written in dark ink and is positioned above the printed name.

James E. Benson

I, Theresa Kossan, support the proposed order drafted by the court reporters of the First Judicial District.


Theresa Kossan

STATE OF MINNESOTA

IN SUPREME COURT

O R D E R

In re: Minimum Qualifications for Court Reporters:

WHEREAS, the accuracy of the court record is of critical importance to the integrity of the court process;

WHEREAS, the Minnesota Court Reporters Association has indicated that problems exist with the competency of currently practicing court reporters;

WHEREAS, the Minnesota Court Reporters Association has recommended testing to ensure a minimum level of competence by Minnesota shorthand court reporters;

WHEREAS, M.S. 486.02 provides that the Supreme Court shall establish minimum qualifications for competent stenographers;

WHEREAS, it is the intention of the Supreme Court to adopt the following administrative provisions in response to the concerns of the Minnesota Court Reporters Association:

1. That all official stenographic reporters shall, by July 1, 1993, certify that they have graduated from a reporting school duly accredited by the National Court Reporters Association, or hold a Registered Professional Reporter certificate, or otherwise show competency to practice the profession of court reporting.
2. That each official stenographic reporter or per diem stenographic reporter serving a court shall certify to the Judicial District Administrator that they have received 30 continuing education credits, at the reporter's expense, every three years.

3. That complaints about the competency or conduct of official or freelance court reporters in a particular judicial district shall be filed with the Chief Judge and Judicial District Administrator of the appropriate judicial district.

DATED:

A. M. Keith
Chief Justice

Sandra J. Caturia
3670 Sirett Court
Hastings, Minnesota 55033
(612) 438-2420

OFFICE OF
APPELLATE COURTS

MAY 4 1992

FILED

April 30, 1992

A.M. Keith
Chief Justice
C/O Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: Minimum Qualifications for Court Reporters

Dear Justice Keith:

I would like to thank you for the opportunity to respond to the Order. I am a freelance court reporter not currently holding my RPR status. I, as many others do, agree that testing should be required and that a minimum requirement should be instituted.

I am a graduate of Rasmussen Business College, an accredited school in Minneapolis, and believe that I have received the education necessary to be a proficient court reporter. I have not yet completed my RPR certificate and do not believe that that should stand in the way of continuing my reporting career. I have voluntarily participated in, as well as attended, many court reporting seminars to further my education. I maintain clients of my own and have for my entire reporting career.

While I believe that speed testing is a good idea for the new reporters coming out of school, I do not necessarily believe that it is necessary for those who have been reporting and have experience with actual reporting situations. Speed is necessary, yet even more than that, it is necessary to be able to report multiple voices. This you can only get with experience.

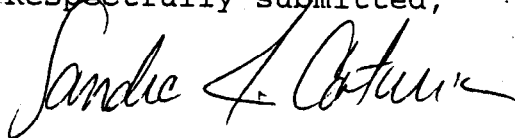
I do not believe that reporters who have been in the reporting field, that can prove their competency through, as an example, letters submitted by attorneys or judges attesting to their competency, should be told they can no longer report.

I also do not believe that retesting should be a requirement imposed on the court reporting profession. Anyone who continues to report and attend continuing education courses will get the necessary education.

A CSR would keep all reporters abreast of changes in the profession. I believe that instituting a CSR is a good idea, yet hurtful to people in the reporting profession, as well as the legal profession, if the many qualified reporters who do not hold RPR certification are told they can no longer report, without having had the chance to prove themselves through their clientele.

I would strongly support your listening to the views of our CSR committee.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sandra J. Caturia". The signature is written in dark ink and is positioned above the typed name.

Sandra J. Caturia
Freelance Court Reporter

JEFFREY A. AGRE, Official Court Reporter

Kandiyohi County Courthouse, Rm. 211
P.O. Box 1095
Willmar, MN 56201
(612) 235-4676 - office
(612) 796-5704 - home

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April 29, 1992

Hon. Chief Justice A.M. Keith
Minnesota Supreme Court
25 Constitution Avenue
Saint Paul, MN 55155

OFFICE OF
STATE COURTS
MAY 04 1992
FILED

Re: Certified Shorthand Reporters Proposal

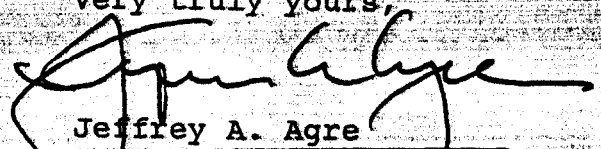
Dear Chief Justice Keith:

I am writing in support of the proposal by the Minnesota Court Reporters Association to establish a Minnesota Certified Shorthand Reporter Board in cooperation with the Supreme Court. I am opposed to creation of such a board by legislative action as I believe this can best be accomplished and administered within the judicial branch of government.

With eight years of freelance reporting experience and eleven years as an official court reporter, I do see the need to establish standards for training court reporters, testing, professionalism and continuing education requirements for all reporters. While the Minnesota Court Reporters Association and the Minnesota Freelance Reporters Association do an excellent job promoting professionalism and offering continuing education for reporters, membership is voluntary and participation in these two organizations is not what it could and should be. A Certified Shorthand Reporters Board which establishes uniform professional rules, formats for transcripts, maintaining an accurate record of members of the profession, continuing education requirements, disciplinary rules, testing, and licensure can only serve to improve and ensure the quality of making the record in the courts in our state.

I know this may not be a high priority issue for the Court at this time as it is addressing many pressing issues. However, I believe leadership of the two associations responded to concerns expressed to it by the Appellate Court in recent years in good faith and a sincere desire to improve the quality of our service and would urge you to give this matter your careful consideration. Thank you for the opportunity to be heard.

Very truly yours,



Jeffrey A. Agre



Computer Aided Transcription By

5/5

METROPOLITAN COURT REPORTERS, INC.

1802 American Bank Bldg. • St. Paul, MN 55101 • 227-8863

2525 Centre Village • Minneapolis, MN 55415 • 333-7333



Members:

National Shorthand Reporters Association
Minnesota Freelance Court Reporters Assn.

OFFICE OF
APPELLATE COURTS

April 30, 1992

MAY 5 1992

FILED

John T. Kirby
John T. Murphy
Daniel W. McMahon
Alice C. Nelson
Bonnie K. Theisen
Tara E. Rohde

Honorable A. M. Keith
% Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

Thank you for your invitation to respond to your "Order" with regard to the above. Frankly, I am appalled and feel betrayed by this proposal.

Back in 1985, I was a founding board member of Minnesota Free-lance Court Reporters Association (MFCRA). We formed the organization to serve the free-lance reporters and address concerns unique to our profession.

During our second year, the Hon. Donald D. Wozniak expressed concern he and other judges had in trying to locate substitute reporters who had reported certain cases, but their whereabouts was now unknown. He was rather annoyed that we did not have a roster of all reporters in Minnesota and the ability to provide addresses and phone numbers.

Having reported depositions for Hon. Wozniak when he was in private practice, and my wife babysat for his children over thirty years ago, I have come to know him and have a great deal of respect for him, and I gave this problem some special attention.

As a way of background, Hon. Wozniak's question and problem was the impetus of forming a C.S.R. state. Without it, we had no control over reporters to provide mandatory registration and the information needed to contact them. Furthermore, without C.S.R., we have no means of addressing complaints or questions raised by the bar and judiciary.

We embarked on a course of establishing a C.S.R. We contacted other states for input on pros and cons.



METROPOLITAN COURT REPORTERS, INC.

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Members:

National Shorthand Reporters Association

Minnesota Freelance Court Reporters Assn.

John T. Kirby
John T. Murphy
Daniel W. McMahon
Alice C. Nelson
Bonnie K. Theisen
Tara E. Rohde

- 2 -

After three plus years serving on the board, I resigned. Last year I was approached to serve as vice president, and in October was so named.

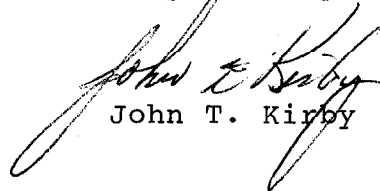
I now find the C.S.R. issue is being pursued both legislatively and through the judiciary, since the latter has given us some opposition, particularly from Hennepin Judge Kevin Burke.

After reading your proposed Order, I find it totally unacceptable, counterproductive to our efforts to address the Hon. Wozniak issue, and thereby adverse to the desires of the Supreme Court.

To require reporters to be tested every six years, thereby potentially placing them on the street, is ludicrous. After more than twenty-five years of service to the bench, I find it an insult. We are not dealing with a life-threatening profession, i.e., pilots, doctors, etc. I can think of none other that has such a requirement.

Please, and I ask you respectfully, please re-think your proposal and consider the initiative that began our process toward being a C.S.R. state.

Respectfully,



John T. Kirby

JTK:dm
Encl. (9)

cc: MFCRA

STATE OF MINNESOTA
FOURTH JUDICIAL DISTRICT COURT



STEVEN Z. LANGE
JUDGE
HENNEPIN COUNTY GOVERNMENT CENTER
MINNEAPOLIS, MINNESOTA 55487
(612) 348-2554

May 1, 1992

The Honorable A. M. Keith
Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RECEIVED
APPELLATE COURT
MAY 0 1992

Dear Justice Keith and Members of the Supreme Court:

This is to advise you that I fully support the position regarding court reporters as outlined in the petition enclosed herewith.

Very truly yours,


Steven Z. Lange
Judge of District Court

SZL:tw
Enclosure

We, the undersigned Judges, support the original proposal to the Supreme Court regarding testing and certification for all shorthand reporters in the State of Minnesota. We are opposed to the Order dated March 13, 1992 as it is outlined in the present proposal of the Supreme Court. The order as proposed would not be effective in assuring the competency to prepare the court record, nor do we feel that there are significant problems that exist with the competency of currently practicing court reporters, although we do acknowledge that some problems exist that are not related to competency.

We would like the following provisions as originally proposed incorporated in any rule changes regarding a Certified Shorthand Reporter program.

- 1) A program be established for the registration of all court reporters, both official court reporters and freelance court reporters.

- 2) The program would be self-funded through the collection of fees for testing and registration.

- 3) That the Supreme Court appoint a Board to administer the program. The Board will be made up of freelance and official reporters, lawyers, judges and court administrators. The Board would supervise the administration of CSR testing, review and make recommendations concerning the rules governing shorthand reporting, hold hearings and make recommendations concerning disciplinary actions as necessary.

- 4) That the court reporter must have successfully completed an accredited court reporting program; proficiency in making verbatim records as demonstrated by passing the National Shorthand Reporters Association Registered Professional Reporter examination and an additional examination on Minnesota rules, or a current practicing court reporter at the time of the implementation of these rules.

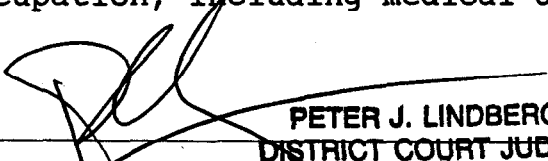
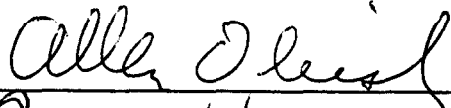
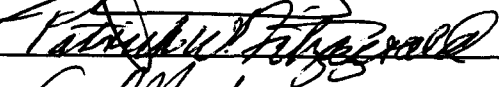
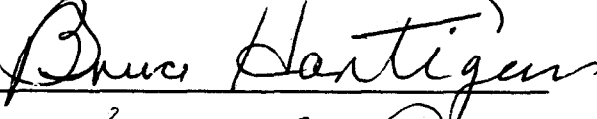
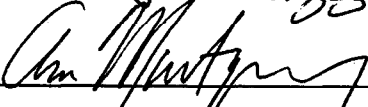
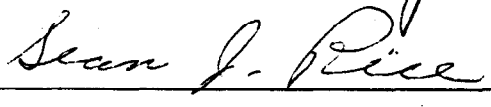
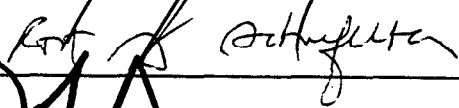
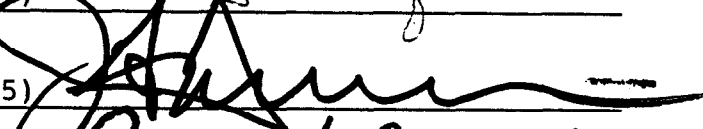
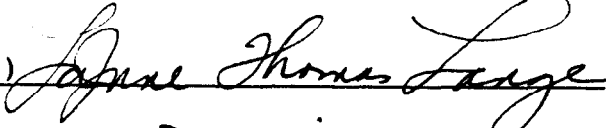

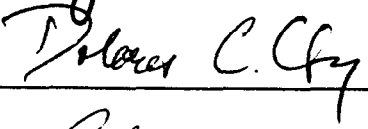
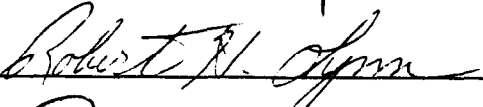

- 5) That all practicing court reporters must complete an annual registration form and payment of fees as set by the Board.

- 6) That the court reporter must complete a specific number of continuing education credits as determined by the Board

within a three-year period.

We understand that the purpose of a Certified Shorthand Reporters program is to enable litigants and the courts to locate freelance and official court reporters who are practicing members of the profession; to enforce deadlines for transcript preparation; to ensure the integrity of the record by establishing educational and testing requirements for court reporters.

Retesting as outlined in the Order is unnecessary, burdensome and inconsistent with any other professional testing requirements of any other professions or state regulated occupation, including medical doctors, nurses, or the judiciary.

- | | |
|--|--|
| 1) 
PETER J. LINDBERG
DISTRICT COURT JUDGE | 12)  |
| 2)  | 13)  |
| 3)  | 14)  |
| 4)  | 15) _____ |
| 5)  | 16) _____ |
| 6) Pamela H. Alexander | 17) _____ |
| 7)  | 18) _____ |
| 8)  | 19) _____ |
| 9)  | 20) _____ |
| 10)  | 21) _____ |
| 11)  | 22) _____ |

Paula M. Ness
433 South Seventh Street #1821
Minneapolis, Minnesota 55415

April 30, 1992

OFFICE OF
APPELLATE COURTS

MAY 4 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

RE: Court Order

Dear Chief Justice Keith:

I would like to thank you for the opportunity to respond to the Order concerning court reporters.

I am opposed to the fact that court reporters should have to be retested every six years. I know of no other profession in this state that has to take their licensure every six years, including doctors or lawyers. I agree that testing should be provided for any future court reporting school graduates but that reporters graduating from an accredited school, holding RPR status, or who can prove their competency be allowed to obtain CSR status.

I, for one, am not a reporter who holds RPR status but has graduated from an accredited school in court reporting with all the mandatory requirements. I have been reporting now for six years and feel very comfortable and competent in the work that I do.

I am in favor of every court reporter being tested at least once for competency purposes. I believe after that the concept of continuing education should be sufficient enough.

I also am in favor of forming some committee that would govern all court reporters and provide us licensure in this state.

Sincerely,



Paula M. Ness,
Court Reporter



Rasmussen
Business Colleges

ADMINISTRATIVE
OFFICE

12450 Wayzata Blvd.
Suite 201
Minnetonka, MN 55343
612 / 545-4058
FAX 612 / 545-8939

April 30, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Mn 55155

OFFICE OF
APPELLATE COURTS

MAY 01 1992

FILED

Re: Minimum Qualifications for Court Reporters

This letter is written on behalf of the Rasmussen Business Colleges, Minnetonka and Eagan, Minnesota and St. Cloud Business College, St. Cloud, Minnesota regarding the proposed order dated March 13, 1992, concerning the qualifications of court reporters. We thank the Supreme Court for inviting our response and appreciate having the opportunity to provide input into the decisions directly affecting the profession of our graduates.

We feel Rasmussen Business Colleges and St. Cloud Business College provide high-quality education to our graduates. We endorse the former hiring policy that entry-level court reporters employed in this state be a graduate from an accredited school.

We feel that testing should be provided for any future court reporting school graduates but reporters graduating from an accredited school, holding RPR status, or who can show proof of competency, be allowed to obtain CSR status.

We support the requirement that in order to maintain certification, one must complete a specified number of continuing education credits within a certain time period.

We would encourage the Supreme Court to make a provision to certify qualified reporters who are currently working in the field without testing; i.e. years of experience or successful completion of the RPR or CM examination without any boundaries on time.

The proposed requirement for retesting for court reporters is inconsistent with any other professional testing in the judiciary or the state.

We would encourage the Supreme Court to communicate with the joint MFCRA/MCRA CSR Committee to develop a plan acceptable to all parties.

Thank you for your time and consideration.

Sincerely,
RASMUSSEN BUSINESS COLLEGES

Katie Szczech
Chief Executive Officer

KS/ba





GLORIA H. JOHNSON
RANDY J. WAGNER
NANETTE J. CORBETT

1100 Alworth Building
Duluth, Minnesota 55802
218-723-2303

OFFICE OF
APPELLATE COURTS

MAY 0 1 1992

FILED

April 29, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Proposed Order of the Supreme Court dated 3-13-92
regarding Minimum Qualifications for Court Reporters

To Whom It May Concern:

I am an owner of a freelance reporting firm in Minnesota, and have worked as a reporter in both Wisconsin and Minnesota for 12 years. I am writing in OPPOSITION to the above-referenced order.

I do, however, support the proposal of the Certified Shorthand Reporter (CSR) program and feel the order DOES NOT address all the important and varied issues which would impact such a program. Valuable input must be yet solicited and considered from existing reporter organizations and appointed committees as well as both freelance and official reporters.

I believe provisions should be made to certify qualified reporters currently reporting in the state who have maintained their certification and continuing education requirements rather than the RPR retesting method proposed in the order.

Thank you for the opportunity to address this important issue which will greatly affect the reporting profession in Minnesota.

Sincerely,

Randy Wagner, RPR

Enc: Copies of this letter, as requested

cc: MFCRA
MCRA



KINSELLA, HARTIGAN & ASSOCIATES

Registered Professional Reporters

754 Norwest Midland Bank Building
Minneapolis, Minnesota 55401
(612) 339-6132
FAX (612) 339-1986

April 30, 1992

Richard A. Kinsella
Kevin L. Hartigan
Carol A. Hanlon
Don Beauclair
Milo Ballingrud
Kristina L. Fearing
Doris O. Hoskin

OFFICE OF
APPELLATE COURTS

MAY 07 1992

FILED

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Key Word
Indexing

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155



In Re Minimum Qualifications for Court Reporters

I would like to notify you that I am in opposition to this Order.

First off, I would like to thank the Supreme Court for inviting responses and I appreciate having the opportunity to provide input into the decisions directly affecting any proposals in reference to the high-quality of professional court reporting services. Oftentimes, the best decisions are made by having access to information and by having valuable input from those that will be affected by any decisions. As a professional, I would hope that you would grant professional court reporters fair consideration just as you would want your own profession to have fair consideration.

Listed below are some suggestions for self-regulation as suggested by the professional association that I belong to, the Minnesota Freelance Court Reporters Association:

Retesting of court reporters is not consistent with requirements imposed on other legal-related professions within the State of Minnesota.

That there needs to be a body in place to provide a process for any party involved in the legal process to address concerns regarding incompetent and unethical practices of reporters.

That testing should be provided for any future court reporting school graduates but that reporters graduating from an accredited school, holding RPR status, or who can show proof of competency be allowed to obtain CSR status. An example of this proof could be a certain number of letters submitted by Minnesota attorneys and/or judges who have a qualified amount of experience in the legal profession.

I would encourage the Supreme Court to communicate with the Joint MFCRA/MCRA CSR Committee to develop a plan acceptable to all parties because the CSR Committee is aware of the situations unique to our profession and the impact that may have on the litigants involved.

That both freelance and official reporters be required to adhere to the same requirements.

Support the requirement that in order to maintain certification, one must complete a specified number of continuing education credits within a certain time period and that this would be much more beneficial to the legal community and the litigants than an RPR examination given every six years.

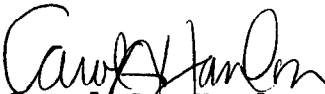
Support the idea of having an avenue to provide guidelines that shorthand court reporters can operate under.

Support the fact that if there is a registration process, which CSR would provide, all reporters could be kept abreast of rule changes in procedures on a regular basis and this communication would not be limited, as it is now, to only those who voluntarily belong to an association.

That there should be a concern with regard to maintaining competency of the reporting profession because this is a \$3 billion per year business and that cost is borne by the litigants/public.

Whereas I respect the interest in regulation, I trust that any actions will take my above comments very seriously.

Very truly yours,


Carol A. Hanlon
Court Reporter



**Affiliated
Court
Reporters**

741 Norwest
Midland Bank Building
401 Second Ave. S.
Minneapolis, MN 55401
(612) 338-4348

*Gary W. Hermes
James R. Maves*

Dennis R. Currier
Patricia Hulse
Sherri Flagg-McHugh
Karen Katz
Becky Skorpak
Micky Zappa

Computer Aided
Transcription By



1

April 26, 1992

The Honorable A.M. Keith
Chief Justice of the Supreme Court
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

MAY 01 1992

FILED

Dear Judge Keith:

Thanks for the opportunity to express my concerns regarding the Order for Minimum Qualifications for Court Reporters.

I am an owner/partner of a medium-sized free-lance reporting firm. I've been reporting for 14 years. Although I welcome a chance to make sure that our profession is filled with competent, professional reporters, I believe that a more accurate reflection of that competency is, in my case, 14 years of hard work, long hours, and satisfied clients.

As a business owner, I strive to not only make certain that I maintain the highest standards of professionalism possible, but also the reporters that work for my firm. My feeling is that a testing requirement, not to mention retesting, for experienced reporters who are not just out of school and starting their careers is a burden put on court reporters that is not put on any other profession.

I wanted to keep this short; I know you're busy, as I am, but I hope you will work with the MCRA and MFCRA and the reporters appointed to the Conference of Chief Judges CSR Subcommittee to develop an order that is acceptable to all.

Sincerely,



Gary W. Hermes

April 23, 1992

Justice A.M. Keith
Chief Justice
Minnesota Supreme Court
427 Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

MAY 01 1992

FILED

RE: Proposed Order re Court Reporter Qualifications

Dear Justice Keith:

The undersigned official court reporters of the Tenth Judicial District take this opportunity to respond to your proposed administrative provisions concerning minimum qualifications for court reporters, contained in your order dated March 13, 1992. We urge the Court to delete all proposed administrative provisions as applied to official court reporters and amend the provisions as applied to free lance court reporters.

The stated purpose of the order is to remedy a perceived problem with the competence and quality of "currently practicing court reporters." The proposed use of the Registered Professional Reporter (RPR) examination and certification provides a solid and dependable foundation for the evaluation of the quality of court reporting in our state. The test, developed by the National Shorthand Reporters Association, is already in wide use by judges in Minnesota in evaluating candidates for court reporting vacancies. RPR status must be attained by all official court reporters in this district when hired or within one year of the hiring date. Throughout the state, the competition for official court reporting positions has resulted in nearly all official court reporters holding RPR or equivalent status when hired. In addition, the district court judge, as the hiring authority, acts as a constant check on the quality and fitness of the reporter. The problem with competency does not exist for the official court reporters in this state. Any problems are handled as they arise by the individual district court judge and his or her reporter. This is a better system than mandatory testing every six years to uncover a problem.

The proposed testing of all official reporters and the retesting

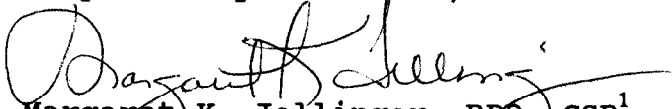
every six years of official court reporters imposes a needless burden and cost on individual reporters and the judicial system. Retesting reporters now and every six years would not only impose a cost on individual reporters, but would also necessitate unnecessary leave for preparation and testing.

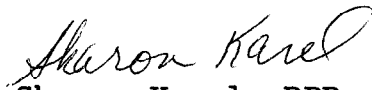
No other profession finds it necessary to retest for competency. Neither lawyers, doctors, or even judges, must be retested to establish their fitness to perform. Retesting is not appropriate for court reporters.

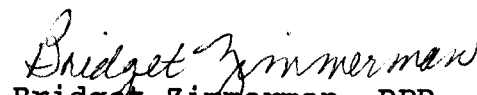
The problem of ascertaining competency may exist for free lance court reporters who serve on a per diem basis. These court reporters, most of whom are no less competent than official reporters, have no incentive to obtain RPR status and have no individual district court judge to monitor the quality and competence of their performance.

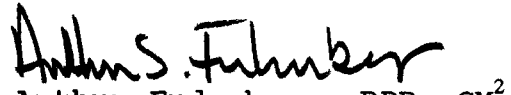
The undersigned official court reporters respectfully urge the Court to amend the proposed administrative provisions regarding minimum qualifications for court reporters to provide only for the initial RPR testing of free lance court reporters serving the courts on a per diem basis and delete all remaining provisions.

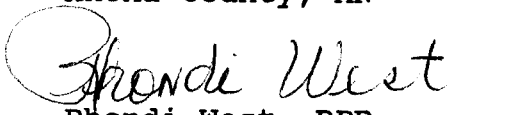
Respectfully submitted,


Margaret K. Jellinger, RPR, CSR¹
Official Court Reporter
Anoka County, MN


Sharon Karel, RPR, CSR
Official Court Reporter
Anoka County, MN


Bridget Zimmerman, RPR
Official Court Reporter
Anoka County, MN


Arthur Fudenberg, RPR, CM²
Official Court Reporter
Anoka County, MN


Rhondi West, RPR
Official Court Reporter
Anoka County, MN

Gary Frazier, RPR
Official Court Reporter
Anoka County, MN

¹ Certified Shorthand Reporter in a state or states other than Minnesota.

² Certificate of Merit

Patrick Spartz
Patrick Spartz, RPR, CM, CP³
Official Court Reporter
Anoka County, MN

Christine DuSchane, RPR
Official Court Reporter
Anoka County, MN

Dennis Quinn
Dennis Quinn, RPR, CM
Official Court Reporter
Anoka County, MN

Nancy Caine
Nancy Caine, RPR, CM
Official Court Reporter
Anoka County, MN

D/
Daniel Melander, RPR, CSR
Official Court Reporter
Anoka County, MN

Sheree Theobald
Sheree Theobald, RPR, CM
Official Court Reporter
Anoka County, MN

Joanne Erickson/Kanabee Co.

Bonnie Deserney-Washington

Geraldine Koehn, RPR, Wash.

Don Melander

³Certificate of Proficiency

April 28, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

MAY 0 1 1992

FILED

Re: M.S. 486.02 Minimum Qualifications for Court Reporters

Your Honors:

Thank you for allowing my input on a matter that will affect the court reporting profession.


I have been a freelance court reporter since 1974, after having passed the Certified Shorthand Reporter (CSR) test in Illinois, which was a requirement in order to work in that state. CSR status is permanent; no retesting is done.

After moving to Minnesota, I became a Registered Professional Reporter (RPR) by passing an examination similar to the CSR test. This status is not required in order to work in Minnesota, but is attained by the majority of our reporters. In order to maintain RPR status, one must complete a specified number of continuing education credits within a certain time period. This requirement is consistent with other professions in Minnesota.

I feel the attainment of continuing education credits, after passing the RPR or CSR examination, is far more beneficial to the legal profession than being retested every six years.

Please include the Joint MFCRA/MCRA CSR Committee members in developing an acceptable plan for all concerned. The CSR Committee consists of experienced reporters with valuable insight on this matter.

Sincerely,


Patricia M. May
Registered Professional Reporter
251 112th Lane NW
Coon Rapids, MN 55448

cc: MFCRA

Mast, Young, MacPhail & Associates

A Professional Court Reporting Association

12024 Summerset Lane
Burnsville, Minnesota 55337
Telephone: (612) 926-1600

Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

April 27, 1992

TO WHOM IT MAY CONCERN:

This is a good opportunity for me to write a short but important message to you regarding the court reporting profession, and I thank you for giving me this opportunity.

OFFICE OF
APPELLATE COURTS
MAY 10 1992

I am opposed to putting a speed test on court reporters out there working today. In a deposition or in a court setting nothing can be taken for granted. There are so many variables to take into consideration when taking a deposition or working in a courtroom. To make a speed test mandatory for court reporters would not make them any faster or make them a better court reporter. I passed an accredited school with 240 wpm with a 97 percent accuracy. I don't know of any profession out there that has to complete school with that high of a grade or accuracy. This speed testing every six years is not in line with other legal-related professions.

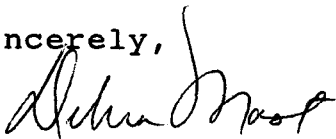
FILED

I am for a written test with word usage, English grammar, spelling, state guidelines/laws, professional ethics and the like to be taken by every court reporter working today. I feel this test would benefit us and the legal community that we associate so closely with.

The transcript is what our work is all about. If an attorney should see a poorly transcribed deposition he/she will be the first to complain and rightly so. English, in any form of the word, is so very important and a testing of our skills in this area would be called for.

I am also for having continuing education credits. I believe this requirement would be beneficial to our profession.

Sincerely,



Debra R. Mast
Mast, Young, MacPhail & Associates
Court Reporters

OFFICE OF
APPELLATE COURTS

MAY 1 1992

FILED

MONICA K. CHRISTENSEN
Registered Professional Reporter
Post Office Box 1891
Bemidji, Minnesota 56601

April 28, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: Supreme Court Order, 3/13/92, CSR Concept

TO WHOM IT MAY CONCERN:

As a freelance court reporter in the State of Minnesota for the past twelve years, I would like to respond in opposition to the March 13, 1992, Order concerning the minimum qualifications for court reporters within the State of Minnesota. Thank you for extending this opportunity to voice my opinion.

My opposition with the Order lies in Provisions 2 and 3, regarding the RPR retesting of reporters every six years. I do not believe that the proposed retesting of reporters is consistent with the requirements to practice that are imposed on other professions within the State of Minnesota. For example, do attorneys retake the Bar every so many years after once successfully passing it? Do accountants retest on the CPA exam?

In order to maintain certification, instead of retaking the RPR examination, reporters should be required to complete a specified number of continuing education credits within a certain period of time, as is the procedure today through NCRA for maintaining RPR status. This would be more beneficial to the legal community, as a whole, than an RPR examination administered every six years.

Clerk of the Appellate Courts
April 28, 1992
Page 2 of 2

I obtained RPR status through NCRA by taking the examination and successfully passing it in 1981. Since that time, I have attended various national and state seminars for court reporters, receiving continuing education credits to retain my RPR.

The seminars, along with the hands-on experience that is achieved on the job, are the vital links in retaining the competency of practicing court reporters who presently hold RPR certification.

Thank you for the opportunity to voice my opinion.

Sincerely,


Monica K. Christensen, RPR

ASSOCIATES

* ERVIN G. GROSS
DONALD G. HESSBURG
NOEL TRIDEN
ALAN KUNDE
RICHARD K. AUGUSTINE
JAMES M. TRAPSKIN
DOROTHY MC CORMACK
PATRICIA MC LEAN
TERRANCE A. FAUSKEE
LYNDA PLUNKETT-WRIGHT
KIMBERLY WOOD
MARK HEGLE
MARCIA KLADEK
VICKI GARDNER

* retired

RAY J. LERSCHEN & ASSOCIATES

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FAX: (612) 337-5435
1-800-225-0753

KRISTINE MOUSSEAU
PAM GEISINGER
BARBARA EGGERTH
HART ERICKSON
MARY ALDORFER
LORRAINE MATUSESKI
BARBARA STROIA
CHRISTOPHER J. HEGLE
RANDALL OLSON
KATHY L. SOPER
RONALD J. MOEN
ROBIN M. RITSCHKE
MARSHA DUMEZ
JEAN DILLON
ROSE SODERBERG

OFFICE OF
APPELLATE COURTS

April 25, 1992

MAY 1 1992

Honorable A. M. Keith, Chief Justice
Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Re: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

The state of Minnesota needs a Certified Shorthand Reporters licensing procedure just as much as they need and have a Bar Association licensing procedure, to test new members to make sure they are qualified to practice in the state of Minnesota, to monitor their continuing education to make sure they are in compliance with our national and state organizations, and to discipline those who are found in noncompliance or who act outside the guidelines of professional court reporters.

I am diametrically opposed to testing court reporters who are actively engaged in their profession who have proven their capability of being competent reporters either through time in practice or testing provided by our national association. I believe it would be analogous to having lawyers and CPA's being retested every six years.

The CSR Committee has been working on a bill that would be likened to other states that have such a bill, such as California, Nevada, and Hawaii. We want no less. We need no more. The proposed Order goes far beyond what is recommended by our CSR Committee and what is required to accomplish the goals set forth by the Minnesota Court Reporters Association.

As the senior partner of Ray J. Lerschen & Associates and a reporter who has reported in almost every state in our union and every governmental jurisdiction of record, I speak on behalf of the reporters in our office and myself when I say please give us a CSR bill but give it to us in the confines as recommended by the MCRA CSR Committee and not in the proposed Order.

Sincerely yours,

Donald G. Hessburg, CSR, RPR

Anoka County Courthouse
Anoka, Minnesota 55303

April 28, 1992

OFFICE OF
APPELLATE COURTS

AY 0 1 1992

FILED

Honorable A. M. Keith
Chief Justice
State of Minnesota
Supreme Court
25 Constitution Avenue
St. Paul, Minnesota 55155

Dear Justice Keith,

This letter is to express my opposition to your proposed order of March 13, 1992, related to the minimum qualifications for court reporters. The proposed requirement for retesting is unnecessary, burdensome and inconsistent with any other professional testing requirement in the state.

For the past sixteen years, I have served as both an official and a freelance reporter throughout the country. Since 1984, I have worked with the Honorable Lynn C. Olson in the 10th Judicial District. I am a 1976 graduate of the Minnesota School of Business. I also hold a Register Professional Reporter (RPR) Certificate as is presently required by the 10th District Standards.

In the fall of 1991, I became a board member of the Minnesota Court Reporters Association (MCRA). It was at that time that I became intimately involved with the Certified Shorthand Reporter (CSR) idea.

CSR was originally an idea proposed by MCRA in an effort to professionally deal with concerns expressed by the Minnesota Court of Appeals. Our goal was to enhance the system. Unfortunately, that goal was misconstrued and misunderstood.

I encourage you to order the formation of an advisory board made up of representatives of the supreme court, the district court, and the state bar association, as well as the freelance and official court reporter communities. This will provide an appropriate forum to consider the various issues related to the CSR concept.

Respectfully submitted,


Christine M. DuSchane

1
2
3 OFFICE OF
APPELLATE COURTS

4 MAY 1 1992

5 **FILED**

6 April 29, 1992

7
8 Clerk of the Appellate Courts
25 Constitution Avenue
9 St. Paul, Minnesota 55155

10 RE: Order of Supreme Court Regarding Minimum
Qualifications for Court Reporters

11 Dear Members of the Minnesota Supreme Court:

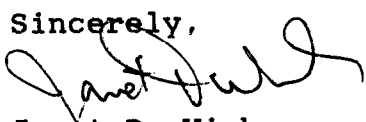
12 Thank you for this opportunity to respond to your March 13,
13 1992 Order on Minimum Qualifications for Court Reporters.

14 While I strongly support testing for any future court
15 reporting graduates, reporters who have tested and hold RPR
16 status should be grandfathered. Retesting of court
reporters is inconsistent with requirements imposed on
other legal-related professions within the state of
Minnesota.

17 I encourage you to work with the Joint MFCRA/MCRA CSR
18 Committee to develop a plan acceptable to all parties
19 because the CSR Committee is aware of the situations unique
to our profession and the impact that may have on the
litigants involved.

20 A very important positive to having a registration process,
21 which CSR would provide, is that all reporters could be
22 kept abreast of rule changes and changes in procedures on a
regular basis.

23 Sincerely,

24 
25 Janet D. Winberg
Registered Professional Reporter
3260 Evergreen Court
Red Wing, Minnesota 55066

McCauley & Associates

Court Reporters

1610 Blackhawk Hills Road
Eagan, Minnesota 55122
(612) 454-8778

April 29, 1992

Honorable A. M. Keith
Chief Justice
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Minimum Qualifications for Court Reporters

OFFICE OF
APPELLATE COURTS

Dear Justice Keith:

APR 30 1992

Thank you for the opportunity to respond to your proposed
Order dated March 13, 1992.

FILED

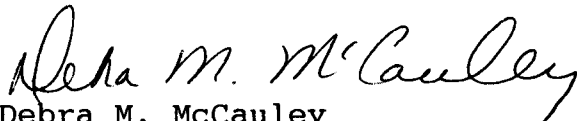
I am a freelance court reporter and hold Registered Professional Reporter status, the owner of a freelance reporting agency, President of the Minnesota Freelance Court Reporters Association, and one of the four reporters serving on the Minnesota Freelance Court Reporters Association and Minnesota Court Reporters Association Joint Certified Shorthand Reporter Committee.

I believe that your Order does not address the concerns that a majority of the court reporters in Minnesota have. I believe that a meeting with the MFCRA/MCRA Joint CSR Committee would result in providing you with a clear understanding of the issues and concerns the reporting profession has and would also serve to assist you in expeditiously arriving at the decision you make.

I am in support of the concept of CSR for both official and freelance reporters but with some form of grandfathering for reporters currently working in the profession. I believe some form of registration and requiring continuing education for reporters is a much more appropriate solution to some of our concerns.

I appreciate your time and consideration.

Sincerely,



Debra M. McCauley
Registered Professional Reporter

cc: Clerk of the Appellate Courts (Nine Copies)
MFCRA

April 30th, 1992

OFFICE OF
APPELLATE COURTS

APR 30 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Re: A.M. Keith's Order regarding minimum qualifications
for Court Reporters dated March 13th, 1992.

Dear Clerk of the Appellate Courts:

I'm grateful that there is movement toward regulating our profession but question the retesting-every-six-years proposal.

Certification in and of itself would be the means which ensures the continuing education process through which every reporter would be kept abreast of changes within the field and such matters relevant to our profession, as other professions have continuing education requirements. It would make all reporters accountable and participating, not just the few hard-working volunteers who religiously support their local associations and work hard on the issues. There would be a body in place to address ethics and competency concerns.

I know of no other profession that has to retest every six years, and I question the motive for suggesting it to a field primarily made up of women.

To implement testing requirements at this stage is fair to new reporters entering the field but how about a process by which working reporters would be allowed to submit letters of recommendation from judges/lawyers that they've worked with?

I urge you to work with the joint associations, MFCRA and MCRA, who have worked hard for the reporting community, in coming to a mutually-agreeable answer to this problem. Thank you for giving me the opportunity to express myself.

Deborah Barton Runyon
1239 W. Idaho Avenue
St. Paul, Minnesota 55108



Freelance reporter with Schultz & Sorenson Reporting



April 27, 1992

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
Saint Paul, Minnesota 55155

Re: March 13, 1992 State of Minnesota Supreme Court Order
regarding minimum qualifications for court reporters

Dear Clerk of the Appellate Courts:

Thank you for taking the time and energy to address and deal with the issues involving court reporters that have been directed to your office by the above-mentioned Order.

Certainly I appreciate the fact that the Supreme Court recognizes that "the accuracy of the Court record is of critical importance to the integrity of the court process," as is stated in the first paragraph of the Order. However, I am opposed to the Order in its present form because I do not feel it deals with the integrity of the court process in the most efficient manner.

Regarding the second paragraph of the Order, "Whereas, the Minnesota Shorthand Reporters Association has indicated that significant problems exist with the competency of currently practicing court reporters," I wonder if the Supreme Court may have misunderstood the messages relayed by the Minnesota Court Reporters Association (MCRA) and the Minnesota Freelance Court Reporters Association (MFCRA) at the Minnesota State Legislature earlier this year. Certainly significant problems do not exist with the competency of ALL currently practicing court reporters; in fact, the number of incompetent reporters is, no doubt, very small. The point is that with over half of the states already possessing some sort of licensure or certification process for their reporters, the probability is high that reporters who cannot meet the standards in other states will move to states that have no standards. When you consider that at many court reporting schools it can cost as much as \$12,000 to complete the program, coupled with the fact that, upon graduation, a reporter will spend between \$12,000 and \$15,000 to purchase the computer system and data writer necessary to report today, it is easy to understand why reporters will relocate in order to report; they begin their reporting career saddled with debt of a significant magnitude. The likelihood that reporters who cannot meet

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the requirements in other states will move to Minnesota and degrade the integrity of the court process here is my concern. It seems it would be much simpler to deal with the points brought out at the State Legislature this year while they are still, simply, issues and before they are significant problems.

Concerning numbered paragraphs 1 through 3 of the Order, it seems, to me, confusing why there would be different requirements for official reporters than for freelance reporters. Ultimately, all transcript testimony in a matter is prepared for the same purpose: Assisting the parties in resolving their case. I can think of no logical reason to impose two sets of standards upon the reporters in this state. Also, it would certainly create a difficult record-keeping situation for those administering it since it is not uncommon for freelancers to quit freelancing and become officials and vice versa. It also is not uncommon for officials to do freelance work on the side. In such a circumstance, which numbered paragraph of the Order would prevail: 1 or 3? Would the reporter simply have to have passed the Registered Professional Reporter (RPR) examination at any point prior to July 1, 1993, or would the reporter have to attest that they have passed it within the last 6 years? Another scenario would concern the freelance reporters who do per diem work in court; would they fall under numbered paragraph 2 or 3 of the Order? Would they simply have to retake the RPR examination at least once every six years and file the result, regardless of what the outcome is, or would they have to attest that they have passed the exam within the last 6 years?

Another point that would need clarification in the Order concerns numbered paragraphs 2 and 3. Some explanation of the RPR examination, administered by the National Court Reporters Association (NCRA), and its successor exam, the Certificate of Merit examination, are in order.

Twice a year, across the country, NCRA administers the RPR and Certificate of Merit exams. These two tests are given on the same day, at the same time. A prerequisite for taking the Certificate of Merit exam is that you have successfully completed, at any previous point, the RPR exam. The Certificate of Merit exam is a rigorous scrutiny of a reporter's skills consisting of four parts which may be passed separately. Any reporter who possesses the Certificate of Merit should be extremely proud of their accomplishment, as it takes most people years to pass this exam. According to numbered paragraphs 2 and 3 of the Order, any official, freelance or per diem reporter would have to, at the very least, retake the RPR exam once every 6 years. Since both exams are given at the same time, what, then, should the

April 27, 1992

reporters who are working toward their Certificate of Merit do; give up an opportunity to take the Certificate of Merit exam -- which is much more rigid than the RPR -- because, according to the Order, they must take the RPR every 6 years? More generally, NCRA does not find it necessary to retest their Registered Professional Reporters every 6 years, so it strikes me as odd that the State of Minnesota would find 6 years to be a definitive number, as opposed to 3 or 9 or 29 or any other number.

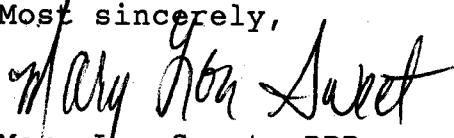
Concerning numbered paragraph 4 of the Order, directing complaints about reporters to the Chief Judge and Judicial District Administrator of a particular judicial district does not seem nearly as reasonable as establishing a board of peers and other legal personnel to oversee complaints. Would an attorney who has a complaint against him or her have to go to the Chief Judge or Judicial District Administrator to have that complaint resolved? Ultimately, it is the litigants and the public who should be afforded the opportunity to voice their concerns about the competency of the keeper of the record.

One very important aspect that the Order does not address is that of a registry of reporters in Minnesota. Since MFCRA and MCRA are voluntary organizations, there is no way to currently know who all of the reporters in the state are. To simply order that all reporters comply with the March 13, 1992 Order puts the cart before the horse in the sense that we have not established who these reporters are. Another crucial reason for a registry of reporters is so that, in the future, all reporters can be kept apprised of new Rules or Statutes affecting their profession.

Without any doubt, perhaps the most important aspect not addressed by the Order is that of a requirement for continuing education for reporters. To keep up with the changing needs of the legal system, reporters must continue to be educated so that they may serve the public to the degree that the public deserves.

With much respect for the efforts of the Supreme Court to date, I urge the Supreme Court to meet with the joint MFCRA/MCRA CSR committee to iron out the details of this worthwhile endeavor, for it is only with the minute details worked out that the litigants and public of Minnesota can be fairly served.

Most sincerely,


Mary Lou Sweet, RPR

April 29, 1992

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Clerk of Appellate Courts
Minnesota Judicial Center
25 Constitution Avenue
Saint Paul, MN 55155

Dear Chief Justice Keith and Members of the Supreme Court:

The court reporters of Ramsey County wish to register their opposition to the proposed order of the Supreme Court relating to court reporters.

We would submit the following proposal in lieu of the Supreme Court order:

1. The establishment of an advisory committee comprised of a representative of the Supreme Court, one district court judge, one attorney, two official court reporters and two free-lance reporters to review the responses to the order and develop alternatives thereto.

2. To delay a decision on enacting the proposed order until January 1, 1993, which would allow time for some meaningful information exchange and communication on the issue of certification between the Supreme Court and the court reporters.

The existing order addresses only a small part of the many concerns integral in the issue of certification and we hope for a fair consideration of the entire concept in the future.

Respectfully submitted,

The Ramsey County Court Reporters Association

Board Members: Ilene Haseltine
Bill DeVahl
Bill McDonald
Harry "Buzz" Dynes
Pat Kinning
Vic Marcotte
Jane Bowman

Schultz & Sorenson

REPORTING, Inc.

OFFICE OF
APPELLATE COURTS

April 28, 1992

APR 30 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Re: Minimum Qualifications for Court Reporters

Attn: Supreme Court Justices

Dear Supreme Court Justices:

Thank you for allowing court reporters, both freelance and official, the opportunity to respond to the Order dated March 13, 1992, regarding minimum qualifications for Court Reporters.

As a firm owner and court reporter for the past 12 years, I have seen our profession go through many changes, both good and bad, and it is my belief that requiring CSR status will have a positive impact on the quality and competency of court reporters in Minnesota through standard guidelines created and enforced by a CSR board for both officials and freelancers. CSR status would also allow parties involved in the legal process the opportunity to raise concerns regarding incompetent and/or unethical practices of reporters.

I note in the Order that retesting is suggested every six years. However, I believe that reporters graduating from an accredited court reporting school who hold their RPR, Registered Professional Reporter, and/or CM, Certified Merit, status at the time the CSR bill is passed should be grandfathered in. Retesting of court reporters is not consistent with requirements imposed on other legal-related professions within the state of Minnesota, and I think that a requirement of 40 continuing education credits every three years, as is standard for maintaining our status in the National Court Reporters Association, is more beneficial.

Schultz & Sorenson

REPORTING, Inc.

April 28, 1992

Page Two

I would encourage the Supreme Court to work closely with the Joint MFCRA/MCRA CSR Committee on developing a plan acceptable to all parties because the CSR Committee is aware of situations unique to our profession.

Thank you for taking the time to consider my response in this matter.

Respectfully,



Lori Sorenson, RPR, CM

Gregory M. Cosgrove

Court Reporter
Washington County Government Center
14900 61st Street North
Stillwater, Minnesota 55082
(612) 430-6336
FAX (612) 430-6360

April 28, 1992

Hon. A. M. Keith
Chief Justice
Minnesota Supreme Court
427 Minnesota Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Re: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

I am writing to express some concern over your March 13, 1992, Order regarding court reporters.

It is unfortunate that what began several years ago as an attempt to assist the court in its day-to-day dealings with court reporters has now become adversarial. I was also personally disappointed that no communication was attempted with me, as I had recently written you and Chief Judge Wozniak offering my assistance with court reporter-related problems as Appellate Court Liaison with the Minnesota Court Reporters Association.

I believe the need for some type of court reporter registration has now been amply demonstrated. Communication lines need to be opened between the court and the reporters. At the present time there is no way to effectively contact all the reporters in this state regarding rule changes, orders or to ascertain the whereabouts of reporters who have moved.

Communication also must be improved between the reporters and the court so that the information received by the court is accurate, complete and timely.

I am hopeful that something can be worked out to the mutual satisfaction of the court and the reporters short of the March 13 Order and I again offer my assistance to do whatever I can to reach that end.

Yours truly,


Gregory M. Cosgrove
Court Reporter

Mitchell J. Boos
1000 Norwest Midland Building
Minneapolis, Minnesota 55401
(612) 338-3530

April 27, 1991

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Clerk Of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

To: The Supreme Court
Re: Minimum Qualifications for Court Reporters

Thank you for the opportunity to respond to the proposed Order regarding minimum qualifications for court reporters.

I have been a freelance court reporter in the Twin Cities for twelve years, and therefore can only comment on the proposed Order's effect on freelance reporting.

We are fortunate in the State of Minnesota to have an abundance of court reporters, creating a highly competitive marketplace. This high level of competition leaves no room for incompetence. To my knowledge, there has never been a malpractice suite brought against a court reporter in the State of Minnesota. In today's world, and considering the nature of the business, I think this is remarkable.

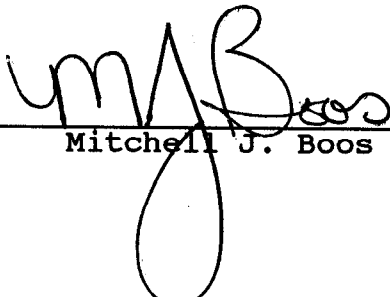
As a byproduct of this high level of competition, there have been marketing programs implemented by some freelance reporting firms that have raised a concern over the ethics of such programs, bringing a push for CSR in the State of Minnesota.

There is a need for a governing body to address any complaints brought against court reporters concerning unethical conduct of such reporters, and take any disciplinary action deemed necessary and reasonable.

I would hope that before such drastic measures as proposed in the Order be implemented that there would be sufficient evidence that competency is a concern among the users of court reporting services.

It is my feeling that the proposed Order will have no benefit to the users of court reporting services, and will ultimately result in sharply rising costs for deposition transcripts.

Sincerely,



Mitchell J. Boos



GLORIA H. JOHNSON
RANDY J. WAGNER
NANETTE J. CORBETT

1100 Alworth Building
Duluth, Minnesota 55802
218-723-2303

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

April 29, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Proposed Order of the Supreme Court dated 3-13-92
regarding Minimum Qualifications for Court Reporters

To Whom It May Concern:

As an owner of a freelance reporting firm in Minnesota, having worked as a reporter in both Illinois and Minnesota over 16 years, I am writing in OPPOSITION to the above-referenced order.

I support the proposal of the Certified Shorthand Reporter (CSR) program wholeheartedly. However, I feel the order DOES NOT address all the important and varied issues which would impact such a program. Valuable input must be yet solicited and considered from existing reporter organizations and appointed committees as well as both freelance and official reporters.

I believe provision should be made to certify qualified reporters currently reporting in the state who have maintained their certification and continuing education requirements rather than the RPR retesting method proposed in the order.

Thank you for the opportunity to address this very important issue which will greatly affect the reporting profession in Minnesota.

Sincerely,

Gloria Johnson, RPR-CM

Enc: Copies of this letter, as requested

cc: MFCRA
MCRA

Doris O. Hoskin
Registered Professional Reporter
3109 Edgemere Avenue
St. Anthony, Minnesota 55418

April 29, 1992

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: Minimum Qualifications for Court Reporters
Order Issued March 13, 1992

Dear Sir or Madam:

The above-referenced Order indicates the intention of the Minnesota Supreme Court to adopt administrative provisions requiring all reporters to pass the NCRA Registered Professional Reporter examination by July 1, 1993. There needs to be a provision to certify qualified reporters already in the system without testing. I support a grandfathering clause which states that an individual actively engaged as a shorthand court reporter on the effective date of the Bill be registered as a Minnesota Certified Shorthand Court Reporter without the need for that individual to take a certification test.

The Order also indicates the intention of the Minnesota Supreme Court to require re-testing of court reporters at least once every six years. The proposed requirement for re-testing is unnecessary, burdensome, and inconsistent with any other professional testing requirement in the judiciary or the state. Court reporters are "re-tested" every working day of their professional lives. I would support the requirement that, in order to maintain certification, a reporter must complete a specified number of continuing education credits within a certain time period, which would be more beneficial to the legal community and litigants than a re-testing once every six years.

I agree with and support the fact that the competency of the court reporting profession should be maintained, and that the same standards should be adhered to by both official and freelance reporters. If there is a registration process, which CSR would provide, all reporters could be kept abreast of rule changes and changes in other procedures on a regular basis, and this communication would not be limited, as it is now, to only those who voluntarily belong to a professional association. CSR could also provide a review procedure for any party involved in the legal process to address concerns regarding incompetent or unethical practices of court reporters.

Clerk of the Appellate Courts
April 29, 1992
Page 2

I respectfully urge the Minnesota Supreme Court to work with the Minnesota Court Reporters Association, the Minnesota Freelance Court Reporters Association, and the court reporters appointed to the Conference of Chief Judges CSR Subcommittee to develop an order acceptable to all parties in the judiciary.

I thank the Minnesota Supreme Court for inviting responses to this Order, and appreciate having the opportunity to provide input into decisions directly affecting my profession.

Respectfully,



Doris O. Hoskin
Registered Professional Reporter

SHERI GINGERICH
COURT REPORTER
106 - 8TH STREET
CLOQUET, MINNESOTA 55720
(218) 878-0172

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

April 28, 1992

The Supreme Court of the State of Minnesota
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Opposition to the Order dated March 13, 1992, concerning the
Court Reporting Profession in the State of Minnesota

Dear Sir or Madam:

Please accept this letter with regard to the issue of certification of court reporters, both freelance and official, in the state of Minnesota. We sincerely appreciate the opportunity to communicate with you in this matter, as it is a matter of vital importance to our profession.

Following are several points we wish to address:

1. Because no other legal-related profession is required to undergo testing in the state of Minnesota we feel it unfair that court reporters should be required to do so;

2. We feel it necessary to install a grievance committee to facilitate a department to which parties can address their concerns regarding incompetent and unethical practices of court reporters;

3. We feel strongly that any reporter who has graduated from an accredited school, holds RPR status, or who can show proof of competency be allowed to obtain CSR status. This proof, for example, could be the result of a certain number of letters of accreditation from Minnesota attorneys and/or judges who have experience in the legal profession and with the reporter in question;

4. We urge you to communicate with the Joint MFCRA and MCRA CSR Committee to develop a plan acceptable to all parties. The CSR Committee is aware of the situations unique to the reporting profession and the impact that may have on the litigants involved;

5. Both freelance and official reporters should be required to adhere to the same requirements;

6. We feel it would be beneficial that each reporter in the state of Minnesota be required to complete a certain number of continuing education credits within a certain time period;

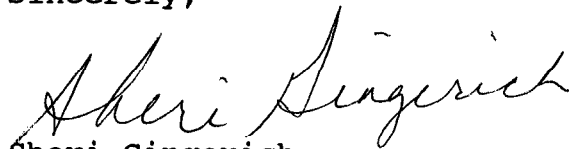
7. Along the same lines as item No. 6, we feel it would be beneficial to have set guidelines for reporters to operate within;

8. We support the idea of a CSR registration process which would keep all reporters abreast of any rule changes, et cetera, on a regular basis. This would pertain to all reporters in the state of Minnesota as opposed to the current situation which pertains only to reporters who voluntarily belong to the state associations; and

9. The court reporting profession is a \$3 billion-per-year business which is borne by litigants in the state of Minnesota. This is both an important and necessary institution to this state and should be recognized as such.

Thank you again for your time and consideration in this matter; this is a matter of great importance to the reporting profession.

Sincerely,



Sheri Gingerich
Court Reporter
Personally and in behalf of Reporters Diversified Services
Duluth, Minnesota

WHITEHEAD LAW OFFICE

JORI L. WHITEHEAD
RONALD L. WHITEHEAD
MARY H. C. FLYNN

CAROL L. HEFTA
Legal Assistant

April 29, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Re: Minimum Qualifications for Court Reporters

Dear Justices of the Supreme Court:

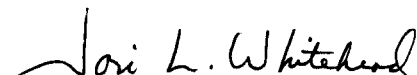
I have been asked as President of the Dakota County Bar Association to respond to the Supreme Court proposal regarding minimum qualifications for court reporters. The request was made by a member of the court reporters who provide services in the First Judicial District. I have reviewed a number of the documents discussing the legislative proposal and the Judiciary's response to that proposal. Based upon that review I make the following comments.

I am in agreement that the legislative proposal is an intrusion into the realm of the judiciary. The Minnesota Court System has made great strides in developing and managing the burgeoning demands upon the courts of this state. The problem of an "inadequate, erroneous, inaccessible or lost" court record is rare. It has been my experience that the judiciary is as concerned about a full and complete court record as are the attorneys. They fully address any problems in this area by monitoring the accuracy of the work of their court reporters on a regular basis.

The concern expressed by the court reporter who spoke to me was the belief that a testing procedure is unnecessary for reporters who are being monitored by the courts. It would be time consuming, costly and unwarranted. The test of their skill is the product they produce on a regular basis.

I would ask the Court in its consideration of this matter to reflect on the need to produce yet another rule to fix what is not broken.

Respectfully submitted,


Jori L. Whitehead
Attorney at Law

JLW:rn

April 28, 1992

Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

I want to thank the Supreme Court for allowing concerned court reporters to provide input into the Proposed Bill as it now stands. I am in opposition to the Bill as now proposed. There are many factors that need to be considered before such a bill as this can be adopted. Here are my views on the subject of the Order.

The retesting of court reporters is not consistent with the requirements imposed on other legal-related professions within the State of Minnesota.

I believe that there needs to be a body involved in the legal process to address the concerns regarding incompetent and unethical practices of reporters.

I am in support of testing of future court reporting school graduates. Reporters already in the field and practicing may submit letters from attorneys showing that they approve of their reporter's skills and competency. I am also in favor of the grandfathering clause which states, in essence, that an individual actively engaged as a shorthand court reporter on the effective date of the Bill will be registered as a Minnesota Certified Shorthand Court Reporter without the need for the individual to take the certification test.

I would encourage the Supreme Court to communicate with the Joint MFCRA/MCRA CSR Committee to develop a plan acceptable to all parties because the CSR committee is aware of the situations in our profession and the impact such a Bill would have. There is a lot of knowledge and information to be gained from such a committee as this.

Both freelance and official court reporters should be required to adhere to the same requirements.

Continuing education credits should be a consideration. Other professions have them in order to keep up with current happenings in the field and the same should apply for court reporters.

A registration process, which CSR would provide, for all reporters would be necessary so that we may be kept abreast of rule changes and changes in procedures on a regular basis. By this process it would not be limited to those reporters only belonging to an association.

I hope that you will consider these suggestions and take some or all of them into consideration in preparing a new Order.

Thank you for allowing me to voice my concerns regarding my profession.

Sincerely,

Christine E. Garretson
Court Reporter
838 Bluebill Drive
St. Paul, Minnesota 55120
(612) 454-5209

Darcy Lyn Samek, CSR, RPR
121 Washington Avenue South
Minneapolis, Minnesota 55401
(612) 332-7577
April 28, 1992

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

RE: Minimum Qualifications for Court Reporters

To The Honorable Justices of the Minnesota Supreme Court:

The undersigned is a free-lance court reporter that has received certification as a Certified Shorthand Reporter and Registered Professional Reporter. I have been a free-lance reporter for over four years as well as having served as an official reporter for a District Court Judge and Federal Court Judge for three years.

I recently became aware of the Court's interest in issuing regulations governing shorthand reporters; in particular, the regulations proposed by the Minnesota Shorthand Reporters Association (MSRA). I am writing the Court to express my dismay and opposition to the proposed regulations.

It appears that the proposed regulations wish to impose more onerous licensing requirements upon court reporters than those that are imposed upon other regulated professionals in the state of Minnesota. As the Court is aware, attorneys must only pass the bar on one occasion, but must maintain sufficient continuing legal education requirements every three years in order to maintain a minimum level of proficiency and continuation of their licensing. Similarly, the same regulatory scheme is in effect for accountants, dentists, doctors, judges, nurses and police officers. The passage of the minimum competency exam on one occasion, coupled with continuing education requirements and certification of satisfactory completion of same to the Court on a regular basis, like these other professions, would be more than adequate to ensure uniformity, consistency and professionalism amongst shorthand reporters practicing their profession in the state of Minnesota.

Additionally, court reporters, whether free lance or official, are professionals in the same manner and method as are the other members of the judicial system, including Judges, lawyers, bailiffs, court deputies, etc. None of these positions have to retake their minimum competency exams on more than one occasion. The proposed

regulations treat court reporters, who are principally female, as second-class participants in the judicial system who must continually prove their competency. Although the proposed regulations are not gender based on their face, it is well-known that most shorthand reporters are female. In essence, the proposed regulatory scheme will have the real effect of imposing more stringent job qualification requirements upon women than those that exist for men - without a rational basis for the distinction.

Administratively, the burdens upon the Court in enforcing the regulations proposed by MSRA would create an administrative nightmare for those who utilize court reporters as well as for the court personnel who must supervise and maintain the data required under the proposed regulations. It is clear that the thrust of the regulations is to provide lawyers and Judges with qualified, competent court reporters. Such a laudable goal can be more easily met by requiring passage of the RPR exam and certification to the Court, every three years, of the successful completion of continuing education requirements in the field. This is the procedure that is used in all of the other states that have adopted regulations governing shorthand reporters.

In closing, I submit that the Court's goals are laudable, but the regulations proposed are inadequate, oppressive, discriminatory and unduly complex from an administrative point of view. The undersigned, therefore, respectfully requests that the Court decline to implement the regulations proposed by MSRA. In the alternative, should the Court conclude that some regulation is appropriate and necessary, the Court is urged to adopt the initial licensing and continuing education requirements in force in every other state, and those this state has consistently applied in the regulation of all other professions.

Respectfully submitted,



Darcy Lyn Samek, CSR, RPR



GLORIA H. JOHNSON
RANDY J. WAGNER
NANETTE J. CORBETT

1100 Alworth Building
Duluth, Minnesota 55802
218-723-2303

April 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 29 1992

Re: Proposed Order of the Supreme Court
dated 3-13-92 regarding Minimum Qualifications
for Court Reporters **FILED**

To Whom It May Concern:

I am an owner of a freelance reporting firm in Minnesota and have been working as a freelance reporter in this state for over ten years.

I am writing in OPPOSITION to the above-referenced order. I feel that the concept of a Certified Shorthand Reporter (CSR) program is a complex one and must address a variety of issues on a larger scale than dealt with in this order.

I am in support of the CSR concept and feel that it should include both freelance and official reporters, that existing reporter organizations and appointed committees should work together to develop the program, that there should be a provision to certify qualified reporters currently working in the state, and that certification and continuing education requirements far better suit the situation than does the RPR retesting method proposed in this order.

I appreciate this opportunity to provide input into decisions that will affect my profession.

Sincerely,

Nanette J. Corbett

Nanette J. Corbett, RPR-CM

Enc: Copies of this letter, as requested

cc: MFCRA
MCRA

April 29, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS
APR 29 1992

FILED

Dear Justices:

We are writing in regard to the minimum qualifications proposal for court reporters. We do agree that Minnesota needs state-wide qualifications for court reporters. However, we find the proposal unduly harsh and restricting.

As to the proposal that all reporters pass the RPR examination, we find that a very unfair proposal. To pass the RPR, a reporter has to become a member of the NCRA, pay yearly dues that run over \$100, and pay \$75 every time you want to take the RPR test. We would rather be members of the Minnesota Court Reporters Association than the National Court Reporters Association and we do not like the State telling us which association we have to belong to.

Several of the court reporters at Butler Square Reporting have passed CSR tests in other states. It seems to make more sense to pass a test that actually qualifies us to work in a certain state than a national exam that has no particular meaning to any state. Who is to say that the RPR test is any more proof of court reporting expertise than the CSR examination that we passed in other states? It is unfair that this particular test be singled out as the one that has to be passed. If you want Minnesota court reporters to be certified, we should have our own test just like California, Oklahoma, Oregon, Iowa, Idaho, and the list goes on and on.

As to the proposal that we retest every six years, we find it very unfair that court reporters should be expected to retest when other professions are not required to do the same. Are lawyers willing to take the bar every six years? Are doctors willing to recertify every six years? This is totally unfair to ask this of court reporters and not other professions. If we are asked to take continuing education, fair enough, but not retesting every six years.

BUTLER SQUARE REPORTING

MINNEAPOLIS
12 South Sixth Street
Suite 504
Minneapolis, MN 55402
(612) 332-1035

SAN DIEGO
8322 Clairemont Mesa Blvd.
Suite 109
San Diego, CA 92111
(619) 569-9996

Clerk of Appellate Courts
April 29, 1992
Page Two

As to the idea that there are a lot of incompetent reporters in the freelance field, we will only say that there are bad court reporters just like there are bad lawyers, doctors, and judges. In fact, in the freelance field if a court reporter is not performing at a satisfactory level, it does not take long for the attorneys to realize that and tell the court reporting agency not to ever send that reporter again. In other words, the free market takes care of incompetency better than any state or national organization could. And if a court reporter is not performing in the courtroom, it does not take long for the judge to see that problem and deal with it.

The proposal also creates many other problems. Have you considered the number of bankruptcies this would cause among court reporters who have been working in this state for years and then are suddenly denied their right to work? They have house payments and car payments like everyone else. Then as those people can't make their payments, suddenly the businesses that they deal with have similar money problems. Can you imagine the problems the people who sell court reporting equipment and paper and stenograph machines would suddenly have? Minnesota would not be very popular with the Stenograph Corporation. In a time of recession is this a wise move that the Court is proposing? We don't believe it is.

Have you also considered how this would raise the cost of litigation in this state? Right now court reporting costs in this state are very low compared to many parts of the country. Suddenly if you wipe out half or three-fourths of the court reporters, you are going to create a severe shortage which will cause an increase in prices. Also, how will the court system ever find a reporter to work on a per diem basis at the courthouse when they can make big bucks freelancing?

We have to believe that the court can work with the MCRA to come up with a proposal that is suitable to all parties. We believe that most if not all reporters in this state are in favor of some type of certification. But the certification that has been proposed by the State is very burdensome and unnecessary.

We are just asking to be treated fairly. It is no more right that court reporters should be denied their right to work than any other profession. Reporters who have been working should not have their right to work taken away from them. They should be grandfathered into the system. A method of testing should then be required for new reporters coming into the system to work. This is the only fair way to do this and it is the method that all of the other states have used.

Sincerely yours,

Butler Square Reporting
BUTLER SQUARE REPORTING
Minneapolis, Minnesota

Mark R. Dahlberg
Katherine A. Sauter
Cheryl L. Engh
Mary Lou Augustine
Laurel Laubach-Rose

Lois Miller
Cheryl Seeman
Elizabeth Romano
Lynda Brace

OFFICE OF
APPELLATE COURTS

APR 28 1992

FILED

Rosella Sonsteby
4151 - 141 Ave. N.W.
Anoka, MN 55303
612/421-4683

April 27, 1992

Clerk of Appellate Court
25 Constitution Ave.
St. Paul, MN 55155

RE: MINIMUM QUALIFICATIONS FOR COURT REPORTERS

RE: ISSUES I FELT NEEDED TO BE AIRED AND CORRECTED - (ENCLOSED)

Frankly, after having read all that information since the Court Reporter is hired by the Judge and the Judge has the right to direct him as to his likings, why should the Court Reporter take the heat?

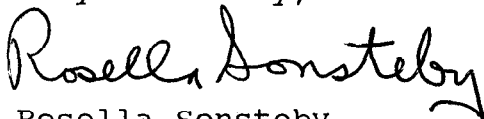
I am writing to Teresa Lynch, my State Representative, to get a type of bill passed that a Court Reporter with all the requirements proposed (enclosed) be one separate body. A judge could get a Court Reporter from that list; or do you have the input to do that? Also, the tape of trial be kept on record until not needed.

Also a plaintiff or defendant has a right to bring in his or her own tape recorder; but in case of an appeal or other need, then the Court Reporter would make a copy of the transcript.

So at this point with all the information received, I am not making a complaint against the Court Reporter, and I believe any attorney that would make an issue would not be well received.

If you have any questions, feel free to contact me.

Very sincerely,



Rosella Sonsteby

STATE OF MINNESOTA

IN SUPREME COURT

81-876

ORDER

In re Minimum Qualifications for Court Reporters:

WHEREAS, the accuracy of the Court record is of critical importance to the integrity of the court process;

WHEREAS, the Minnesota Shorthand Reporters Association has indicated that significant problems exist with the competency of currently practicing court reporters;

WHEREAS, the Minnesota Shorthand Reporters Association has recommended testing to insure a minimum level of competence by Minnesota Shorthand Court reporters;

WHEREAS, M.S. 486.02 provides that the Supreme Court shall establish minimum qualifications for competent stenographers;

WHEREAS, it is the intention of the Supreme Court to adopt the following administrative provisions in response to the concerns of the Minnesota Shorthand Reporters Association:

1. That all official stenographic reporters shall certify that they have passed the Registered Professional Reporter (RPR) examination by July 1, 1993, and shall file a notarized copy of the RPR certification with the State Court Administrator.
2. That each official stenographic reporter or per diem stenographic reporter serving a court shall retake the RPR exam at least once every six years and shall file the resultant certification.

3. That effective July 1, 1993, any document filed with the court prepared by a free lance court reporter shall include an affidavit attesting that the court reporter has passed the registered professional court reporter examination within the last six years.
4. That complaints about the competency or conduct of official or free lance court reporters in a particular judicial district shall be filed with the Chief Judge and Judicial District Administrator of the appropriate judicial district.

IT IS HEREBY ORDERED that any individual wishing to provide statements in support or opposition to the proposal shall submit nine copies in writing addressed to the Clerk of the Appellate Courts, 25 Constitution Avenue, St. Paul, Minnesota 55155 by April 30, 1992.

Dated: March 13, 1992

OFFICE OF
APPELLATE COURTS

MAR 19 1992

FILED



A. M. Keith
Chief Justice



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

March 25, 1992

525 PARK STREET
SUITE 200
ST. PAUL, MN 55103
TELEPHONE (612) 297-1000
FACSIMILE (612) 297-1335

Rosella Sonstebly
4151 - 141st Avenue N.W.
Andover, MN 55304

Dear Ms. Sonstebly:

I have now received the letter and accompanying materials to Attorney General Hubert H. Humphrey III which we discussed when you telephoned the other day. You asked the Attorney General to take action in two areas related to court trials. First, you request that it be made mandatory for court reporters to retain trial tapes "however long as needed." Second, you request that when someone has a case against a city, the case be tried in a county other than that in which the city is located.

As I told you on the phone, the Attorney General has no authority over either of these issues. The issue of where a trial will take place is called venue. Venue is determined in the first instance by the statutes, Minn. Stat. ch. 542 in particular. The statutes currently do allow for a change in the location of a trial if it can be established that one party cannot get a fair trial in a particular county. A general rule such as you suggest would have to be adopted legislatively. Therefore, you might want to tell your legislative representatives about your concern in this regard.

The other issue, concerning court reporter retention of trial tapes, is something that would have to be addressed by the judiciary. Accordingly, I am sending a copy of your letter and this letter to Sue K. Dosal, the State Court Administrator, so she can make the appropriate people aware of your suggestion.

Thank you for communicating your concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard S. Slowes".

RICHARD S. SLOWES
Assistant Solicitor General

(612) 296-6473

RSS:ft
cc: Sue K. Dosal



THE SUPREME COURT OF MINNESOTA
135 Minnesota Judicial Center - 25 Constitution Avenue
Saint Paul, Minnesota 55155-6102

Sue K. Dosal
State Court Administrator

(612) 296-2474
Fax No. (612) 297-5636

April 13, 1992

Rosella Sonstebly
4151 141 Ave. N.W.
Andover, MN 55304

Dear Ms. Sonstebly:

You recently wrote to Attorney General Humphrey and the Board of Judicial Standards, expressing concerns about a mandamus case you were involved in. Assistant Solicitor General Richard Slowes referred your letter to this office, to answer your questions about retention of trial tapes. It appears from your letter that you believe that the transcript prepared by the court reporter was incomplete, and did not include exchanges between your attorney and the judge. You indicated that you were told that the tapes of the trial were destroyed. You suggested that it be mandatory that trial tapes be kept for how ever long as needed. This implies that if the tapes were retained, parties would have access to them. This is not necessarily the case.

Statutes do require that court reporters make a complete stenographic record of all testimony and all proceedings before the judge when issues of fact are tried. The reporter must take down all questions in the exact language used, and all answers precisely as given by the witness. In addition, the reporter must record all objections and the grounds stated by counsel, all rulings, all exceptions, all motions, orders, and admissions and the charge to the jury. When directed by the judge, the reporter must also make a record of any other matter or proceeding. M.S. §486.02.

Statutes also require that the court reporter file a stenographic report, or tape recording, with the court administrator, or elsewhere if the judge directs. M.S. §486.03. If the tapes had been filed with the court administrator, they would be accessible to the public under the Rules of Public Access to Records of the Judicial Branch. However, in most cases, tape recordings are used as backup to the paper notes, and are not filed with the court administrator. Though statutes do require that the court reporter furnish a transcript of the record upon request of any interested person and payment of fees, M.S. §486.03, they do not require that a tape recording which is in the possession of a court reporter be furnished upon request to an interested person.

Even though parties may not have access to tapes of court proceedings, there is a procedure to correct trial court records and transcripts. Rule 110.05 of the Rules of Civil Appellate Procedure provides as follows:

If any difference arises as to whether the record truly discloses what occurred in the trial court, the difference shall be submitted to and determined by the trial court and the record made to conform. If anything material to either party is omitted from the record by error or accident or is misstated in it, the parties by stipulation, or the trial court, either before or after the record is transmitted to the appellate court, or the appellate court, on motion by a party or on its own initiative, may direct that the omission or misstatement be corrected, and if necessary that a supplemental record be approved and transmitted. All other questions as to the form and content of the record shall be presented to the appellate court.

Since you are represented by an attorney, and since you refer to an appeal of your case, I assume that your attorney is aware of this provision, and can use these procedures to correct the transcript if there is a material error or omission.

Finally, the Supreme Court is very concerned about the accuracy of court records. The Court has recently made a proposal which would require court reporters to take tests designed to ensure a minimum level of competency. Under that proposal, complaints about a court reporter are to be filed with the Chief Judge and Judicial District Administrator of the district. I have attached a copy of the proposal for your reference. Though the procedures have not yet been formally adopted, you may wish to file a complaint with those individuals. Their names and addresses are:

Hon. James Gibbs
Anoka County Courthouse
325 E. Main Street
Anoka, MN 55303

Sam Juncker
District Administrator
Anoka County Courthouse
325 E. Main St.
Anoka, MN 55303

I trust this has been of some assistance.

Sincerely,



Sue Dosal
State Court Administrator

Mailed each copy
also - April, 27, 1992

Roseella Jonstob
4151-141 Ave Ni
Anoka, MN 55303

March 23, 1992

Board on Judicial Standards
2025 Center Point Blvd., Suite 420
Mendota Heights, MN 55120

To whom it may concern:

I am filing a complaint against Steven L. Muehlberg, Judge of District Court, who presided in my Mandamus Trial Court, Anoka, Minnesota, against the cities of Anoka and Andover. Trial Court File No. 02-C5-76-039917 02-C5-83-052640. Appeals file No. Co. 91-2309, thus far.

Enclosed also, pages out of transcript.

I felt he was arbitrary through most of trial and did not rule on law. Photographed some pages out of transcript. Example, how would you feel, Mandamus case started in 1976 and cost over \$100,000, finally get in Court only to hear the Judge say on page 795-19-25 (enclosed), I don't know what benefit you would have if I continue the trial anyway. Frankly.

On page 796 (in transcript enclosed), Mr. Rapp, my attorney, said, I just wonder tape marked as an exhibit before we play it "referring to Andover exhibit." Yet on page 44-19-25 (in transcript enclosed) Mr. Scott, attorney for Anoka, says Foundation, plus that blue shading overlay has not yet been admitted in evidence (in my testimony).

At one point, when the defendants were putting in drawn heresays map not really knowing who made them, my attorney objected. Judge Muehlberg shouted out to my attorney and said "Shut up!" My attorney did not say anything. The Judge allowed those exhibits in. Then my attorney asked to speak. He then had a law book open and read out of it to Judge Muehlberg. All that is not in the transcript as well as a lot of other continual objections, etc. If you read all those pages from transcript enclosed starting with page 1064 through 1079, you will get a better picture of negativism. It was pretty much that way all through the trial.

Note pages 1064 through 1079 (enclosed) in bottom of those pages it shows T. Skoglund (that's my Engineer) that is not him testifying, it is J. Schwantz for City of Andover.

On page 795 in transcript (enclosed) 24-25, I believe my attorney summed it up, "Well, if I simply may respond." I

won't even bother.

I called the Court Reporter, Gary R. Frazier for Judge Muehlberg if he had a tape of the trial, he said he destroyed it.

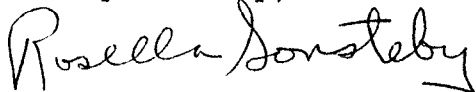
I am also sending a copy of all this to Mr. Humphrey, Attorney General of Minnesota, to make it mandatory to keep those trial tapes how ever long as needed.

Also, I am requesting when one has a court case against cities in that County, one can have that case heard in a different County.

Please, I don't want this complaint to interfere with my appeal to the Court of Appeals. And please, I do not want to involve my attorney fearing his future as an attorney before a court could greatly be harmed.

Please call 612-421-4683, or write if you want a copy of that transcript as made out by the Court Reporter for Judge Muehlberg, or any further information.

Respectfully,



Rosella Sonstebly
4151 - 141 Ave. N.W.
Andover, MN 55304

April 27, 1992

OFFICE OF
APPELLATE COURTS

APR 28 1992

Clerk of Appellate Courts
25 Constitution Avenue
St. Paul MN 55155

FILED

Dear Sirs:

I am writing on behalf of myself as a free lance court reporter regarding certification of court reporters in Minnesota. I recommend that reporters who have practiced five or more years be grandfathered in.

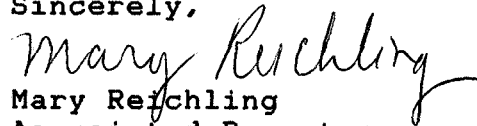
My question I have is: Do lawyers have to re-take the Bar Exam every six years? Does one have to go back to college every six years to re-earn their degree? I earned my court reporting diploma through a lot of hard work and passing speed-writing tests and I am still paying on my school loan.

You are playing with livelihoods of families and people's lives and this is very unsettling.

Again, I strongly urge your consideration for the grandfather clause.

Thank you for your consideration to this very important issue.

Sincerely,



Mary Reichling
Associated Reporters
10511 Decatur Circle
Bloomington MN 55438
(612) 332-2112

April 24, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 29 1992

FILED

To Whom It May Concern:

This letter is written in response to the Order regarding Minimum Qualifications for Court Reporters. I agree that all practicing reporters, official and freelance, should be required to pass their Registered Professional Reporter examination. I do not agree with retaking the examination every six years. This is not appropriate and is not consistent with requirements of other legal-related professions. An appropriate way to ensure the competency of reporters is to set a minimum requirement of continuing education credits, which is already in place to maintain RPR status.

Thank you for giving me the opportunity to express my views on this important issue affecting my profession. I believe with the Supreme Court and MFCRA/MCRA working closely together that an acceptable result can be met for all parties.

Sincerely,

Jennifer Sati

Jennifer S. Sati
Registered Professional Reporter
4406 71st Avenue North
Brooklyn Center, MN 55429

cc: MFCRA



Davidson Reporting
Court Reporters
2109 SHERWOOD AVENUE
ST. PAUL, MN 55119

PHONE:
(612) 776-4028

April 27, 1992

OFFICE OF
APPELLATE COURTS
APR 29 1992

FILED

Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Dear Sir or Madam:

I appreciate the opportunity to voice my opposition to Chief Justice Keith's proposed order regarding the mandatory testing of Minnesota court reporters every six years. I know of no other legal-related profession within the state of Minnesota that is required to be tested repetitively.

I do agree that Minnesota should adopt a program of testing reporters before they are allowed to begin working, what is called a Certified Shorthand Reporter certificate. Since we have to start somewhere, perhaps court reporters presently holding the Registered Professional Reporter's certificate, which is a nationally known accuracy test we have to pass, should be grandfathered in as CSR's, and then all reporters graduating from this point forward should be required to pass our state's CSR test.

As court reporters, both freelance and official, we are tested every day in our jobs. Being forced to be tested every six years would only add unnecessary stress to an already stressful job.

Perhaps a better way to approach this matter is to require so many hours of continuing education in a specified amount of time.

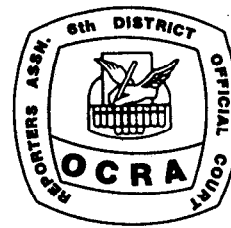
Sincerely,

Lois Davidson Schwelling
Lois Davidson Schwelling
Court Reporter

cc: MCFRA
MCRA

6TH JUDICIAL DISTRICT

Official Court Reporters Association



Room 135
St. Louis County Courthouse
Duluth Minnesota
55802
PHONE: 726-2476

April 28, 1992

The Honorable A.M. Keith
Chief Justice
Minnesota Supreme Court
Judicial Center
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 29 1992

FILED

RE: Minimum Qualifications for Court Reporters

Dear Justice Keith:

The Official Court Reporters of the Sixth Judicial District are taking this opportunity to express our opinion on this matter which is so important to continuing and enhancing professionalism in the field of court reporting. We are in favor of the concept of certification of reporters with the following concerns in mind:

1. That it not in any significant manner alter or take precedence over the confidential employee-employer relationship that currently exists between the judges and their reporters.
2. That such certification is not opposed by the Supreme Court, Court of Appeals, Conference of Chief Judges, or Minnesota District Judges Association.

In the event that your March 13, 1992 Order regarding minimum qualifications for court reporters remains in effect, we suggest that the following changes be made:

1. That the following paragraph be eliminated as not accurately reflecting the current situation:

"WHEREAS, the Minnesota Shorthand Reporters Association has indicated that significant problems exist with the competency of currently practicing court reporters:..."

The Honorable A.M. Keith
Page 2
April 28, 1992

2. That administrative provision no. 2 of Chief Justice Keith's Order requiring a retesting of the RPR exam every 6 years be eliminated as unnecessary.

3. That a grandfather clause be reinstated as follows:

That an individual actively engaged as a court reporter at the time of issuance of any follow-up order will be registered as a Minnesota Certified Shorthand Reporter without the need for the individual to take a certification test.

4. That entry-level requirements be established for all future new stenographic reporters as follows:

That in order for a new stenographic reporter to be certified to practice court reporting in the State of Minnesota, they must have graduated from high school or equivalent; have successfully completed an accredited court reporting program; and have passed the Registered Professional Reporter examination.

5. That court reporters be registered to improve communication between the judiciary, the legal community and court reporters.

The Sixth Judicial District reporters encourage and support the ongoing efforts between the judiciary and the representatives of court reporters in Minnesota to come up with an equitable, workable certification/registration of court reporters.

Very truly yours,

SIXTH JUDICIAL DISTRICT
OFFICIAL COURT REPORTERS

cc: Sixth Judicial District Court Judges

2

April 26, 1992

TO: Supreme Court Justices
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 29 1992

In re: Minimum Qualifications for Court Reporters

FILED

Dear Sir:

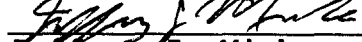
We are writing to express our dismay and disbelief over the proposal that court reporters should be required to take the RPR examination to be certified to work in the State of Minnesota.


We have been working in the State of Minnesota for over twenty years as free lance court reporters. We have had to build up clientele on our own by being trustworthy, competent court reporters. If a client finds any incompetency, he has the option of calling another court reporting agency. In other words, if we don't produce a verbatim deposition, we won't be called back.

We believe only court reporters should be allowed to regulate our industry. What would it be like if court reporters were to decide on what kind of tests judges and attorneys should pass to begin their practice?

We all know that incompetency exists at all levels of the work place, doctors, lawyers, CPAs, and perhaps even judges. Every industry has some. If our profession must pass tests every six years, perhaps other forms of the industry, judges, lawyers, clerks should also.

If court reporters have to be certified, let their personal track record speak for them. If we've been in business for twenty years, we're doing something right. We have our certificates or diplomas, which we received upon graduation from court reporting school, which was what we needed for our industry then. We feel we have met the standards for our profession by passing all the tests at school and receiving our diploma from an accredited court reporting school. We feel one should not change the rules in the middle of the game.



Jeffrey J. Micko


Linda M. Micko

Certified by Northern Technical School of Business

April 16, 1992

OFFICE OF
APPELLATE COURTS

APR 27 1992

To whom it may concern:

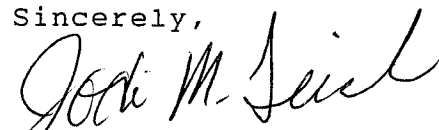
FILED

In response to the Minnesota CSR Bill, I am in support of having competent reporters working in Minnesota but as a reporter not currently working in Minnesota I'm not eager to be put in the position of having to obtain a CSR before returning. I am in agreement that the official and freelance reporter have the same requirements imposed on them whatever they may be.

Thank you for giving me the opportunity to give you my thoughts on this matter and hope that you will take them into consideration in coming to a solution.

Thank you.

Sincerely,



Jodi M. Teich
Court Reporter working in Idaho

Randall D. Herrala, CSR (WA)
Court Reporter
273 Bradshaw Avenue Northeast
Buffalo, MN 55313
(612) 682-6639

April 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

APR 29 1992

Re: State of Minnesota
In Supreme Court
Order, March 13, 1992
In re Minimum Qualifications for Court Reporters

FILED

Gentlemen:

Thank you for the opportunity to comment on the referenced Order. Although I am in support of developing and establishing a Certified Shorthand program in the state of Minnesota, I am opposed to the March 13, 1992, Order and respectfully provide my comments herein.

I am an advocate of professional associations who work to advance and police their respective professions and common interests. I also believe that the Court Reporting profession is an adjunct to the legal profession, and I have always been proud of a harmonious working relationship between these two professions in performing their respective roles within our legal system. Now, when the Minnesota court reporting associations have embarked on a significant, far-reaching path of certification of reporters, it is imperative that there be mutual support in the legal and reporting communities.

The initial proposals brought forth from the reporting associations incorporated well-founded provisions which, I believe, are consistent with many other portions of our country that have instituted CSR licensure and procedures. The same proposals received favorable responses in the Minnesota state legislative committees but are absent from or are different in the Order. I believe consideration and discussion of such provisions to a point of mutual resolution are essential, rather than an approach of unilateral decree.

This Order institutes a new system in the state of Minnesota and imposes an unreasonable requirement or burden on many reporters who, right or wrong, have not been accustomed to thinking in these terms. The new system is truly a significant change and affects the livelihoods of many. I believe that most reporters are well-qualified and function professionally and competently in their field. I believe it is unreasonable to allow for such a short period of transition, give no consideration to grandfathering or

April 27, 1992

Page Two

CSR status obtained in other states, and to demand periodic retesting as opposed to a continuing education requirement.

The RPR Examination administered by the National Court Reporters Association (NCRA) is a widely recognized and accepted, scientifically prepared examination. However, please note that to take this examination necessitates a membership in NCRA at a cost of \$125 per year at least five months prior to the twice yearly exam date, not including the \$75 examination fee or the cost of license fees which will be forthcoming in Minnesota. For working reporters who were not members of the NCRA and had not registered for the May 2, 1992, examination before the date of the Order, March 13, 1992, they will have two opportunities to take the examination prior to the July 1, 1993, deadline set forth in the Order. Furthermore, those taking the examination in May of 1993, in all likelihood, will not have learned of the results of the examination by the July 1, 1993, date. This, in effect, narrows the opportunity to only one for many working reporters, the November 1992 RPR Examination. Consequently, the timing aspect as well as alternative means of showing competency other than the RPR Examination need to be explored.

I support a provision for grandfathering and oppose the Order's lack of it because I feel a distinction needs to be made between an active, working reporter and a reporter who is newly entering the profession from an academic environment, particularly when the new requirement is instituted with such difficult time restraints.

I am not aware of other comparable, legal-related professions in the state of Minnesota where periodic retesting is mandatory, and I am not aware of any other area of the United States where this is being done with respect to the reporting profession. I do not believe this is reasonable; rather, I believe that mandatory continuing education would be much more beneficial.

I believe that any grievance, competency, or conduct review process relating to the work of court reporters should be through a body or system that includes the involvement of professional court reporters.

In conclusion, I thank you for listening to my opinions and concerns. I support a registration process but respectfully request that the Supreme Court communicate with the MFCRA and MCRA organizations to address the issues of timing, alternative methods of proof of competency and grandfathering, establishment of a system for addressing ethics and competency among reporters which includes reporters, and continuing education versus retesting.

Sincerely,



Randall D. Herrala

KATHLEEN B. KRUGER, RPR, CSR (CO)
17175 Chiltern Hills Road
Minnetonka, Minnesota 55345
(612) 935-7470

April 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS
APR 29 1992

FILED

Dear Chief Justice Keith:

I would like to express my thanks for the opportunity to voice my opinion on the issue of certification of court reporters in the state of Minnesota. Having been a practicing court reporter in the state of Colorado for ten years and in Minnesota for one year and now beginning a career as a court reporting instructor at Rasmussen Business College in Eagan, I am very aware and concerned about preserving the integrity of the court reporting profession.

I am of the personal opinion that all practicing court reporters should be certified either by the National Court Reporters Association (NCRA) or by a similar state certification process. I also believe that all reporters should be required to maintain continuing education credits in order to retain that certification. However, as long as a reporter is active in the field (i.e. a practicing reporter), I do not believe that it is necessary to require that reporter to retake that certification test again. Reporters who are active will retain their writing speed; and as long as they attend educational seminars, they will keep abreast of the latest procedures and technologies.

I would also add that if a reporter is absent from the working field for longer than a period of six months, that reporter should be required to become recertified by either the NCRA or state certification process. This would include teachers such as myself who have taken a leave of absence from reporting or who have entered a related area of reporting such as the educational field. It is necessary to assure the legal community that that reporter is again qualified to make and preserve the record.

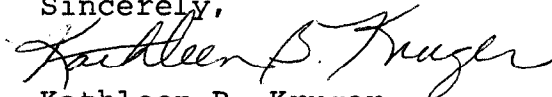
Chief Justice Keith

Page Two

In order to maintain a relationship of mutual respect between court reporters and attorneys and to keep avenues of communication open between the two professions, a committee or board should also be formed comprised of court reporters, attorneys, and judges to handle grievances about specific reporters and also to address current areas of controversy or concern regarding issues involving attorneys and court reporters.

In closing, I want to emphatically state that I care very much about my profession. All practicing court reporters should be certified. The formation of a certification process and a related ethics committee can only benefit both attorneys and court reporters. I am hopeful we can begin to work together to make this a reality. Thank you for your time and attention.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen B. Kruger". The signature is written in dark ink and is positioned above the printed name.

Kathleen B. Kruger

April 24, 1992

Glenda L. Kaufman, RPR
8240 Newton Avenue North
Brooklyn Park, Minnesota 55444

To the Honorable Justices of the Supreme Court:

Thank you for giving me the opportunity to respond to the Supreme Court Order concerning qualifications for court reporters in the State of Minnesota.

As a working freelance reporter, I am very concerned with this Order for many reasons. The proposed retesting the Supreme Court references in its Order is not consistent with retesting of court reporters in any other state in this country who hold CSR examinations, nor is it consistent with requirements imposed on other legal-related professions in this state. That would be similar to requiring attorneys in Minnesota to retake the Bar examination every six years to prove their continued competency. I do not think many people would agree that is a necessary process either.

I feel it is very important that reporters be certified as to their competency. CSR testing of court reporting school graduates will help assure the reporting profession that these recent graduates are qualified to report in the state of Minnesota. As it stands now, a person who does not graduate or one that attends an unaccredited school can become a court reporter and attempt reporting without any type of credentials. For a reporter who is presently working and has graduated from an accredited school or holds RPR status or shows proof of competency through letters submitted from attorneys or judges, I think this would be adequate to support their competency and they should be allowed to obtain a CSR status. This should be required of both freelance and official reporters. Continuing education credits completed within a certain time period in order to retain the CSR would be beneficial not only to the reporter, but to the litigants and the legal community.

The Supreme Court and MFCRA/MCRA CSR Committee need to work together to develop a plan acceptable to all parties. The CSR Committee is supported by members of our associations and they are aware of our opinions and overall needs.

OFFICE OF
APPELLATE COURTS

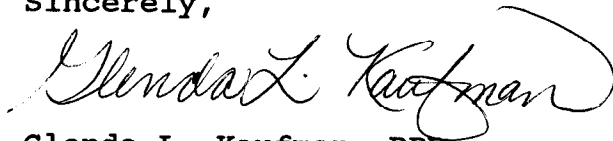
APR 29 1992

FILED

One of these needs is to have a body in place where reporters, attorneys, judges can go with problems/complaints concerning incompetent or unethical practices of reporters. Another important area is to have guidelines that court reporters can operate under. Having a registration process through CSR would help to keep all reporters apprised of changes in procedures and rules relative to the reporting profession. Right now, reporters who do not belong to an association are unaware of changes that take place and find out only through reporters who are involved with an association or else they do not find out at all. That type of inconsistency can only cause problems in the reporting profession and in the legal community.

Thank you once again for giving me this opportunity to voice my opinion on the proposed Supreme Court Order.

Sincerely,

A handwritten signature in cursive script that reads "Glenda L. Kaufman". The signature is written in dark ink and is positioned above the typed name.

Glenda L. Kaufman, RPR

Ingrid Kluegel
C-1051 Government Center
Minneapolis, MN 55487
348-5398

April 28, 1992

OFFICE OF
APPELLATE COURTS
APR 29 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Chief Justice A. M. Keith's Order of March 13,
1992 regarding Minimum Qualifications for
Court Reporters

Dear Sir or Madam:

This letter is in response to Chief Justice, A. M. Keith's invitation for comments on the above-referenced Order.

A certification program for Minnesota court reporters would help correct some of the problems which have occurred in the past, most of which have been the failure of a few reporters to comply with the diverse rules of the Appellate and various District Courts. A licensing program which locates and informs all reporters and requires continuing education should prevent most, if not all, of the past problems from re-occurring. I support and encourage a program aimed at communication and education.

I vigorously oppose, however, the requirement that currently practicing court reporters pass the Registered Professional Reporter (RPR) Examination. The RPR exam is purely and simply a test of a reporter's mechanical skills. Neither the legislature nor the judiciary nor the reporter associations have cited transcript accuracy as a problem needing a solution. In fact, Chief Justice, A. M. Keith, in his March 4, 1992 letter to Senator Harold R. Finn stated:

"I have spoken to the other justices of the supreme court, some of whom have been members for nearly 20 years and to the state court administrator who has been serving in that position for 10 years. None of us in that entire time has received a single complaint about the integrity of a court transcript. I have spoken to the Minnesota State Bar Association Executive

a single instance of court reporter dishonesty and never heard of anyone else who had."

Many reporters are not RPR certified yet all have the manual dexterity and stenographic skill to accurately report even the most rapid exchange between the participants in a trial and/or depositions.

The fact of the matter is, however, that a majority of reporters would fail an RPR speed examination, having been away too long from the unremitting, repetitious speed drills demanded by schools which even the most demanding courtroom and/or deposition testimony does not duplicate.

A reporter's ability to pass an RPR exam would be no better than a lawyer's or doctor's or accountant's chances of passing their state certification examinations several years after having graduated from their professional schools. Or, even more to the point, although Dorothy Hammil is still a marvelous skater she probably cannot regain her ability to do a perfect figure eight or triple axle. Should experienced doctors, lawyers, CPAs, and Dorothy Hammil be forced from their professions simply because they have been away from their academic disciplines too long?

The Judges for whom reporters work will tell you that their reporters already have sufficient skills to produce accurate transcripts. Those same Judges will also tell you that it takes more than speed to make a good court reporter. They will tell you that our jobs require physical and mental stamina, patience, discretion, and decorum and that we often work long hours in the evenings and on weekends transforming days of notes into quickly needed transcripts.

Despite their dedication and competence, many reporters are now in danger of losing their jobs because the "grandfather clause," which our associations have advocated, has been dropped from the Court Order.

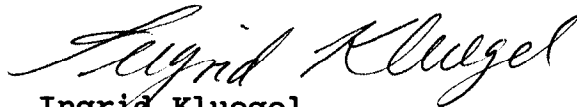
Chief Justice, A. M. Keith, in his March 4, 1992 letter to Senator Finn, mentions the judiciary's work in the area of gender fairness. I recognize and applaud those efforts but find it strange that court reporter certification was never an issue when the profession was mainly populated by men but, now that most court reporters are women, certification becomes crucial. Could it be that I am considered to be merely a "secondary" family wage earner and that loss of my job would be rather inconsequential?

Clerk of the Appellate Courts
April 28, 1992
Page 3

I am not a "secondary" wage earner. I am competent and experienced. I love my profession and am loyal to my Judge. I welcome the Court's efforts to require a certification program based on communication and continuous education. Speed and accuracy, however, have never been at issue and their development should be left to the court reporting schools.

I urge you to either drop the RPR requirement or reinstate the "grandfather clause" so that we are not forced out of the profession which we love and which supports our families.

Respectfully submitted



Ingrid Kluegel
Official Court Reporter
Fourth Judicial District
Hennepin County



JOHNSON & DZIUK COURT REPORTERS

607 Marquette Avenue
Suite 414
Minneapolis, Minnesota 55402
(612) 333-6022 or (612) 333-8986

Pamela L. Thunnell
Linda G. Oman
Mara E. Yackel
Vicki G. Pierce
Jeanne M. Gaughan
Lisa A. Linder
Monica R. Aumann
Gina M. Fisher

April 27, 1992

OFFICE OF
APPELLATE COURTS
APR 29 1992
FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications for Court Reporters

Dear Sir/Madam:

Thank you for allowing me the opportunity to respond to the proposed Order regarding minimum qualifications for court reporters.

I am enthusiastic about the idea of certification for court reporters, because I believe that all professions need a governing body to ensure that the members of that profession are competent and ethical. I would urge that continuing education be made a part of the certification process, as I feel this is an integral part of ensuring competency. I do feel, however, that as long as one's continuing education requirements are met, no further testing should be called for. I cannot think of another profession in which retesting is required.

I also feel that any person actively engaged in court reporting should not be required to take the RPR test. Mandatory testing of these individuals could place an undue burden on reporters, given the fact that they would have only two opportunities to take this test between now and July 1, 1993. Most of the people who have passed the RPR have taken it at least twice. Those that do not hold RPR status have probably not been tested since graduation from court reporting school.

The RPR examination is a very difficult test to pass. It is given in a manner which is far different from a deposition or courtroom setting. Preparation for this test requires almost daily practice for many months. Given the fact that I, and most of my colleagues, work 60 to 80 hours a week, preparing for this test at this point would be burdensome.

I respectfully urge the Supreme Court to combine its efforts with the Joint MFCRA/MCRA CSR Committee to reach a mutually acceptable plan to all parties.

Again, thank you for affording me the opportunity to express my opinions.

Sincerely,


Gina M. Fisher

/gmf

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APR 29 1992

FILED

April 28, 1992

The Honorable A. M. Keith
Chief Justice of the Supreme Court
25 Constitution Avenue
St. Paul, Minnesota 55155

Dear Judge Keith:

Let me begin by thanking you for your invitation to comment on the proposed court reporter qualification order dated March 13, 1992.

I am a free-lance reporter and a free-lance agency owner in the Twin Cities area. I have been reporting for twelve years.

I wish to express my displeasure with the Order and the procedure used to arrive at the Order.

After talking to several fellow reporters, it has been the impression that almost all are in favor of some type of accountability and registration system for reporters in our state. It is my belief that a continuing education system, with seminars and lectures and study materials provided and a "point system" kept, similar to the CLE program used for attorneys, is an excellent idea. This would increase the professionalism of reporters far more than a "speed test" which measures a very small segment of the skills and knowledge necessary to perform as a reporter in today's highly-competitive marketplace.

Reporters currently in the field, those working at least two or three years, should automatically become certified. New reporters should have to pass some type of state certification while in their school setting or prior to employment in Minnesota. I believe the requirement to have previously certified reporters tested again every six years is burdensome and wasteful and unnecessary if a continuing education point system is adopted.

The proposed testing requirements are more stringent than any other professional testing requirements in the state or the judiciary. Lawyers and accountants are not tested at intervals, but are required to participate in continuing education programs.

I look forward to some avenue to provide operating guidelines for court reporters. The same guidelines should apply equally to freelance and official reporters at all levels of government.

I urge you to seriously reconsider the March 13th order and to instead work with the joint MFCRA and MCRA CSR Committee to work out a solution that is acceptable to all parties. Court reporters are not trying to "beat the system," we want to work with you to improve it.

Very truly yours,

A handwritten signature in cursive script, appearing to read "James R. Maves". The signature is fluid and somewhat stylized, with the first letter of each name being significantly larger and more decorative.

James R. Maves
(612)731-7575

April 28th, 1992

Scott Ryan
Butler Square Reporting
12 South Sixth Street
Suite 504
Minneapolis, Minnesota 55402

OFFICE OF
APPELLATE COURTS

APR 29 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

Your Honor,

I am writing in regards to the minimum qualifications proposal for court reporters. I do agree that Minnesota needs state-wide qualifications for court reporters. However, I find the proposal unduly harsh and restricting.

As to the proposal that all reporters pass the RPR examination, I find that a very unfair proposal. To pass the RPR, a reporter has to become a member of the NCRA, pay yearly dues that run over \$100, and pay \$75 every time that you want to take the RPR test. Personally, I would rather be a member of the Minnesota Court Reporters Association rather than the National Court Reporters Association and I do not like the state telling me which association I have to belong to.

In my case, I passed the California CSR test that enables me to practice in California. It seemed to make more sense to pass a test that actually qualified me to work in a certain state than a national exam that had no particular meaning to any state. Who is to say that the RPR test is any more proof of court-reporting expertise than the CSR examination that I passed in the state of California? It is unfair that this particular test be singled out as the one that has to be passed. If you want Minnesota court reporters to be certified, we should have our own test just like California, Oklahoma, Oregon, Iowa, Idaho, and the list goes on and on.

As to the proposal that I retest every six years, I find it very unfair that court reporters should be expected to retest when other professions are not required. Are lawyers willing to take the bar every six years? Are doctors willing to recertify every six years? This is totally unfair to ask this of court reporters and not other

professions. If we are asked to take continuing education, fair enough, but not retesting every six years.

As to the idea that there are a lot of incompetent reporters in the freelance field, I will only say that there are bad court reporters just like there are bad lawyers, doctors, and judges. In fact, in the freelance field if a court reporter is not performing at a satisfactory level, it does not take long for the attorneys to realize that and tell the court-reporting agency not to ever send that reporter again. In other words, the free market takes care of incompetency better than any state or national organization could. And if a court reporter is not performing in the courtroom, it does not take long for the judge to see that problem and deal with it.

The proposal also creates many other problems. Have you considered the number of bankruptcies this would cause among court reporters who have been working in this state for years and then are suddenly denied their right to work? They have house payments and car payments like everyone else. Then as those people can't make their payments, suddenly the businesses that they deal with have similar money problems. Can you imagine the problems the people who sell court-reporting equipment and paper and stenograph machines would suddenly have? Minnesota would not be very popular with the Stenograph Corporation. In a time of recession is this a wise move that the court is proposing? I think not.

Have you also considered how this would raise the cost of litigation in this state? Right now court-reporting costs in this state are very low compared to many parts of the country. Suddenly if you wipe out half or three-fourths of the court reporters, you are going to create a severe shortage which will cause an increase in prices. Also, how will the court system ever find a reporter to work on a per diem basis at the courthouse when they can make big bucks freelancing?

I have to believe that the court can work with the MCRA to come up with a proposal that is suitable to all parties. As I said, I believe that most if not all reporters in this state are for some type of certification. But the certification that has been proposed by the state is very burdensome and unnecessary.

We are just asking to be treated fairly. It is no more right that court reporters should be denied their right to work than any other profession. Reporters who have been

working should not have their right to work taken away from them. They should be grandfathered into the system. A method of testing should then be required for new reporters coming into the system to work. This is the only fair way to do this and it is the method that all of the other states have used.

Sincerely yours,



Scott Ryan

April 27, 1992

CERTIFIED MAIL--Return Receipt Requested

Clerk of the Appellate Courts
Room 245
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURTS

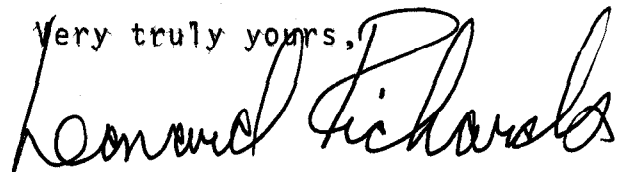
APR 28 1992

RE: In re Minimum Qualifications for Court Reporters
Supreme Court #81-876

The Clerk:

Enclosed are nine (9) copies (the original and eight photocopies) of the undersigned's three-page (including two pages of exhibits) April 13, 1992, statement in support of the proposal to establish enforceable minimum qualifications for Minnesota court reporters.

Very truly yours,



Leonard J. Richards
P.O. Box 10
Stillwater, Minnesota 55082-0010

cc
Enclosures: 9 of 3 pages each

STATE OF MINNESOTA
IN SUPREME COURT
81-876

OFFICE OF
APPELLATE COURTS
APR 28 1992

FILED

In re Minimum Qualifications for Court Reporters

To the Clerk of the Appellate Courts and the Supreme Court:

This is a statement in support of the proposal to establish enforceable minimum qualifications for Minnesota court reporters.

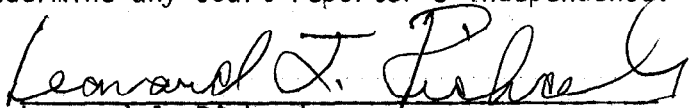
The proposal is a useful first step in upgrading the practice of court reporting in Minnesota. Besides technical competence, court reporters must demonstrate probity and independence.

The independence of the court reporter cannot be protected if the court reporter's allegiance is to the judge rather than the record. The law should be explicit that the court reporter is first and foremost the protector of the record and only secondarily, if at all, an assistant to the judge. For example:

The undersigned reported to the Minnesota Board on Judicial Standards the post-trial conduct of Judge W. S. Posten of the Hennepin County District Court; that conduct occurred in September 1991 at the Minneapolis residence of the prosecutor. To obstruct investigation of that conduct by the undersigned and others, Judge Posten silenced "his" court reporter, Donald A. Klabunde, on or about December 31, 1991. Court reporter Klabunde was a witness to Judge Posten's conduct at the prosecutor's residence, where, among other things, the participants posed for photographs next to a police photograph of the undersigned.

No judge should be in a position to undermine any court reporter's independence.

DATED: April 13, 1992.


Leonard J. Richards
P.O. Box 10
Stillwater, MN 55082-0010

C O N F I D E N T I A L M E M O R A N D U M

TO: Board on Judicial Standards Hon. Arne H. Carlson
of the State of Minnesota Governor
2025 Centre Pointe Blvd., Suite 420 130 State Capitol
Mendota Heights, MN 55120 Saint Paul, MN 55155

FR: Leonard J. Richards, P.O. Box 10, Stillwater, MN 55082-0010

November 30, 1991

- A. Posten/Mabley anti-Leonard Richards celebration, September 1991.
WITNESS: Donald A. Klabunde, (612) 348-4421 (office), (612) 484-7003 (home). This witness, a court reporter for Judge William S. POSTEN, attended the anti-Leonard Richards celebration, and observed the participants and their activities. He also saw the written invitation for the celebration and the enlarged Minneapolis Police Department "mug shot" photograph of Leonard Richards displayed on judge candidate Daniel H. MABLEY's garage.
- B. Judge candidate Daniel H. Mabley's hunt for the "mole" in the Hennepin County Attorney's Office.
WITNESS: John J. Ryan, III, Attorney-at-Law, (612) 348-8271. This witness interviewed Daniel H. MABLEY about the anti-Leonard Richards celebration approximately one week after Cheryl Johnson, a writer for the Minneapolis Star Tribune, broke the story of the anti-Leonard Richards celebration. MABLEY told this witness that there is a "mole" in the Hennepin County Attorney's Office, and that MABLEY is going to find out who the "mole" is and then retaliate.
- C. Surprise "hearing" staged by Posten/Mabley team on November 18, 1991.
WITNESS: Donald A. Klabunde, (612) 348-4421 (office), (612) 484-7003 (home). This witness has transcribed his stenographic notes of the surprise "hearing" held by Judge POSTEN and judge candidate MABLEY on Monday, November 18, 1991, in Courtroom 1859 of the Hennepin County Government Center, Minneapolis. The accused's legal advisers, Douglas Hall and William McGee, were not notified of the surprise "hearing," nor was the accused notified. Judge POSTEN barged ahead with the "hearing" even though the accused's legal advisers were not present, no notice had been given to the accused or his legal advisers that the "hearing" would be held, and the accused had objected to Judge POSTEN's involvement in the "hearing" in view of Judge POSTEN's participation in the anti-Leonard Richards celebration at prosecutor MABLEY's residence.
- D. Judge Porter's denunciation of Leonard Richards on Channel 4.
WITNESS: Larry Schmidt (I-TEAM Producer/Reporter), (612) 339-4444. This witness has access to the tapes and records of the Monday, May 6, 1991, denunciation of Leonard Richards by Judge Charles A. PORTER, Jr. on WCCO-TV/Channel 4's "Dimension" news report.

Speak truth to power.
--Quaker wisdom

Minnesota State District Judge:

Were you (or someone you know) at the anti-Leonard Richards celebration at the residence of Hennepin County prosecutor Daniel H. Mabley in September?

Judge William S. Posten was there. He had presided over the "trial," where he and prosecutor Mabley teamed up to defeat the Defense. The celebration was a continuation of the "trial" misconduct of the prosecutor/judge team.

At the anti-Leonard Richards celebration, the participants took pictures of themselves next to a photograph of me. That photograph had been taken only for official police purposes, and was also altered, bars having been added for purposes of the celebration; the bars were used to depict me as a prisoner.

Cheryl Johnson, a writer for the Minneapolis Star Tribune, broke the story of the anti-Leonard Richards celebration in her "C.J." column on Sunday, September 29. (Star Tribune, 9/29/91, p. 2B, column 1.) She revealed that "prosecutors, judges, and other courthouse types" were at the celebration at prosecutor Mabley's residence in the Uptown area of south Minneapolis.

*

Ironically, prosecutor Mabley, a Republican, spent several months in 1991 campaigning for appointment by Governor Arne Carlson as a state district judge!

Your help in bringing the truth out into the open is necessary if the wrongdoers are to be brought to justice, and if similar judge/prosecutor misconduct is to be prevented from ever again happening in Minnesota.

Sincerely,
 4 / 13 / 92

Leonard J. Richards
P.O. Box 10
Stillwater, MN 55082-0010

P.S. On Monday, May 6, 1991, Judge Charles A. Porter, Jr. denounced me as guilty of murder on WCCO-TV/Channel 4. At the time of Judge Porter's Channel 4 "Dimension" news broadcast, the jury had been selected, but--over my objection--not sequestered by Judge Posten. The juror who turned out to be the jury foreman admitted on the record that he had been exposed to "part" of the Channel 4 broadcast. Hostility toward me swept through the courthouse when Judge Porter broadcast the signal that the jury in Judge Posten's courtroom must convict Leonard Richards of murder.

*Governor Carlson announced his Hennepin County District Court judge appointments on December 23, 1991. Wisely, Governor Carlson refused to appoint Mabley.

Richard L. Hoffarth & Associates

Richard L. Hoffarth
Rhonda D. Olynyk

9430 LAKESIDE TRAIL
CHAMPLIN, MN 55316-2612

Office: (612) 323-3094
Fax: (612) 323-3095

4/27/92

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 28 1992

FILED

Re: Chief Justice A. M. Keith's Order of March 13, 1992.

Dear Sirs:

Thank you for allowing me the opportunity to respond to this extremely urgent matter.

I am Richard L. Hoffarth and I have been a free lance court reporter in the State of Minnesota for 13 years. I am writing to you today because I am strongly opposed to the Order of Chief Justice A. M. Keith dated March 13, 1992.

Specifically with regard to paragraph 2 of the Order I would like to say this: What other profession forces its members to RETAKE their professional board certification tests? Do attorneys? Do Judges? Do CPAs? Do doctors? The answer is NO. Why should court reporters be treated any differently? Do not attorneys have a formal registration/licensing procedure?

What is the bottom line here? I'll tell you. The court reporting profession needs to have a better system of professional regulation and certification in place. That better system will come about only through cooperation with the court reporting profession.

There is currently a registration and licensing process that court reporters in some other states have, it's called a CSR (Certified Shorthand Reporter). The CSR is designed such that each reporter is given a very rigorous test. Upon passing the CSR test, the reporter is licensed and issued a number. That number is required to be placed on every transcript and piece of correspondence produced by that

Page Two.

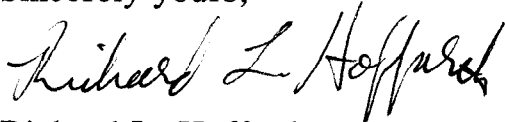
reporter. This identifying number facilitates efficient communication to the CSR regulating powers regarding any complaints received concerning a particular court reporter.

The CSR program could be easily instituted by awarding to any court reporter, now possessing the status of RPR (Registered Professional Reporter), the CSR title. Thereafter, any court reporter wishing to work in the state of Minnesota would need to take the CSR test.

I urge you to contact the joint MFCRA/MCRA CSR Committee in order to facilitate the development of a court reporter certification plan that is consistent with other professions; namely, the Legal, Accounting and Medical professions.

Thank you for your time.

Sincerely yours,

A handwritten signature in cursive script that reads "Richard L. Hoffarth". The signature is written in dark ink and is positioned above the printed name.

Richard L. Hoffarth

2070 81st Street
Victoria, MN 55386-9776
April 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Thank you for the invitation to respond to the Order dated March 13, 1992, regarding minimum qualifications for court reporters. The opportunity to provide input into decisions directly affecting my profession is appreciated.

I do feel there should be some minimum qualifications to ensure the quality of court reporters, because the competency of court reporters is of the utmost importance and certification of all reporters would enhance the profession. With the requirement that all court reporters in the state be registered, changes in rules and procedures could be communicated to each reporter, not just those who voluntarily belong to an association.

I do not feel that court reporters should be required to retake the RPR exam every six years. It is inconsistent with other legal-related professions in the state. I support the requirement of continuing education, which is currently a requirement to maintain RPR status, and that to maintain CSR status, a certain amount of credits be completed within a designated amount of time. I feel that court reporters currently holding RPR status or who can show proof of competency should be allowed to obtain CSR status.

To address complaints of incompetent reporters and unethical practices of court reporters as well as provide feedback from court reporters to the legal community, I feel one body made up of a variety of legal professionals would be very beneficial for all parties concerned. In this manner, each faction of the legal community would have an arena in which to voice their concerns.

I feel it is very important for the Supreme Court to involve the joint MFCRA/MCRA/CSR Committee to develop a certification plan satisfactory to all involved. The CSR Committee is aware of the situations unique to court reporters and would be able to provide valuable input. I am hopeful we can work together toward a mutually satisfactory agreement in the certification of court reporters in the state.

Clerk of the Appellate Courts
April 27, 1992
Page 2

I appreciate your time in considering my views, and thank you, again, for allowing me to respond to an issue which is critical to my profession.

Sincerely,

Caroline Nyberg

Caroline Nyberg
Registered Professional Reporter

Enclosures (9)

**SANDRA K. HELGET, RPR
11611 RODEO DRIVE
BURNSVILLE, MN 55337
612-890-5310**

OFFICE OF
APPELLATE COURTS

April 24, 1992

APR 27 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Honorable Judges:

I am in favor of setting minimum qualifications for court reporters in the State of Minnesota. However, I feel compelled to respond to your Order dated March 13, 1992.

I agree that some sort of certification is needed to ensure practicing court reporters meet and maintain certain standards. The Registered Professional Reporter examination administered by the National Court Reporters Association (formerly the National Shorthand Reporters Association) is an ideal measure of the minimum standards for court reporters.

However, your Order requires all court reporters to pass this test by July 1, 1993. The test is given twice annually, in May and November. The deadline for the May 1992 examination has already passed, which leaves November 1992 and May 1993.

Many reporters have already passed this examination to attain their Registered Professional Reporter status, albeit not in the past six years. You could expect a large number of reporters to apply to take the November 1992 examination. The test is normally given to 25 or fewer reporters and is administered by tape recording. NCRA is not equipped to handle all the reporters in Minnesota who would apply to take the November 1992 exam. Too many reporters would create adverse conditions, such as overcrowding and inability to hear the cassette tape and a lack of equipment on which to transcribe the proceedings.

I would urge you to extend the initial deadline by three or four years to accommodate the number of reporters in the State of Minnesota.

Clerk of the Appellate Courts

April 24, 1992

Page 2

Furthermore, by requiring that we pass the RPR examination every six years you are in effect discouraging reporters from taking NCRA's Certificate of Merit exam and Minnesota Court Reporters Association's Award of Excellence, the requirements of which well exceed the RPR examination. What incentive is given to a reporter to study, take a day off, pay the fee and take these tests when they could use the time to prepare for and take the RPR exam to keep their credentials up to date for the State of Minnesota? I passed my RPR in 1981 and my Certificate of Merit in 1982. In 1991 I passed two of three legs of the Award of Excellence. I feel confident I would pass the RPR exam again, but it seems like a step backwards to retake it. Passing the Certificate of Merit or Award of Excellence should be viewed as a reciprocal examination in the eyes of the State Court Administrator.

Please reconsider the six-year time period for re-testing in favor of a longer time period together with continuing education requirements. I feel a requirement to earn a certain number of continuing education points, such as NCRA requires to maintain our RPR status, would educate us and update us far more than taking the same RPR exam every six years. Seminars are readily available four times a year for reporters in this state, as well as seminars on a national level and various community education courses and college courses that could earn continuing education points. It's easy for the State of Minnesota to monitor CE points by simply adopting NCRA's standards and requirements for 30 CE points every three years.

I can think of no other profession that requires members to retake the same board exam every six years and does not place an emphasis on continuing education.

In addition, your Order requiring "that effective July 1, 1993, any document filed with the court prepared by a freelance court reporter shall include an affidavit attesting that the court reporter has passed the registered professional court reporter examination within the last six years" may already be impossible to meet. As a freelance reporter, my deposition

Clerk of the Appellate Courts
April 24, 1992
Page 3

transcripts are often filed a couple years after they are taken. Depositions taken before your Order was issued can't be filed in July 1993, yet at the time the deposition was taken your Order was not in place.

I urge you to reword the provision to state, "All depositions taken after July 1, 1995, include an affidavit attesting that the court reporter has passed the registered professional court reporter examination within the last six years." This would allow more time for everyone to take the test and then take a deposition in a case that may not go to trial for a few years.

In conclusion, I applaud your efforts to create minimum standards for all court reporters in this state. We should all be required to meet the standards you set, and no one should be "grandfathered in." Likewise, I hope you consider education rather than just repetitive testing to maintain our professionalism.

Thank you for your consideration and the opportunity to provide input in this matter.

Respectfully yours,

Sandra K. Helget
Sandra K. Helget, RPR

April 23, 1992

OFFICE OF
APPELLATE COURTS

Shannon R. Forester
Freelance Court Reporter
2720 Jersey Avenue North
Crystal, MN 55427

APR 27 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Minimum Qualifications for court reporters proposed order

Dear Clerk:

Thank you very much for inviting responses to the proposed order concerning qualifications of court reporters in the state of Minnesota.

As a working freelance reporter, I feel that there needs to be somewhere to go to address concerns regarding incompetent and unethical practices of some reporters. I believe it is extremely important for reporters to be certified as to their competency and that the requirement should be the same for freelance and official reporters.

Reporters who are presently working and have graduated from an accredited school or hold an RPR or show skill in the profession should be allowed to obtain the CSR status. Once the CSR has been attained, a certain number of continuing education credits should be required within a certain period of time in order to retain the CSR. I believe the proposed retesting every six years is unnecessary and cumbersome and is something that no other legal professional in this state is required to do.

There should be a concern with regard to maintaining competency of the reporting profession since it is a \$3 billion per year business and that cost is borne by the litigants and public. If there is a registration process, which CSR would provide, all reporters would be kept abreast of any changes in rules and procedures on a regular basis, instead of the way it is now, which is that reporters who voluntarily belong to an organization are informed and the rest are not.

Thank you again for the opportunity to express my views regarding this very important proposal.

Very sincerely yours,



Shannon R. Forester
Freelance Court Reporter

Norman E. Mark - Court Reporter Service

FREE-LANCE COURT REPORTERS
NOTARIES PUBLIC

Phone 235-7571 - P.O. Box 1654 - 312 Black Building - Phone 235-7572
FARGO, NORTH DAKOTA 58107

NORMAN E. MARK, R.P.R., C.P., C.M.
Residence: 235-3243
Fargo, North Dakota 58103

April 23, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

OFFICE OF
APPELLATE COURT

APR 27 1992

To: Minnesota Supreme Court Justices

Re: Minimum Qualifications For Court Reporters

FILED

As a member of the Minnesota Freelance Court Reporters Association I thank you for the opportunity to respond to the March 13, 1992, Order signed by Chief Justice A. M. Keith.

I strongly support the requirement that official and freelance reporters meet certain minimum standards of their profession. I would suggest that the tests required by the National Court Reporters Association to obtain the status of Registered Professional Reporter be adopted by all states, including Minnesota, and that existing RPRs be Grandfathered.

My opposition to Paragraph 3 of the Order is equally as strong; it is unreasonable to require retesting every six years for court reporters when the same demand is not made on other members of the legal system. Meeting NCRA's Continuing Education requirements should suffice.

I would urge the Minnesota Supreme Court meet with and consider the input of the Minnesota Court Reporters Association and the Minnesota Freelance Court Reporters Association regarding this matter.

Thank you for your consideration.

Sincerely,



Norman E. Mark

cc: Ms Debra M. McCauley

HENNEPIN COUNTY DISTRICT COURT REPORTERS ASSOCIATION

12-C GOVERNMENT CENTER
MINNEAPOLIS, MINNESOTA 55487

April 21, 1992

OFFICE OF
APPELLATE COURTS

APR 24 1992

FILED

The Honorable A. M. Keith
Chief Justice
Minnesota Supreme Court
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

On behalf of the Hennepin County District Court Reporters Association, we, the Executive Board of the Hennepin County District Court Reporters Association, have attached the enclosed Petition signed by members of the Bench of the Fourth Judicial District supporting a Certified Shorthand Reporters program in the State of Minnesota. Also enclosed is a proposal signed by members of the Bench of the Fourth Judicial District whereby provisions of the proposal incorporate the original CSR proposal as opposed to the provisions in the Supreme Court's Order dated March 13, 1992.

The Judges of the Fourth Judicial District have been very supportive of the court reporters in their efforts to insure the integrity of the court reporting profession.

It is our sincere hope that you will reconsider the provisions in your Order dated March 13, 1992, and that a positive dialogue can commence between the Minnesota Court Reporters Association and the Supreme Court regarding this important issue.

Sincerely,

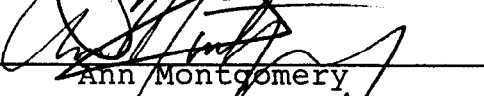
Executive Board, HCDRCRA
Brenda Anderson *BA*
Sandra Goldstein *SG*
Lynne Johnston *LJ*
Lorilee Fink *LF*
Jerry Gardner *JG*
Linda Renner *LR*
Debra Bowser *DB*

cc: 9 copies

PETITION

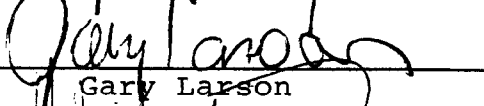
We the undersigned support the proposed bill to set up testing and certification for shorthand reporters in the State of Minnesota. We believe this is a positive step in creating a uniform method of measuring the competency of court reporters working in the judicial system, affecting not just the official court reporter, but also the per diem court reporter hired from the freelance community. This will benefit not just the judicial system itself, but more importantly, the public will be better served.

1. 
PETER J. LINDBERG
DISTRICT COURT JUDGE

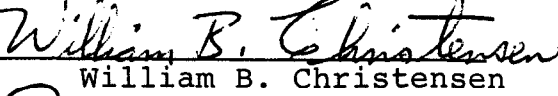
2. 
Ann Montgomery

3. 
Robert Schiefelbein

4. 
PETER ALBRECHT

5. 
Gary Larson

6. 
Michael Davis

7. 
William B. Christensen

8. 
Richard B. Solum

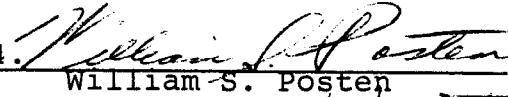
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Patrick Fitzgerald

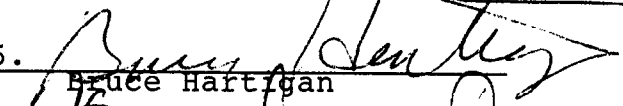
10. 
Delila F. Pierce

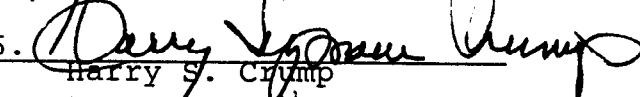
11. 
Charles Porter

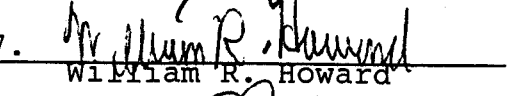
12. 
Deborah Hedlund


13. 
Sean J. Rice

14. 
William S. Posten

15. 
Bruce Hartigan

16. 
Harry S. Crump

17. 
William R. Howard

18. 
Marilyn Justman

19. 
Mary D. Winter

20. 
Allen Oleisky

21. *Robert H. Lynn*
Robert H. Lynn

37. _____

22. *Lucy Wieland*
Lucy Wieland

38. _____

23. *John Sommerville*
John Sommerville

39. _____

24. *Pamela G. Alexander*
Pamela G. Alexander

40. _____

25. *E. Anne McKinsey*
E. Anne McKinsey

41. _____

26. *Andy Danielson*
Andy Danielson

42. _____

27. *George R. Adzick*
George R. Adzick

43. _____

28. *Harold Kalina*
Harold Kalina

44. _____

29. *Harvey C. Ginsberg*
Harvey C. Ginsberg

45. _____

30. *LaJune Thomas Lange*
LaJune Thomas Lange

46. _____

31. *Ann L. Alton*
Ann L. Alton

47. _____

32. *Daniel R. Hart*
Daniel R. Hart

48. _____

33. *John M. Stanoch*
John M. Stanoch

49. _____

34. *Louise Minant*

50. _____

35. _____

51. _____

36. _____

52. _____

We, the undersigned Judges, support the original proposal to the Supreme Court regarding testing and certification for all shorthand reporters in the State of Minnesota. We are opposed to the Order dated March 13, 1992 as it is outlined in the present proposal of the Supreme Court. The order as proposed would not be effective in assuring the competency to prepare the court record, nor do we feel that there are significant problems that exist with the competency of currently practicing court reporters, although we do acknowledge that some problems exist that are not related to competency.

We would like the following provisions as originally proposed incorporated in any rule changes regarding a Certified Shorthand Reporter program.

1) A program be established for the registration of all court reporters, both official court reporters and freelance court reporters.

2) The program would be self-funded through the collection of fees for testing and registration.

3) That the Supreme Court appoint a Board to administer the program. The Board will be made up of freelance and official reporters, lawyers, judges and court administrators. The Board would supervise the administration of CSR testing, review and make recommendations concerning the rules governing shorthand reporting, hold hearings and make recommendations concerning disciplinary actions as necessary.

4) That the court reporter must have successfully completed an accredited court reporting program; proficiency in making verbatim records as demonstrated by passing the National Shorthand Reporters Association Registered Professional Reporter examination and an additional examination on Minnesota rules, or a current practicing court reporter at the time of the implementation of these rules.

5) That all practicing court reporters must complete an annual registration form and payment of fees as set by the Board.

6) That the court reporter must complete a specific number of continuing education credits as determined by the Board

23) ~~Mary~~

36)

24) Edward Toussaint

37)

25) Michael J. Jones

38)

26) Deborah Hedlund

39)

27) Lucy Hedlund

40)

28)

41)

29)

42)

30)

43)

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45)

33)

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47)

35)

48)

KERRY S. TROSKE

April 17, 1992

OFFICE OF
APPELLATE COURTS

APR 24 1992

FILED

Clerk of Appellate Courts
25 Constitution Avenue
Saint Paul, Minnesota 55155

Freelance Court Reporter
3535 Rooney Place
White Bear Lake, Minnesota 55110
(612) 770-2971

Re: Court Reporter Qualifications

To Whom it May Concern:

While I support the establishment of a court reporter certification program, I do not support the administrative provisions outlined in the Supreme Court's Order of March 13, 1992.

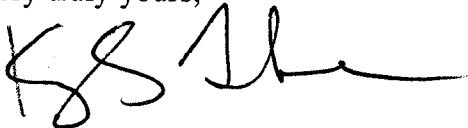
Specifically, I am opposed to provisions 2 and 3 requiring reporters to be retested every six years. I know of no other profession that requires retesting in order to maintain licensure or certification. Moreover, no other state requires reporters to retest in order to maintain certification.

I believe it would be more appropriate to require a certified reporter to maintain that status by completing a certain number of continuing education credits during a specified period of time.

Because this would be a new requirement placed on reporters, I would support a provision grandfathering in reporters who have been working reporters for the past two years.

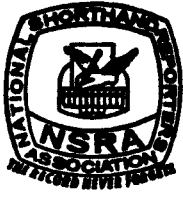
I support the Minnesota Freelance Court Reporters Association and feel its input should be obtained by the Supreme Court so that the provisions and guidelines are acceptable to all parties.

Very truly yours,



Kerry S. Troske

cc: MFCRA



WILLIAM D. DeVAHL
OFFICIAL COURT REPORTER
1700 COURTHOUSE
ST. PAUL, MN 55102
612-292-6663



April 22, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Minimum Qualifications
for Court Reporters

APR 24 1992

Dear Clerk:

I am writing in response to the Order of the Minnesota Supreme Court dated March 13, 1992, regarding minimum qualifications for court reporters.

I am a tested Registered Professional Reporter (RPR), having passed written knowledge and machine proficiency tests administered by the NCRA on May 2, 1981. I was not "grandfathered" into RPR status.

I object to the provision of the Order which would require retesting. This procedure is not consistent with other professional testing requirements within the judiciary or state.

I do endorse the concept of certification of court reporters, however, I would urge the Supreme Court to work with the MCRA to develop a procedure which is acceptable to all concerned.

Yours very truly,

William D. DeVahl

William D. DeVahl, RPR

nine copies enclosed

842 West 4th Street
Hastings, Minnesota 55033
April 22, 1992

OFFICE OF
APPELLATE COURTS

APR 24 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

FILED

ATTENTION A. M. KEITH

Dear Chief Justice Keith:

Thank you for allowing Minnesota reporters an opportunity to respond to your Order "In re Minimum Qualifications for Court Reporters."

Although I agree that a CSR rule in Minnesota would be beneficial to the reporting profession and the legal community which it serves, I am concerned with the following provisions of your Order:

- "1. That all official stenographic reporters shall certify that they have passed the Registered Professional Reporter (RPR) examination by July 1, 1993, and shall file a notarized copy of the RPR certification with the State Court Administrator."

I would request an extension of the July 1, 1993, date. The RPR exams are only given twice a year, once in March and once in May, with test registration required at least a month in advance. Therefore, reporters who have not passed the RPR exam could no longer register for this May's exam.

- "2. That each official stenographic reporter or per diem stenographic reporter serving a court shall retake the RPR exam at least once every six years and shall file the resultant certification."

If any working reporter has successfully completed the RPR exam, I do not feel a requirement to retake the exam is necessary. We already are required to obtain continuing education points. To require that reporters retake the RPR examination every six years would be similar to requiring attorneys to retake the bar examination every six years.

- "3. That effective July 1, 1993, any document filed with the court prepared by a free lance court reporter shall include an affidavit attesting that the court reporter has passed the registered professional court reporter examination within the last six years."

Once again, I would request the date be extended to give those reporters who have not yet passed the RPR exam an adequate amount of time to do so. And once again, I feel if a reporter has passed the RPR exam, either prior to the date the CSR rule would be enacted or after, that there should not be a requirement to retake the exam.

Thank you once again for the opportunity to respond to your Order.

Sincerely,

Myrina A. Kleinschmidt

Myrina A. Kleinschmidt

MAK

Enclosures

cc: MFCRA

Engen Reporting Service
661 Green Gables Road North
Brainerd, Minnesota 56401



Robert A. Engen
Registered Professional Reporter

Telephone (218) 829-0035

OFFICE OF
APPELLATE COURTS
Apr. 22, 1992
APR 23 1992

Clerk of Appellate Courts
25 Constitution Ave.
St. Paul, MN. 55155

FILED

Dear Clerk:

I am writing in regard to Chief Judge A.M. Keith's
M.S. Bill 482.02

I have had an opportunity to read the bill or excerpts
from it and I am opposed to it.

There are a variety of reasons why I am opposed to
the bill, but, to keep this letter to a reasonable length
I will outline my major points.

I feel it is unfair to require court reporters,
or other professionals, for that matter, to be singled out for
retesting after ten or twenty years in the profession.

When I think about this the best analogy I can
think of is having the lawyers and judges in the state,
perhaps including the Chief Judges, retested on a periodic basis.

I have no problem with a threshold testing procedure
for in-coming reporters and in fact feel it would be a good
idea.

One other thought I might touch on is a problem
reporters face when confronted with a big test -- as we
all can recall from our court reporting school days -- and
that is the problems of nerves playing a role in performance
on big tests. There is no doubt that many of us, including myself, would
have fingers of stone when these big tests would be held. I would
not even be opposed to a written test of knowledge, but, I feel that
to require a shorthand test, after years of service, would be
arbitrarily unfair.

As a practical matter, in the freelance field,
the poor reporters simply get weeded out by a lack of work when their
work is sub-par and attorneys simply don't use them again.

Thank you for your time and attention to this
matter.

Yours truly,

Robert A. Engen
Robert A. Engen

WILLIAM R. KENNEDY
Suite 200
317 Second Avenue South
Minneapolis, MN 55401-0809

OFFICE OF
APPELLATE COURTS

APR 23 1992

FILED

April 22, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

Re: Proposed Rule On Minimum Qualifications For Court Reporters

Dear Chief Justice Keith and Associate Justices of the Minnesota Supreme Court,

The origins of this Supreme Court proposal seem hazy and obscure, like ghostly images that appear through the fog and mist along the rocky shores of Loch Inagh in the wilds of Connemara.

When matched with what the court reporters set forth as standards, and with certain testimony and comments before the Legislature, this proposal reads like a puzzle in a riddle, or a verse out of rhyme.

It is beneath the dignity of the Supreme Court to be associated with a proposal that appears to punish court reporters for having sought redress of their grievances by going to the Minnesota Legislature.

Some matters should never see the light of day, but occasionally do. And so it is here. With respect, please withdraw your order and place it in that folder marked: "...whose time has not yet come." Thank you.

With all best wishes,


William R. Kennedy

3920 46th Avenue So.
Minneapolis, MN 55406
April 21, 1992

OFFICE OF
APPELLATE COURTS
APR 23 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

FILED

Dear Sir or Madam:

Thank you for the chance to respond to the Order concerning court reporters.

I, for one, am opposed to being retested every six years. I feel this is an unnecessary burden. That would be like doctors having to take the boards more than once or lawyers having to take the bar exam more than once.

I have passed the Iowa CSR and the national RPR and continue to keep current my standings. Having to be retested every six years would undermine totally the concept of continuing education.

I am in favor of every court reporter being tested once, to ensure competency. Then the concept of continuing education, I feel, is the most advantageous way to go.

I also am in favor of forming some committee, i.e., CSR, who would govern over all court reporters and make us licensed in this state, but containing court reporters, the people most concerned with competence and ethics in our profession.

Sincerely



Carmen J. Kruse, Court Reporter

ASSOCIATES

* ERVIN G. GROSS
DONALD G. HESSBURG
NOEL TRIDEN
ALAN KUNDE
RICHARD K. AUGUSTINE
JAMES M. TRAPSKIN
DOROTHY MC CORMACK
PATRICIA MC LEAN
TERRANCE A. FAUSKEE
LYNDA PLUNKETT-WRIGHT
KIMBERLY WOOD
MARK HEGLE
MARCIA KLADEK
VICKI GARDNER

* retired

RAY J. LERSCHEN & ASSOCIATES

COURT - DEPOSITION - GENERAL REPORTING
VIDEO TAPING



620 PLYMOUTH BUILDING
MINNEAPOLIS, MINNESOTA 55402

TEL: (612) 341-2122
FAX: (612) 337-5435
1-800-225-0753

KRISTINE MOUSSEAU
PAM GEISINGER
BARBARA EGGERTH
HART ERICKSON
MARY ALDORFER
LORRAINE MATUSESKI
BARBARA STROIA
CHRISTOPHER J. HEGLE
RANDALL OLSON
KATHY L. SOPER
RONALD J. MOEN
ROBIN M. RITSCHKE
MARSHA DUMEZ
JEAN DILLON
ROSE SODERBERG

April 22, 1992

Clerk of the Appellate Court
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Minimum Qualifications for
Court Reporters

Dear Sir:

Please note my strong objection to legislation requiring all court reporters to certify passing of the RPR exam by 7/1/93 with notarized filings to the State and retaking of the RPR exam every six years.

Virtually no other profession is required to periodically retake the board or bar exams that initially licensed them to practice. Our current state and national organizations offer continuing education requirements that keep us abreast of changes in the industry.

I feel this would present an extremely unfair time and monetary burden on all licensed court reporters.

A more practical approach would be to require all new court reporters to pass a state Certified Shorthand Reporter (CSR) exam. Continuing education requirements will then keep all court reporters up to date.

Thank you for your time in this regard.

Sincerely,

Marcia Kladek
Court Reporter

OFFICE OF
APPELLATE COURTS

APR 23 1992

FILED

April 20, 1992

OFFICE OF
APPELLATE COURTS

APR 23 1992

FILED

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

In re: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

In reviewing your Proposed Order dated March 13, 1992, I find it necessary to respond in opposition since this Order could directly affect my employment as well as many of my colleagues' employment.

After meeting reporting requirements established by the Minnesota Supreme Court, it's hard to believe that suddenly I could be out of a job after six years of freelance reporting if this Order is passed.

I think retesting of Court Reporters is impractical and inconsistent with requirements placed on other legal-related professions. Instead, obtaining continuing education credits would seem to me more beneficial to the legal community than an RPR examination every six years.

I strongly urge that you reject this Proposed Order and reconsider the proposal of the Joint MFCRA/MCRA CSR Committee, who is more aware of the situation unique to our profession.

Sincerely,



Brenda Moseng
Freelance Court Reporter

JANET SHADDIX
& ASSOCIATES

CERTIFIED COURT REPORTERS
9100 WEST BLOOMINGTON FREEWAY, SUITE 181
BLOOMINGTON, MN 55431

612/888-7687

OFFICE OF
APPELLATE COURTS

APR 23 1992

FILED

April 22, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, Minnesota 55155

Re: Minimum Qualifications for Court Reporters

Dear Justice Keith and Members of the Supreme Court,

The following court reporters presently practicing court reporting in the state of Minnesota are opposed to the order dated March 13, 1992 and would propose the following:

As to provision number one: That all official stenographic reporters either shall certify that they have passed the RPR examination by July 1, 1993 or shall file an affidavit with the Supreme Court that they have been actively engaged in the profession of court reporting prior to July 1, 1993.

As to provision number two: That all court reporters practicing in the state of Minnesota shall certify to the Supreme Court that they have received a minimum of 30 CE credits approved by the National Court Reporters Association every three years.

As to provision number three: That all freelance reporters comply with provision numbers one and two above written and shall certify same on all documents prepared by them.

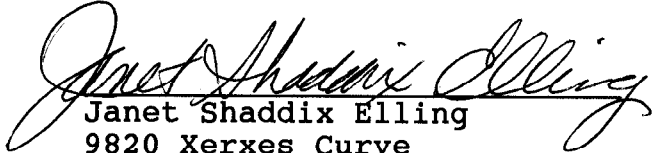
As to provision number four: That the Supreme Court establish a procedure for handling and processing complaints against court reporters and that proper disciplinary actions be taken against such court reporters by the Supreme Court with the guidance of professional court reporters, lawyers and judges.

Respectfully submitted,

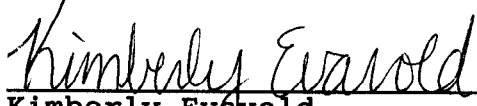
REPORTERS ASSOCIATED WITH THE FIRM OF
JANET SHADDIX & ASSOCIATES

Signatures attached

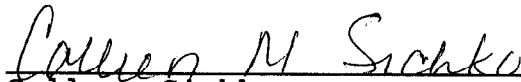
The following signatures are in support of the letter dated April 22, 1992 from the Reporters Associated with the firm of Janet Shaddix & Associates:


Janet Shaddix Eling

9820 Xerxes Curve
Bloomington, MN 55431


Kimberly Egevoid

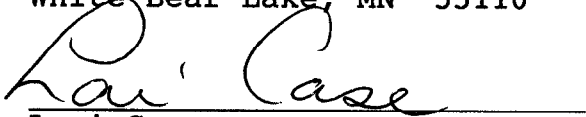
4419 Beard Avenue South
Minneapolis, MN 55410


Colleen M. Sichko

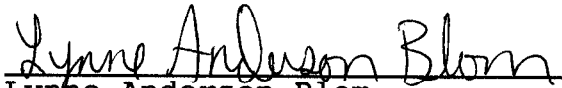
5549 Dupont Avenue South
Minneapolis, MN 55419


Beth Bakken

4587 Carolyn Lane
White Bear Lake, MN 55110


Lori Case

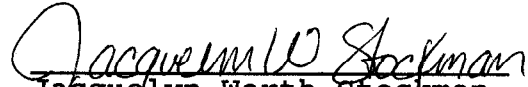
1736 Ford Parkway
St. Paul, MN 55116


Lynne Anderson Blom

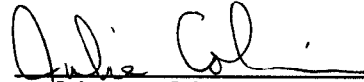
4304 Minnehaha Avenue
Minneapolis, MN 55406


Tracy Bennett

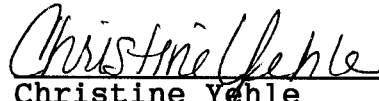
1115 Ottawa Avenue
West St. Paul, MN 55118


Jacquelyn W. Stockman

326 Central Avenue #102
Young America, MN 55397


Julie Colin

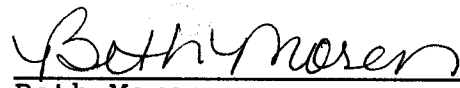
6332 20th Avenue South
Richfield, MN 55423


Christine Yehle

4852 Stinson Boulevard
Columbia Hts., MN 55421


Michelle K. Thomson

209 12th Avenue North
Hopkins, MN 55343


Beth Moren

9019 17th Avenue South
Bloomington, MN 55425



District Court of Minnesota

NATHAN T. PECK, OFFICIAL COURT REPORTER
Eighth Judicial District - Meeker County
Meeker County Courthouse, Litchfield, MN. 55355

OFFICE OF
APPELLATE COURTS
APR 23 1992

FILED

April 22, 1992

Chief Justice A. M. Keith
Supreme Court of Minnesota
25 Constitution Ave.
St. Paul, MN 55155

**RE: Supreme Court Order on
Minimum Qualifications for
Court Reporters**

Dear Chief Justice Keith:

I am writing to express my concerns with the Supreme Court Order on Minimum Qualifications for Court Reporters. First of all, I must state that I have no opposition to certification for court reporters, although I think that it must be a certification that both the judiciary and the Court Reporters Association agree upon. I also must state that I do not agree with the way the Court Reporters Association has attempted to get such a certification into effect. I feel that had there been more time and communication expended on this matter with the judiciary before the Association proceeded to legislatively try to effect such certification, an agreement could have been reached.

Although I do not oppose certification, I also believe that something that is not broke should not be fixed. In other words, I saw nor heard of any major problems with court reporter transcripts within the judiciary and saw no need to proceed with a certification of court reporters other than what the Supreme Court already had in effect. If there was trouble with transcripts within the freelance field of court reporting, I think that could be addressed by the Minnesota Freelance Court Reporters Association. I also feel that creating a certification board within the Association would just create another bureaucratic level that really does not need to be in existence at this time. I feel there is already sufficient levels of bureaucracy without creating another unnecessary level.

With regard to certification, if there needs to be any change from the current situation, I feel that the RPR Examination is a good avenue to explore. As with the Bar Examination, of course, there is only the need to take it once as long as a court reporter keeps up the necessary continuing education that's required by the RPR.

The RPR is offered twice a year at a cost of \$75.00 per time. Under the proposed Order, it would give court reporters only two chances to pass the examination before the July 1, 1993 deadline. This examination basically consists of two phases -- one in written knowledge and another in three speed categories. I think that it's not unrealistic that a court reporter may require more than two times to pass the test.

Therefore, considering the condition of things, at this time I would propose that there be no change in the current minimum qualifications for court reporters. If there has to be a change, I would propose that current official court reporters be grandfathered in to the new requirements. The requirement I think would best suit the circumstances would be that court reporters maintain their RPR as set forth by the National Court Reporters Association's standards.

In closing, I would just like to say that I do not agree with the actions that the Court Reporters Association has taken in regard to certification. I feel that if there has been problems with transcripts and court reporters, the judiciary would be aware of them and work to resolve them. I feel our Association maybe was a bit over zealous with this certification and did not stop to totally comprehend and consider the position of the judiciary.

~~Yours Very Truly,~~



Nathan T. Peck

pc: Minnesota Court Reporters Association
Jeff Agre, Official Court Reporter
Tom Iffert, Official Court Reporter

April 27, 1992

Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS

APR 29 1992

FILED

Dear Justices:

I recently received a report concerning the proposed ruling by the Minnesota Supreme Court regarding court reporters' qualifications and the proposed requirement that court reporters take the Registered Professional Reporter test every six years in order to practice their profession within the State of Minnesota.

I think it is highly commendable that some action is being taken to regulate court reporters within the State, and I applaud the idea of using the RPR examination as the qualification; however, I do not feel it is particularly fair for court reporters who have already achieved their RPR status to be required to take the exam over again. I'm sure attorneys within the State wouldn't appreciate having to take the Bar examination every six years in order to continue practicing law.

The National Court Reporters Association does require and always has required that all Registered Professional Reporters maintain the RPR status by participating in continuing education. I feel this is a more equitable way for a court reporter within the State to maintain his or her job status.

Thank you for your attention to this matter and for reading my thoughts on the subject.

Sincerely yours,

Jean M. Whalen

Jean M. Whalen, RPR, CM, CSR
Registered Professional Reporter
Holder of Certificates of Proficiency and Merit
Certified Shorthand Reporter (IA)

BUTLER SQUARE REPORTING

MINNEAPOLIS
12 South Sixth Street
Suite 504
Minneapolis, MN 55402
(612) 332-1035

SAN DIEGO
8322 Clairemont Mesa Blvd.
Suite 109
San Diego, CA 92111
(619) 569-9996

ON BEHALF OF THE STENOGRAPHIC
FIFTH JUDICIAL DISTRICT COURT REPORTERS
Attn: Jolene Carrow
Lyon County Courthouse
Marshall, MN 56258

April 28, 1992

Honorable A.M. Keith
% Clerk of Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

OFFICE OF
APPELLATE COURTS
MAY 01 1992

FILED

RE: Minimum Qualifications for Court Reporters

Dear Chief Justice Keith:

Thank you for giving all court reporters the opportunity to share their views regarding CSR.

Enclosed herewith is:

1. A survey sent by Fifth Judicial District Official Court Reporters to members of the Official Legislative Task Force Members to distribute to Official Court Reporters in their respective districts;
2. Results of the survey including additional comments made by Official Court Reporters.

The survey speaks for itself. Obviously, there are many varied opinions regarding CSR. We have included the comments and as can be deducted, communication between the judicial branch employees is a key factor in resolving the issue.

Official Reporters are required to meet minimum qualifications promulgated by the Minnesota Supreme Court; they are supervised and evaluated daily by the appointing authority; and they now are governed by the disciplinary actions under the State Judicial Branch Personnel Plan. Freelance Reporters do not have to meet the same qualifications and standards nor do they fall under the State Judicial Branch Personnel Plan.

Page 2
April 28, 1992

All Court-employed (official) stenographic court reporters in Minnesota **are not** members of the Minnesota Court Reporters Association. As Court-employed steno court reporters, we believe that MCRA is not necessarily representative of our views and we request that a task force be set up including:

1. One official court reporter from **each** judicial district;
2. President of Minnesota Court Reporters Association;
3. President of Minnesota Freelance Court Reporters Association (MFCRA);
4. The CSR Committee; and
5. Judicial Personnel.

As official reporters we adopt the State Judicial Branch Personnel Plan and feel that the work and effort put into that Plan should not be disregarded. We look forward to working through this issue to reach a fair resolution.

Very truly yours,

FIFTH JUDICIAL DISTRICT
STENOGRAPHIC COURT REPORTERS

BY:



Jolene Carrow
Lyon County

Margaret Anderson, Brown County
Janet Brua-Colby, Pipestone County
Stanley Engum, Nobles County
Karen Grey, Blue Earth County
Kim Hanson, Blue Earth County
Mike Janson, Lyon County
Al Johnson, Watonwan County
Paige Johnson, Cottonwood County
Teresa Kolander, Redwood County
Louetta Masters, Jackson County
Denny Schwichtenberg, Martin County
Orv Terhark, Faribault County

cc: Hon. George Marshall, Chief Judge
Hon. Jeffrey Flynn, Asst. Chief Judge
Hon. Kevin Burke, Chief Judge, CCJ
Janet Shaddix, President, MCRA

March 24, 1992

TO: Official Legislative Task Force Members

FROM: Jolene Carrow
Official Court Reporter
Fifth Judicial District
Lyon County Courthouse
Marshall, MN 56258
(507) 537-7196

RE: CSR

The reporters in the Fifth Judicial District are conducting a survey to tabulate how reporters statewide stand on the issue of CSR. We are asking your help in distributing, collecting and returning results of the enclosed survey by April 3, 1992. Please fill in your name and address on the bottom of survey so reporters in your district can return their vote to you. Thank you for your help.

TO: Minnesota Official Stenograph Court Reporters

RE: CSR

DATE: March 24, 1992

Reporters in the Fifth Judicial District are conducting a survey of official steno court reporters in the State of Minnesota.

My preference at this time regarding CSR is:

- The language presented to the legislature (Attachment A)
- The order issued by the Minnesota Supreme Court (Attachment B)
- I am opposed to CSR in the State of Minnesota (No change in current status quo)
- Other: (Please give explanation) _____

Court Reporter _____
Address: _____

Please return by April 1, 1992, to:

A Attachment A

10/07/91

(REVISOR] RPK/JC 92-3264

Introduced by Pugh, Vellenga, Bishop,
O'Connor, Greenfield
January 9, 1992
Referred to Committee on GOVERNMENTAL OPERATIONS

H.F. No. 1819

Companion S.F. No. _____

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RECALLED BY MOTION AND
RE-REFERRED TO THE COMMITTEE ON
JUDICIARY

JAN 10 1992

1 A bill for an act

2 relating to courts; providing for the creation of a
3 board of Minnesota certified shorthand court
4 reporters; proposing coding for new law in Minnesota
5 Statutes, chapter 486.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

7 Section 1. [486.10] [PURPOSE.]

8 Sections 1 to 8 are designed to establish and maintain a
9 standard of competency for individuals engaged in the practice
10 of shorthand court reporting and for the protection of the
11 public and for all litigants whose rights to personal freedom
12 and property are affected by the competency of shorthand court
13 reporters. The examination, certification, and supervision of
14 the conduct and proficiency of shorthand court reporters is
15 integrally related to the effective, impartial, and prompt
16 operation of the judicial system of the state of Minnesota.

17 Sec. 2. [486.11] [DEFINITIONS.]

18 Subdivision 1. [GENERAL.] The definitions in this section
19 apply to this chapter.

20 Subd. 2. [SHORTHAND COURT REPORTING.] "Shorthand court
21 reporting" means the making of a verbatim record by written
22 symbols or abbreviations in shorthand or machine shorthand
23 writing of a judicial proceeding of record including, but not
24 limited to, depositions or other proceedings of like character
25 in the state of Minnesota.

1 Subd. 3. [SHORTHAND COURT REPORTER.] "Shorthand court
2 reporter" means an individual engaged in shorthand court
3 reporting.

4 Subd. 4. [BOARD.] "Board" means the board of Minnesota
5 certified shorthand court reporters established under section 3.

6 Subd. 5. [OFFICIAL SHORTHAND COURT REPORTER.] "Official
7 shorthand court reporter" means an individual engaged in
8 shorthand court reporting as an employee of the state judicial
9 system.

10 Subd. 6. [FREELANCE SHORTHAND COURT REPORTER.] "Freelance
11 shorthand court reporter" means an individual engaged in
12 shorthand court reporting who is not an employee of the state
13 judicial system.

14 Sec. 3. [486.12] [BOARD OF MINNESOTA CERTIFIED SHORTHAND
15 COURT REPORTERS; ESTABLISHED.]

16 (a) The board of Minnesota certified shorthand court
17 reporters is established and consists of seven members as
18 follows:

19 (1) one judge of the court of appeals to be appointed by
20 the chief judge of the court of appeals;

21 (2) one district court judge to be appointed by the
22 conference of chief judges;

23 (3) two attorneys who have each practiced law in this state
24 for at least ten years to be appointed by the supreme court; and

25 (4) three individuals, including at least one official and
26 one freelance shorthand court reporter, each certified under
27 sections 1 to 8 or actively engaged as a court reporter for at
28 least five years immediately preceding their appointment. These
29 three individuals shall be appointed by the governor.

30 (b) Members shall serve for a period of not more than four
31 years. The chair of the board shall be elected by a majority
32 vote of the members of the board. The supreme court shall
33 determine, by adoption of rules if necessary, all other aspects
34 of appointments, terms, compensation, and removal of board
35 members.

36 Sec. 4. [486.13] [DUTIES AND RESPONSIBILITIES OF BOARD.]

1 (a) Subject to the approval of the supreme court, the board
2 may:

3 (1) adopt reasonable rules governing the practice of
4 shorthand court reporting within Minnesota;

5 (2) adopt, prepare, and administer appropriate examinations
6 for applicants for registration as a Minnesota certified
7 shorthand court reporter to ensure applicants have reasonable
8 proficiency in making verbatim records of judicial or related
9 proceedings;

10 (3) adopt reasonable rules for testing, licensing, and
11 supervision of Minnesota shorthand certified court reporters;

12 (4) adopt reasonable rules relating to continuing education
13 for certified shorthand court reporters;

14 (5) adopt rules regarding the discipline, censure,
15 suspension, or revocation of certification of Minnesota
16 certified shorthand court reporters; and

17 (6) make recommendations to the supreme court relating to
18 the adoption of additional standards or rules governing the
19 conduct of Minnesota certified shorthand court reporters.

20 By order or otherwise, the supreme court may adopt rules,
21 consistent with sections 1 to 8, necessary to administer and
22 implement a system of shorthand court reporter certification.

23 Sec. 5. [486.14] [STAFF.]

24 Subject to the limitations contained in section 7, the
25 board may employ individuals as necessary to assist in the
26 implementation and administration of the board's duties. The
27 employment of the individuals is subject to applicable
28 provisions of state law.

29 Sec. 6. [486.15] [FEES.]

30 The board shall set reasonable fees as it considers
31 appropriate for the administration of its duties. A Minnesota
32 certified shorthand court reporter shall pay an annual
33 registration fee in an amount to be fixed by the board.
34 Additional fees may be charged by the board as necessary. Fees
35 must be made payable to the board of Minnesota certified
36 shorthand court reporters and fees must be kept in an account

1 designated for use by the board.

2 Sec. 7. [486.16] [EXPENDITURES AND BUDGET.]

3 The operations of the board are to be supported solely by
4 the collection of fees as described in section 6. During each
5 fiscal year, the board's expenditures must not exceed the amount
6 of fees collected under section 6 during that fiscal year.

7 Sec. 8. [486.17] [CERTIFICATION WITHOUT TEST.]

8 The board shall adopt rules that allow an individual
9 actively engaged as a shorthand court reporter on the effective
10 date of sections 1 to 8 to be registered as a Minnesota
11 certified court reporter without the need for the individual to
12 take a certification test.

Attachment B

STATE OF MINNESOTA

IN SUPREME COURT

ORDER

In re Minimum Qualifications for Court Reporters:

WHEREAS, the accuracy of the Court record is of critical importance to the integrity of the court process;

WHEREAS, the Minnesota Shorthand Reporters Association has indicated that significant problems exist with the competency of currently practicing court reporters;

WHEREAS, the Minnesota Shorthand Reporters Association has recommended testing to insure a minimum level of competence by Minnesota Shorthand Court reporters;

WHEREAS, M.S. 486.02 provides that the Supreme Court shall establish minimum qualifications for competent stenographers;


WHEREAS, it is the intention of the Supreme Court to adopt the following administrative provisions in response to the concerns of the Minnesota Shorthand Reporters Association:

- 1. That all official stenographic reporters shall certify that they have passed the Registered Professional Reporter (RPR) examination by July 1, 1993, and shall file a notarized copy of the RPR certification with the State Court Administrator.**
- 2. That each official stenographic reporter or per diem stenographic reporter serving a court shall retake the RPR exam at least once every six years and shall file the resultant certification.**

3. That effective July 1, 1993, any document filed with the court prepared by a free lance court reporter shall include an affidavit attesting that the court reporter has passed the registered professional court reporter examination within the last six years.
4. That complaints about the competency or conduct of official or free lance court reporters in a particular judicial district shall be filed with the Chief Judge and Judicial District Administrator of the appropriate judicial district.

IT IS HEREBY ORDERED that any individual wishing to provide statements in support or opposition to the proposal shall submit nine copies in writing addressed to the Clerk of the Appellate Courts, 25 Constitution Avenue, St. Paul, Minnesota 55155 by April 30, 1992.

Dated: March 13, 1992



A. M. Keith
Chief Justice

TO: Official Legislative Task Force Members

FROM: Jolene Carrow

RE: CSR

DATE: April 23, 1992

Results of the survey with 95 official stenographic court reporters responding are as follows:

My preference at this time regarding CSR is:

- 25 -- The language presented to the legislature
(Attachment A)
- 0 -- The order issued by the Minnesota Supreme Court
(Attachment B)
- 52 -- I am opposed to CSR in the State of Minnesota
(No change in current status quo)
- 18 -- Other: (See enclosed comments)

✓
Other: (Please give explanation) I'm not
opposed to a CSR depending on what it means.
I'm opposed to the current language proposed,
the fact not all the Reporters know or understand
the meaning and consequences of currently drafted -
the concept needs further investigation, rewriting
of the language and a full presentation to the
population affected by the language - namely all
members of MCRA. 0

x
Other: (Please give explanation)
In favor of CSR. Would like to see CSR
language drafted by the District Judges'
Association and the court reporters which
does not include recertification every six years.

Other: (Please give explanation)
At present, I feel that all reporters
should belong to the National Court Reporters
Assoc. as they are our strongest alliance,
and that an RCR is sufficient.

X
Other: (Please give explanation) I am in
favor of CSR, it would be good for our
profession. However, I am opposed to
any CSR bill which would involve
intrusion by the legislative branch
into the judicial branch.

X
Other: (Please give explanation) I favor the
language presented to the legislature but
would prefer that this be adopted by
Supreme Court order rather than
legislation. However, if the CSC fails to
act I favor legislation.

X
Other: (Please give explanation) I am in
favor of CSR, but this has to
be worked out between the
reporters and the judges. There is
now a serious lack of communication
My judge didn't even know
what CSR is.

✓ Other: (Please give explanation) _____

I'm not opposed to CSR provided it is approved by the judges

X Other: (Please give explanation) _____

I am not opposed to a CSR as long as it is approved by the judges and the Court Reporter committee.

Other: (Please give explanation) _____

As the sole support of my family its terrifying to know my job is on the line for a test. How do you pass something with that kind of pressure? If I was doing a bad job my judge wouldn't keep me on. Thanks to the Union. Court Reporters Assoc. They never see me as a member again.

Other: (Please give explanation) _____

I feel the approach used initially by the organization was obviously not well thought out & created problems for many official reporters; thus my present feelings.

Other: (Please give explanation) _____

If anything, I think the Sup. Ct. order should be given if it provided for grandfathering after 5 yrs. of experience and deleted the 6-yr. retesting provision. I'm opposed to a board consisting of only 1 official court reporter.

Other: (Please give explanation) _____

Please, no more "dief'g surveys!

X Other: (Please give explanation) M.S.A. 486.02
1981 Amendment

Other: (Please give explanation) _____
Neither of the options presented at
this time would be satisfactory to me.
Either or both need more input and
study before being made law under
Supreme Court Order

X Other: (Please give explanation) I prefer the
order issued by the Minnesota Supreme Court as
modified by Steve McLean. My biggest objection
to the Supreme Court's order is having to take
and pass the RPR exam once every six years. I
have enclosed a copy of Steve McLean's order.

Other: (Please give explanation) _____
I would be inclined toward CSR
if Sec. 4 were specifically defined.
and agreed to by all court reporters.
I didn't think it was unreasonable for the
Conf. of Chief Judges to request more
information & definite

?
X Other: (Please give explanation) I am not
opposed to the CSR but have not been
told exactly what it would involve
either. I do agree that we should
be certified but isn't the RPR
enough? I think we could all use
more information.

X Other: (Please give explanation) Assuring continued
quality reporters is necessary. I am unsure whether
the legislative presentation is appropriate. The
Supreme Court Order is repugnant.

I do not think this survey reflects a true picture of what the court reporters in Ramsey County really feel. Almost all of us, at the beginning of pursuing a CSR in Minnesota, were very much in favor of it. I think in light of the recent proposed order by Justice Keith, some reporters think we should "back off" and are therefore saying they are opposed to CSR.

Today I distributed the packet of materials sent out by Chris DuSchane to all Ramsey County reporters. It is my hope that they will take the time to read through all of it so there can be a better understanding of the importance of this issue and the importance of not "backing off."

Good luck in your "survey" endeavor.

Other: Please give explanation I think we
can register ourselves under the
state judicial personnel system

D Other: Please give explanation A CSR with
NO RETESTING - POSSIBLY IF YOU
HAVE RPR BY FLAM - GRANDFATHERING
FOR NEW REPORTERS WITH LESS
THAN 3 YRS. EXPERIENCE

Other: Please give explanation
I believe the official reporters and freelance
reporters should each have their own associations
separate and apart from each other. Freelance
reporters should not have control and Board positions
in MCRA when they have their own freelance Association.

Other: (Please give explanation) I am only
in favor of the language but feel
it was a mistake to go behind the judges
to the legislature. If we can't convince the judges
that CSR is a good thing then it should
be dropped. ^ ^

X Other: (Please give explanation) Assign a chief
reporter in each district to disseminate
info. from Sup. Ct. re: all matters relating
to reporters, vacation coordination, etc.

Other: (Please give explanation) Based on recent events, I seriously question the validity of this "survey."

It seems very clear that the Judges who appoint and employ us and the Judges at the appellate level do not want the current relationship between Judges and their reporters to change.

I think it is time that official reporters realize that they must either accept their positions of "serving at the pleasure of the appointing authority", or find another career.

Other: (Please give explanation) I see no reason for having to retake the RPR every six years when I know of no other profession that must retake their certification. I feel the continuing education is enough.

X Other: (Please give explanation) RPR only required. A separate CSR not necessary.

X Other: (Please give explanation) Take your RPR - end of story. Also, keep RPR points.

Other: (Please give explanation) I strongly believe in a CSR Board. While I support the bill, I believe that no reporter should be grandfathered in unless he/she has already passed the RPR exam by testing. I also would reiterate the comments by Stanley Engum.

Other: (Please give explanation) I really like Stan Engum's letter. I agree that should be entrance-level certification. But, I agree that there is a severe communication problem, as well as perhaps leadership concerns.

** I support Stanley E. Engoron's letter to
Kathleen Czar

I have yet talked to a reporter who doesn't feel this whole
this has been blown out of proportion. Court reporters should
be support staff for their judges - not thorns in their sides.
We are going to end up talking ourselves right out of a job if
we're not careful. With the Supreme Court, Conf. of Chief
Judges & Court of Appeals against a CSR bill, where are our
heads to think we would succeed?

Other: (Please give explanation)

I AM OPPOSED TO CSR IN STATE OF MINN.
IT SEEMS THAT THE STATE HAS A
DIFFERENT IDEA AS TO HOW TO REGULATE
COURT REPORTERS IN MINNESOTA.

I AM DEFINITELY OPPOSED TO ANY
CHANGES WITHOUT THE GRANDFATHER
CLAUSE IN ORDER THAT MIGHT BE
ADAPTED.

IF WERE NOT DOING
A GOOD JOB, OUR
JUDGES SHOULD BE
THE PERSON TO LET
US KNOW.

~~16~~
16 YEARS OF
EXPERIENCE IN MINNE
SOTA AS OFFICIAL
COURT REPORTER SHOULD SPEAK
FOR ITSELF.

Other: (Please give explanation) I thought the concept was okay, but I feel that ACEA should not have taken it to the legislature. Now that we have made enemies of the Supreme Court's testimony, has led to this Supreme Court order. I feel enough damage has been done. Hopefully the order can be revised to something which is livable for all Court reporters, but

I think it's too late to have a CSR beyond what the final order will state. I hope that this will not be pursued in the legislature any further. I would like to start working with the judiciary, rather than fighting with them.

I can't believe how this proposed order is being shoved down our throats! Enclosed are some letters which show my sentiments exactly. My Judge demands grade A work from me, if I did not live up to her expectations, I would out of a job.

Enclosed is my response to the survey that the reporters in the Fifth District are conducting. I just received this today, the 31st.

Thank God for you people in the Fifth. Here in Hennepin County, it is my understanding that certain reporters had this survey but did not see fit to distribute it to the reporters. We received it through an anonymous source.

We have got to stop this craziness where a few speak for the entire membership. We also have to stop antagonizing the Supreme Court for it, after all, is the hand that feeds us. I hope you get a good response to your survey and that Justice Keith will have a better understanding what the majority of the reporters in this state desire in the way of CSR.

Reasons I am opposed to CSR:

1. I feel this is being pushed by a very few reporters.
2. The Supreme Court and Chief Judges obviously do not want to deal with the issue. MCRA then presents legislation directly confronting the Chief Judges.
3. Virtually since day one, we have been continually trying to educate the legislature on what a good job we do. Now, in one swoop we now tell them there are rampant problems and we aren't doing our jobs. Great PR!!!
4. I don't believe it is in our interests to be a thorn in the side of Justice Keith. Being from Rochester, he is familiar with ER. ER reporters do not cause them problems.
5. What good does it do? Say the CSR is mandated. A person could still report using a Stenograph. All she/he would have to do is put a tape recorder on the table for the "official" record and be totally in compliance with Minnesota Statutes. Were does that leave us then?

Up %?#& creek.

Other: (Please give explanation)

IT WASN'T BROKEN, WHY WERE WE TRYING TO FIX IT? I BELIEVE THIS WAS PROMOTED BY ESTABLISHED FREELANCE REPORTING FIRMS TO LIMIT COMPETITION IN THE MARKETPLACE.

X Other: (Please give explanation)

CSR is fine if amended, by CSR Combined

X Other: (Please give explanation)

I AM OPPOSED TO ANYMORE QUESTIONNAIRES AND SURVEYS AND DEALING WITH REPORTERS MEDDLING.

Other: (Please give explanation)

Reporters need to be better organized (registered) in MN to adequately promote ourselves when faced with replacement by video, er, voice reporters, pooling, etc.

MINNESOTA CERTIFIED SHORTHAND REPORTER

Proposal:

To establish a program for certification of shorthand reporters by Supreme Court order.

Structure:

See below

~~The program would be administered by a Board appointed by the Supreme Court. The Board would be made up of freelance and official reporters, lawyers, judges and court administrators.~~

The Board would supervise the administration of CSR testing, review and make recommendations concerning the rules governing shorthand reporting, hold hearings and make recommendations concerning disciplinary actions as necessary.

Requirements for Certification:

Graduation from high school or equivalent and successful completion of an accredited court reporting program.

Proficiency in making verbatim records as demonstrated by passing the National Shorthand Reporters Association Registered Professional Reporter examination and an additional examination on Minnesota rules.

Completion of annual registration form and payment of the fee set by the Board.

Funding of the Program:

The program would be self-funding through fees collected for testing and registration.

Goals:

To enable litigants and the courts to locate freelance and official court reporters.

To enforce deadlines for transcript preparation.

To ensure the integrity of the record by establishing educational and testing requirements for court reporters.

Rationale:

Currently, there are 255 official reporters and approximately 600 freelance reporters working in the state of Minnesota. The freelance reporters are self-employed. Many work as independent contractors for larger firms. The official reporters are county employees, but produce transcript as independent contractors.

The state needs a program to provide oversight and control of work done by court reporters as independent contractors because their work product is an essential part of the judicial process.

Without certification and registration of court reporters, the courts will continue to have problems locating reporters, communicating rule changes and disciplining reporters who fail to produce accurate transcripts in a timely fashion.

STRUCTURE:

The program would be administered by a Board. The Board would be made up of freelance and official reporters appointed by the MCRA Board with reporting of disciplinary actions to the Supreme Court and the appropriate court administrator, and filing of registered court reporters with the Supreme Court.



MFCRA

Box 2089 / Loop Station / Minneapolis, MN 55402
Telephone (612) 454-8778

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April 29, 1992

Honorable A. M. Keith
Chief Justice
c/o Clerk of the Appellate Courts
25 Constitution Avenue
St. Paul, MN 55155

RE: Minimum Qualifications for Court Reporters

Dear Justice Keith:

Thank you for inviting responses to your March 13, 1992, Order. As a result of that Order, our Board of Directors has been in contact with the members of our association encouraging them to respond in support or in opposition to your Order, and I trust that you have received some of those responses.

Our Board does not support your proposed Order as written. We would, however, encourage you to take the views of our membership into consideration during your review of this matter. Our Board also strongly encourages you to meet with the MFCRA/MCRA Joint CSR Committee to receive their input into this matter. They are fully apprised of all the issues and reasons surrounding our desire for certification of court reporters in this state.

Thank you for your time and consideration.

Sincerely,

Debra M. McCauley
President

cc: Clerk of Appellate Courts (Nine Copies)

OFFICE OF
APPELLATE COURTS

APR 30 1992

FILED