

MICHIGAN ASSOCIATION OF PROFESSIONAL COURT REPORTERS
BOARD OF DIRECTORS MEETING
September 27, 2013

CALL TO ORDER
9:33 a.m.

ROLL CALL

Anissa Nierenberger, President; Melinda Dexter, President-Elect; Dawn Houghton, Secretary-Treasurer; Cheryl Anne Farmer, Executive Assistant; Tammy Nielson, Director; Laurel Jacoby, Director; Annette Blough, Director; Sharon Kandt, Director; Gerry Hanson, Director; Paul Brandell, Senior Advisor; Nancy Varallo, NCRA President.

SIGN ANTITRUST DOCUMENT
Form signed.

PRESIDENT'S MESSAGE: Thank you all for being here on this beautiful, sunny, 80-degree day and being willing to be stuck inside all day long.

ITEMS OF BUSINESS

1. Reading and approval of the Minutes from June 22, 2013 – Paul B. made a correction that he is senior advisor, not past president. Mindy D. made a correction that “statues” should be “statutes.” Under audit and finance, “exceeded by 600” meant we made money. Paul B. made a motion to approve the minutes; Mindy D. seconded. Motion passed.

1, 4, 5, 8, 9 and 10 were pulled for the consent agenda. Mindy D. made a motion to approve the consent agenda; Paul B. seconded. Motion passed.

CONSENT AGENDA

1. Convention/Seminar (Dexter, Jorgensen) - Mindy D. discussed taking the fall convention to a one-day seminar and adding a summer seminar so we would have three one-day seminars throughout the year instead of an actual convention, holding one in Detroit, one in Lansing, and one on the West side to try to get our numbers up. There was concern about the expense of the hotel. Cheryl Anne indicated we would need to look at different venues, not hotels; that we could call in caterers which would be cheaper than the hotel's food cost. Laurel J. asked if it would be cost effective. Cheryl Anne indicated that hotels want room nights and they charge you for everything.

Tammy N. asked whether we want the seminars to be smaller. Cheryl Anne said it would be similar to the Howell location we use in the spring. Should we use a Holiday Inn which has a lower rate or go someplace not connected to a meeting facility? Paul B. questioned whether participants could get all their CEU's by going to three. Mindy D. indicated we would have to have three CEU's in three years. Paul B. asked how many points we could get in one day. Cheryl Anne indicated .65. Paul B. said if people don't travel, can the West side get all their CEU's in three years just by going to the West side seminars? Anissa N. didn't think so, but that people can get CEU's very cheap with webinars. Most states have one conference a year. Summer would be a disaster. Everyone is gone. Cheryl Anne was concerned if we spread the seminars into three units, we may only have 20 at each one. Anissa N. said we could have Howell in the spring

with an optional Friday night session, that it is a good location. Paul B. agrees we are stretching too thin, that we should offer a lot at one time.

Mindy D. wondered if we should change the discussion and talk about only one seminar in the spring. Cheryl Anne indicated the numbers are better in the spring. Paul B. asked whether the majority of the states only have one. Nancy V. indicated that is correct. Anissa N. said Howell is a great facility and great location. Nancy V. said the most successful conventions have the same location and the same weekend every year. Mindy D. said that was helpful to know and suggested having the convention the weekend before the spring RPR, have training on Sunday to get ready for next weekend; that it would need to be the last weekend in April. Paul B. indicated everyone leaves Saturday and they don't stay for the Sunday sessions. Cheryl Anne indicated we would need to have a bylaw change to do this. Paul B. said he counts on going to one thing a year with MAPCR to get points. Anissa N. indicated we are trying to save money.

Paul B. asked whether we could get CEU's for the TRAIN session. Mindy D. thought not. Nancy V. said members can apply for CEU's if they attend TRAIN. Mindy D. thought if we hold it during the spring seminar, then people can get CEU's. Nancy V. suggested we call NCRA to see if we can tell students of TRAIN that they can get CEU's if they pay for it. Sharon K. asked if we only had one seminar, would people stay three days? Nancy V. indicated most states have a half day on Sunday; suggested we get a powerhouse speaker on Sunday morning. Anissa N. said we could start out with Friday night/Saturday and do a monkey survey about Sunday. Paul B. indicated we would need a blockbuster convention for the first one and market it as only one big seminar. Gerry H. asked if we needed to get a third day, will it have to be a different location than Howell; wondered about holding it at a resort or golfing location. Cheryl Anne said no, people really don't golf.

Anissa N. suggested we move this discussion to the strategic planning meeting, that we are committed to Ann Arbor next fall. Tammy N. suggested Grand Rapids as a location. Anissa N. indicated Boyne was not good. Mindy D. offered the suggestion to have a dual convention, at the same time as the Bar Association convention to connect with attorneys, networking.

2. Executive Director's Report (Farmer) - Approved.
3. Fundraising (Jorgensen, Jacoby) - Approved.
4. Membership (Nierenberger, Smith) - Mindy D. said we did the slacker letter, the membership drive, and asked whether we had any takers on the Get Three, Go Free. Cheryl Anne said we did not, that only two or three students were coming. We will wait until strategic planning on ideas for membership.

Robert S. said he needed to do a packet to firm owners. We asked him what his idea was with that. Paul B. said Cheryl Anne will send a list of firm owners to Rob because she has it on her to-do list. Cheryl Anne asked what the packet consisted of. Mindy D. said it's what the benefits are. She said with the TRAIN, we could contact reporter firms, give a plug for MAPCR. She asked Cheryl Anne to write down the benefits: We are technology, TRAIN program, the fact that we are going to the judiciary, and this is why you want to be a member.

Cheryl Anne said she would like to survey the membership regarding the top 10 items they buy from their office store so she can work with Office Depot to give us discounts on those items.

5. Public Relations (Dexter, Nierenberger) – Mindy D. would like to have everybody do what Elsa J. suggested, post our realtime setups on MAPCR’s Facebook page. She indicated we are holding TRAIN sessions in Kalamazoo, Midland, would like to add Lansing. She would like to contact each freelance firm about TRAIN and also the schools. Paul B. asked whether we were going to send our brochures to schools. Sharon K. has them. Mindy D. asked how to post on each school’s Facebook page - our brochure with the indication to contact MAPCR.

Paul B. asked about on-line school classes, whether we can contact the schools, ask them who their students are in Michigan to let them know MAPCR exists. Cheryl Anne said Deborah Blakely has been here since 2001. Nancy V. indicated they communicate with the schools to get members and that the on-line graduation rate is similar to the bricks and mortar schools; also that on-line school attendance is going up. Nancy V. suggested partnering with your on-line schools. Annette B. indicated there was a place in Las Vegas that some Michigan students go to, they can sign up for free timings.

Cheryl Anne said it would be nice to align ourselves with an on-line program to refer people to in Michigan. Mindy D. suggested MAPCR offer to advertise on the schools’ websites twice a year for students that are on-line students to have a day to network with other students. Sharon K. suggested we start with Denice Purves, that only so many schools are accredited. Mindy D. will contact her. Paul B. said he would put an introduction letter together to go to the schools.

Mindy D. asked for help from Sharon K. and Nancy V. regarding comments made against testing of NCRA on the MAPCR social network. She would like NCRA to honor the volunteers and explain how testing is done and that there is no tampering that caused test takers to not pass the RPR. The NCRA’s president received an email asking NCRA to investigate. The comment regarding the NCRA testing was anonymous. Anissa N. said the response of “what would the motive be” was a good one, that the commenter was a coward and throwing a tantrum, to ignore it.

Paul B. said with all the changes with testing, has NCRA considered sending out a statement to test takers? Nancy V. indicated NCRA could do that, possibly put out an article at the state level or nationally about: here is the process, this is what happens. Paul B. suggested it be put in the JCR, NCRA, and we could repeat it in MAPCR Minute. Annette B. indicated the school was in Indiana, not Las Vegas, College of Court Reporting.

Sharon K. asked Nancy V. if testing will go back to the Realtime Coach method. Nancy V. said at the meeting in August, Diane Peratt from the testing department gave a thorough plan to get to on-line testing: One day everyone gets together, open up testing to a two-week window, go to testing site, have identification, safety networks, take your test on-line, on demand any time during the two weeks.

Coach didn’t work for a lot of reasons. Sharon K. uses Coach for testing at school. Problems were the school lost power, last year had to test five times, Coach server went down. Nancy V. said that’s why NCRA pulled the plug. They will have the new process ready to run in the next year or so, like a proctored test site where reporters go, and MAPCR would be out of the loop. There will be professional test processors, two-week window four times a year. Mindy D. brought up the problem with temporary certificate in Michigan. Nancy V. indicated the test advisory was restructured this year. There is a content committee writing the skills test now. We will need a lot more tests in the bank to accomplish this role and we need good test writers.

6. Freelance/Official (Jacoby, Smith) - Approved.

7. Captioning/CART (Blough, Nielsen) - Approved.
8. Legislative (Brandell) – Mindy D. discussed the Work Fees group at SCAO, that it is a good platform where we might be able to get fees raised through this group who will recommend to SCAO. They were talking about legislation. It is still in the statute but does not apply now. This way SCAO could raise our rates without going through legislation. Arizona’s proposed changes to the law were talked about in this meeting. We would like to get approval to make MAPCR suggestions to get rid of the old legislation. It is still in the legislation that we are appointed by the governor.

Paul B. indicated the Work Fees group is going to be making recommendations to the Board of Review. Down the road, the statute can be talked about. Ohio lost their copy fee altogether, North Carolina’s fees were cut in half. Mindy D. brought up Arizona regarding third-party contracting, asking for public comment. Arizona got their third-party anti-contracting legislation passed, were sued. Arizona now wants to cut the law from the legislation. Mindy D. asked Paul B. to write something up. Paul B. read the September 16 letter Adam Finkel wrote regarding the lawsuit. Nancy V. said NCRA is getting ready to file a response. Mindy D. and Paul B. are going to meet with Pat Moretti. Mindy D. questioned, as a board, do we meet or wait and see how things shake out in Arizona? Paul B. said we can’t wait. Mindy D. said we will have to expend funds on a lobbyist.

Paul B. wondered how far we can go at this point. Nancy V. said a lot of states are asking the question, was the lawsuit filed to curtail anti-contracting laws. No other lawsuits have been filed. NCSA asked NCRA to do a guideline. Nancy V. will discuss this in NCRA’s November meeting. States can bring resolutions. If NCRA finds merit, it will get approved and come to the board for action. Paul B. indicated we still need to talk about it, present it to the board, do fact-finding.

9. Testing/Education (Kandt, Blough, Smith) - Laurel J. had contact from someone up north in St. Helen who had heard advertised there was a stenographic curriculum now at Kirtland College. Sharon K. indicated the Stautzenberger curriculum was started but there’s zero enrollment. Macomb’s enrollment is the lowest it’s ever been. Oakland is transferring students to Macomb, but Macomb doesn’t have financial aid so some can’t transfer. Michigan Works funds for schooling at Macomb. A database in the State indicates court reporters make 7.56 cents an hour. Laurel J. thought we might check out the Kirtland College, 989-275-5000. Sharon K. will call them.
10. MAPCR Minute (Dexter, Farmer) - Anissa N. pulled, talked about the Minute from June, wondered if we should do like the JCR does, combine July/August, November/December. Anissa N. would like us to send interesting links to Cheryl Anne to put in the issues. Nancy V. indicated websitescareersincourtreporting.com is geared to people who might be interested in the profession.

REPORTS OF STANDING COMMITTEES

1. Past Presidents Advisory Council (Brandell) - Nothing to report.
2. Awards Committee (Perrish, Dexter, Hanson) - Nothing to report.
3. Audit/Finance (Nielsen, Houghton) - Paul B. had a question on the procedure of signing checks, is it a single signature. Cheryl Anne is the only one that signs right now and she gives a report. Paul B. asked if the secretary has to sign off on the

report. Cheryl Anne said she sends the report and check details. If it is a big expense, Cheryl Anne sends it to the treasurer and president to get approval. The small stuff doesn't need to get approved. There are very few big bills to be approved. Cheryl Anne indicated the website bill, tax bill, accounting bill, and executive director salary all just goes through automatically. An audit hasn't been done in the last couple years.

Mindy D. indicated that NCRA leadership says it shouldn't be just one person and that we should implement the audits again. Cheryl Anne said that would involve taking the bank statements, verifying it's correct, reconcile, and look at the receipts. Paul B. asked if that is our board policy. Cheryl Anne said it was. Paul B. said it should be re-emphasized that we do it, that Tammy Nielson and Dawn Houghton will accomplish the audit together. Cheryl Anne suggests doing it after year-end, in January or February. Cheryl Anne can then send out the cleared audit to the accountant. Tammy N. indicated we can close the audit whenever we want.

4. Bylaws/Procedures (Kandt) - Anissa N. indicated we have a lot of changes because of out-of-date policies in our Board Policies. She would like to look at the organizational structure; they are usually top heavy, boards too large. She would like one to two director seats eliminated from the MAPCR board. Mindy D. would be concerned about filling committee obligations, that we have 12 or 13 charges. Paul B. asked what the goal is. Anissa N. said to make the board more cohesive and productive. Mindy D. doesn't think we have too many and that we would have less people to pull from to come up in the ranks.

Anissa N. indicated if we have too many people on a committee, it seems that one person controls the committee and others don't do anything. Cheryl Anne asked why the board members are running the committees and could we get non-board members serving on committees to draw from. Laurel J. asked how that could be accomplished. We could ask members to do things. It would be easier to commit to a committee instead of being on the board. Mindy D. said board members should ask members to volunteer.

Nancy V. suggested a board member liaison. It is the board member's job to make sure the committee chair is getting stuff done, not to actually do stuff. Right now committees rely on the board to do the work. The board member shouldn't be the chair. Gerry H. suggested finding someone that wants to be a committee chair and they might have someone in mind to be on the committee. Mindy D. suggested, at lunch tomorrow, to ask people if they would be willing to serve on a committee.

Preston Nierenberger said people seem excited at the time to volunteer but then they back off because of confusion and organization problems. Cheryl Anne indicated the assignments might not be the board members' forte and that we can't have committees based on the board. Mindy D. indicated we are all volunteering and it's hard to get coworkers to join. Cheryl Anne said we get burned out.

The MAPCR Minute was brought up. We could call people and tell them we need their help. The goal is that the chair of committee will recruit people. Past presidents are not on emails any longer and they get out of the loop. Sharon K. asked if serving on the board is available for student members. Mindy D. said yes, but we would need a bylaw change. A student director could be a one-year term. Mindy D. is the bylaws committee chair. Nancy V. said NCRA doesn't have any students – they have to be a member.

Advertising - B. - Anissa N. asked about advertising procedures, that since we don't do advertising in the Bar Journal, do we need to take it out. Cheryl Anne indicated we do the directory on the eJournal. The question was asked why we are doing just certified shorthand reporters; that CERs may want to be listed. Anissa N. asked for any discussion. Mindy D. indicated at national, there is a shared link on our website for the State Bar. Anissa N. agreed that's something different.

Communications – D-2. Cheryl Anne indicated we haven't been following it, too cumbersome. Letters need to be approved but not the social network. Paul B. asked who has approval now. Cheryl Anne and Elsa J. do. Elsa J. is currently listed as VP. Laurel J. asked if only designated people post. Cheryl Anne said Elsa is good at this position. Anissa N. thinks it should at least go through Cheryl Anne. Cheryl Anne indicated this doesn't address the administrator of the page posting and thinks the wording needs to change. Paul B. said all social network postings on behalf of MAPCR shall be pre-approved by one other member of the Executive committee.

Convention/Seminar: C-1 - Cheryl Anne said she read it wrong. We should leave it. C-2 - Anissa N. suggested we take out what they will be charged or put "whatever the meal rate is." Cheryl Anne has been charging \$60 for one and \$85 for another. Why are we so low? We should add the word "minimum of \$60." There was no other discussion.

Letter I. on Page 5, regarding a certificate for speakers, Cheryl Anne said some people think it's corny, others like it. We have been giving a thank you card, gift card. Cheryl Anne thinks it's better than a certificate. Laurel suggested changing the language to, "Guest speaker will be given a token of appreciation to be decided upon by the conference committee." Paul B. asked whether we are leaving "their rooms may be paid for." Mindy D. agreed we can take that out.

L. - We no longer have banquet tickets so we will delete the first sentence. We will keep in "President's immediate children will receive". We need a new policy developed. Paul B. doesn't see a problem with that. Cheryl Anne indicated we will cover Mindy's daughter's lunch. Nancy V. said with NCRA, any special events, they are entitled to have one guest. Mindy D. can put that in when she is president.

We will vote on the changes discussed, except for last item. Anissa asked for discussion. Mindy D. wants to add "incoming president is entitled to receive one complimentary ticket for social functions" - Cheryl Anne indicated this will be a new L. entitled "Event Ticket". Annette B. said "shall" should not be used. Instead we should use "must" or "will".

Tammy N. made a motion to approve changes; Laurel J. seconded. Motion passed.

REPORTS OF SPECIAL COMMITTEES

1. Golf Outing (Brandell, Hanson) - Paul B. filed a report. We are booked at Eagle Eye for the 2014 golf outing. We were offered a deal. It was \$70 per head before. Now it will be \$60 per head. We have been making our money on the sponsorships. We had the lowest turnout of golfers in 2013, 51 golfers, but we made the second highest amount we ever made. Next year's date will be June 20, 2014 for the 21st annual MAPCR Golf Outing. Mindy D. suggested the idea that if we have Justin Cavanaugh as a guest, we might get more people coming in. Paul can go after them to get them to participate.
2. Historian (Brandell) - Paul B. is still working on the history report.

3. Website (Farmer, Houghton) - Dawn H. has contacted someone to help with our website but hasn't heard back yet. Mindy D. asked if we should have a shared tab for attorneys to come to the website to find our members. Auxiliary members, we should invite attorneys to be a member of MAPCR for a discounted price. Cheryl Anne said it was deleted from the bylaws. For associate members, we could market to people that have a connection with the industry.

UNFINISHED BUSINESS and GENERAL ORDERS -

Paul B. asked if Macomb qualified for the grant money. Sharon K. said no. The hurdle was they don't offer financial aid. Paul B. asked Nancy V. if NCRA offers guidance to new schools. Nancy V. said Lynette Eggers would be the person to talk to at NCRA. Sharon K. and Paul B. will talk with Lynette when she visits Macomb in two weeks.

NEW BUSINESS -

Anissa N. said we will be talking about new things at the Strategic Meeting. Mindy D. indicated Chad Schmucker, the judge in 1996 that got rid of Jackson official reporters, went on to be State Court administrator. They started Technology Tools and realtime reporting was not part of that. He will be moving to Reno to become President of the National Judicial College and will be training all the judges that come to judges' school. NCRA needs to be aware that he is not pro court reporter.

ADJOURNMENT

Paul B. made a motion to adjourn; Gerry H. seconded; motion passed.

Adjourned at 11:43 a.m.