

Virginia Reporter

Experiencing Tammy Johnson

As always, after attending any VCRA function, I returned from our annual convention held at the Omni Hotel in Richmond this past weekend (March 23-25) in high spirits and energized. And while the hotel was a lovely property, for me, the camaraderie amongst the members of our association was the true highlight of the weekend. I dearly loved seeing old friends, making new acquaintances, learning work-related computer tips and techniques, and the open sharing of ideas within the information exchange session.

Deciding whether I should attend Anita Paul's or Tammy Johnson's session on Saturday was most difficult, and after considerable thought, I chose the day-long voice writing seminar presented by Tammy Johnson, CVR. After all, I have 32 years of experience reporting in stenotype and none in actually reporting via voice. I

knew Tammy to be an excellent voice writer with lots of valuable information to impart, having heard her during a seminar in New York City last summer at the National Court Reporters Association's annual convention. Actually, there's a little story that goes along with our fortuitous meeting.

In September, 2006, Tammy attended the Ninth Court Technology Conference (CTC9) held in Seattle, Washington, and thereafter, she wrote an article entitled *CTC9 IN SEATTLE...An Eye-Opening Experience*, which appeared in the *NVRA Verbatim Record*, winter 2006 edition, pages 26-27. Being a member of NVRA as well as the NCRA, I received the magazine and was pleasantly surprised after reading the article. Tammy had managed to put into words *exactly* what I have been saying--but never bothered to commit to paper--about the court reporting profession; that is, that *real-*

time is our lifeline. It was as if she had read my mind.

Several months after CTC9, the Virginia Court Reporters Association held its annual convention in Alexandria, and while I was unaware, Tammy had been present at the ProCAT booth in the vendor area. It wasn't until the convention concluded, though, and the vendors were packing up to depart when someone with whom I was discussing the article introduced me to her. Had I known she was there, I'd have sought her out.

Thrilled to meet her, I said, "You are the author of that article that appeared in the NVRA magazine, aren't you?" She nodded, and I went on to state that I thought her writing was on point and refreshing. We stood chatting until we determined that neither of us was in a hurry to depart the hotel that Sunday afternoon.

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Realtime: It's Really Time!

VCRA's gathering in Richmond on the 24th of March, 2007 was attended by over 145 Court Reporters from as far away as Minnesota and Colorado for Anita Paul and "Honey" Johnston's Realtime Mastery Highlights Program.

The impressive presentation gave us wonderful tools to further our Court Reporting livelihoods with

software, hardware, program tweaks, astute advice on survival in the legal community, and the understanding that Anita Paul Johnston is always open to any contact regarding Realtime. Though there was barely enough time, we were shown in four comprehensive sessions how a Court Reporter's self-perception in the creation of a quality product that is read-

able and acceptable leaves no fear of working in Realtime. Anita's summation that "**Reporters are excellent, not perfect**" is a truism.

Kudos to VCRA on another job well done! Also, anyone who didn't attend missed fantastic culinary delights.

Submitted by: Margaret Reams Miller, CCR

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Tammy planned to spend another evening there, and I was simply moving from the Alexandria Hilton to the Tyson's Corner Hilton a few miles away where I

the presentation to be given again in Dallas in 2007 in one of the larger better-attended general sessions.

Tammy's well-organized lecture

and relearn to become a realtime certified reporter in voice recognition as it is for a stenotypist to unlearn and relearn to become realtime certified in stenotype. No

longer are voice writers simply repeating what they hear -- which is no simple task in and of itself -- but they, too, have to think in advance of speaking as to how the transcript will appear on paper. For consistency, voice

Tammy Johnson's Bio

Upon graduating from college with an Associate of Science degree in Criminal Justice, Tammy Johnson proceeded to endeavor a career with the North Carolina Department of Correction. After working with the Parole Commission for five years and at an actual incarceration facility for two, she decided to make a career change and enrolled in stenography school. Tammy was in stenography school for a year and had her speed built up to 160 WPM before she discovered speech recognition technology and decided to change the career path slightly and became a voice reporter. Tammy reported in the freelance market using the traditional method of a Marantz recorder and transcribing, beginning in 2001. She became a Certified Verbatim Reporter after only six months of reporting and purchased her first speech recognition system after a year. Tammy's career has flourished since moving into speech recognition, and now she provides realtime services across the country. She is the current Chairman of the CART and Captioning Committee within the National Verbatim Reporters Association. She has realtimed speakers at various conferences and conventions, to include various Courtroom Technology Conferences, a Government Technology Conference in conjunction with Courtroom 21, a SpeechTEK Conference, NVRA and NCRA conventions, as well as participated in Intersteno Congress in Vienna, Austria. She has presented numerous seminars on voice writing topics, providing instruction on obtaining realtime results utilizing speech recognition technology.

would work the following three days at the National Court Reporters Foundation Phone-A-Thon helping to raise funds for the Foundation. Consequently, we decided to meet in the hotel's restaurant and have a late lunch together. We ate, drank, talked, laughed, and shared with one another so many of the strange situations that we reporters often find ourselves in, and it felt as though we had known each other for many years.

Therefore, when I noticed Tammy's name as one of a panel of presenters at the NCRA convention held just a few months after our VCRA Alexandria meeting, you can imagine my delight at the prospect of seeing her again so soon. Those who attended were indeed impressed and even expressed a desire for

presented this past weekend at our VCRA convention was not vendor-specific; therefore, all the information gleaned from the seminar and her accompanying handouts may be readily implemented by any voice writer looking forward to realtime certification in the future, no matter what brand of hardware or software is employed. And while Tammy is a court reporter and CART provider, she sees the big picture; that is, that both voice writers and stenotype court reporters need to become realtime certified.

Just as stenotypists strive for accuracy, speed, conflict resolution, and punctuation in their writing, so, too, do voice writers. It is just as difficult for a long-time stenomask operator to unlearn

writers must dictate in a monotone rhythm and with specificity to distinguish between all the homonyms in the English language and anticipate how the speech engine might translate their utterances. Both methods require highly-developed skill sets, which, as we reporters know, is only one component of what makes an excellent court reporter.

So, Tammy, thank you for sharing your immense knowledge with those of us in attendance this past weekend, and again, I look forward to our next meeting.

Submitted by: Diane M. Gray, RPR, CRR, CVR

Stenographer Jailed Over Late Transcript

Published: Mar 11, 2007

FORT LAUDERDALE - A stenographer who failed to deliver a transcript needed for an appeal was sentenced to jail Friday for contempt of court. Circuit Judge Charles Greene said he will release stenographer Ann Margaret Smith, 44, as soon as she completes the transcript, The Miami Herald reported.

Smith's equipment and notes will be sent to the jail and the Broward Sheriff's Office will provide her a place to work, according to the judge's orders.

An appeals court had asked the judge for a transcript from the trial of a man sentenced to three consecutive life terms for kidnapping a toddler from his bed, wrapping the boy's head with duct tape, and raping him, Greene said. He said the appeal can't move forward without the transcript.

The Associated Press

The Executive Director Speaks

Keep an eye out for the mail the membership renewal forms are making their way to your mailbox. Summer has finally arrived, warm and bright days are coming this way. Be sure to take some time for yourself and enjoy the summer while it is here. If you have any comments, questions or concerns please email me at brian@taylorassociates.com. We are also looking for articles to put into the Virginia Reporter, so keep an open mind and if you learn something interesting perhaps you could write it down and share it with fellow reporters.



Up Coming Events

41st Annual NVRA Convention— August 1-4, 2007
at the Crowne Plaza - Philadelphia Center City,
Philadelphia, PA.

2007 NCRA Annual Convention— August 9-12, 2007,
Dallas, TX.

VCRA's Fall Education Day – October 13, 2007 at
the University of Richmond in Richmond, VA.

VCRA's Annual Meeting and Convention –
March 14 -16, 2008 at the Williamsburg Lodge in
Williamsburg, VA.

Realtime Put To The Test

Two-and-a-half years ago I found myself in the position of having to decide, do I ask my Senior Judge of the U. S. District Court, whom I loved working for, permission to work for a newly-appointed Article III Judge, Walter D. Kelley, Jr. I felt the move would be a good one because I wanted to make the U. S. District Court, Norfolk Division, the site of my eventual retirement and hoped a newly-appointed judge would make that possible. My Senior Judge consented to the move, and here I am having just completed a four-month multi-defendant securities fraud trial, held out of town no less, and having realtimed and daily copied 10,123 trial transcript pages.

On October 8, 2006 I packed a Jeep Commander to the gills, kissed my family goodbye, and headed north to Alexandria, Virginia. This was an especially difficult task because my son was only seven years old, and I would be planning his eighth birthday party from Northern Virginia.

Our trial was scheduled to last four to six weeks. I guess that's "lawyer time" because we didn't conclude and head south until February 6, 2007. It turned out I had to plan the family Thanksgiving and Christmas holidays from Northern Virginia as well.

To produce the trial proceeding transcripts I enlisted the help of a fellow reporter to serve as my scopist/proofreader. I had spent considerable time at the New York City NCRA convention in August investigating software to enable me

to send large encrypted files across the internet to be received by a scopist back in Norfolk. I chose the T3 software product. The software turned out to be a tremendous help, but we found one glitch; that is, when you send the file it is sent under the file name originally given, and when it is returned from the scopist it has the same file name, so you aren't able to tell if you are receiving the final version unless you take the time to reread the entire transcript. On occasion there was confusion returning the file, and the rough draft was sent by mistake. My scopist was using multiple computers and would have to restore and back up files from different locations.

Once you receive the file and download it, it will overwrite the original file on your computer. But what happens when you use multiple computers is it gets confusing whether you restored a final or a rough version for that particular portion of the transcript you are merging. I would back up the version sent by my scopist to a thumb drive and restore it into my computer that was receiving the realtime feed. At the end of the trial day the separate files were merged into a morning session transcript and sent to counsel. The afternoon session was received, merged, and then sent out in final form from my apartment I began living out of in November, from yet another computer. As you see, it can get rather confusing.

Our solution was from that point on when I received the final transcript the first line would read "proofed and cor-

rected" so I was sure I was receiving the correct file. I would have the notation remain in the transcript until I was ready to send the transcript to counsel and print the final copies.

At one point I lost the T3 software access on my computer for some unexplained reason and had to call the technical department for my personal access code to regain entry into the service. That, of course, happened after midnight one evening, and I had to wait for the technical department to e-mail my code to me the following day. This happened to be the same night the hotel lost power and I had spent the better part of an evening sitting in the hallway with a flashlight proofreading my transcript. That was just the beginning of week one.

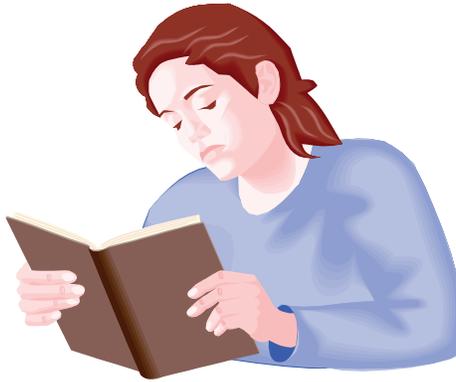
The first two weeks of trial I spent troubleshooting all of my equipment and connections. We had a router installed in the courtroom which provided myself and counsel immediate wireless access to the internet. I used my laptop on the desk directly in front of me to receive my realtime feed, and a laptop on the desk to the left of me strictly for internet access. In conjunction with my CaseCatalyst software I used a wireless connection to my Mira A3 and a StenoCast wireless connection to send my realtime feed to the judge. In September I had purchased two laptop computers specifically for this trial.

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Are YOU A Professional?

Frequently, as reporters, we take the testimony of someone with a designation behind their name, maybe M.D., Ph.D., P.E., R.N., CPA, etc. The person we're taking the testimony for also has a designation behind their name: Esquire.

What does that tell us about these people before they say the first word? It tells us they have achieved a certain status in their profession. It tells us they have worked hard to get where they are. It tells us they consider what they do a career and not a job. It tells us they continue to improve themselves and keep up with the latest innovations in their field through continuing education points. It tells us they're a "Professional."



When you ask someone to do your taxes, are you satisfied with Jane Cook, accountant, or do you want Jane

Cook, CPA? When seeking medical attention, are you satisfied with Alice Smith, nurse's aide, or do you want Alice Smith, R.N.?

As reporters, we're no different. We can choose to look at this as a job or a career. We can work towards getting a designation behind our name and keeping it through membership and continuing education points, with the status that in-fers, or not. What's more impressive on your business card, Lucy Jones, court reporter, or Lucy Jones, CCR?

Do you think these things don't matter?

Think again.

Submitted by: Jean Wiley, RPR, CCR

When the Deponent Isn't There

We all know what it's like to arrive for a deposition, only to find out that the deponent is in a different location. None of us wants to tell our good client that we are unable to go

forward.

Karen Hart of Hart Reporting in Harrisonburg has come up with the perfect solution for this problem; a

stipulation for counsel to agree to. It is as follows:

Submitted by: Gwenda Applegate, RPR, CRR

STIPULATION

This deposition is being taken with a court reporter who is not in the location of the deponent. Although the court reporter is not permitted by Virginia law to administer an oath to a witness not known to her/him in a remote location (Va. Code Sec. 47.1-14), it is agreed by all counsel that for all purposes this deposition shall be treated as being taken in full compliance with Rule 4:5(a)(7) of the Rules of the Virginia Supreme Court. It is also agreed by all counsel that the testimony of this witness will be treated for all purposes as having been given under oath, that no party will change this deposition as having been defectively noticed or convened, and that no issue shall be raised by any party as to the absence of a properly administered oath.

(Printed name)

(Printed name)

Counsel for _____

Counsel for _____

(Signature and Date)

(Signature and Date)

Realtime Put To The Test Continued

As luck would have it, everything began to malfunction at once. I had problems with both laptops, one with the screen freezing and the other simply crashing and emitting error codes. Have you ever tried to contact the service tech when you have a fifteen-minute break and you still would like to reserve a couple of minutes for a restroom break? Needless to say, it is impossible. Luckily, we were still in the preliminary stages of the trial and the jury had not yet been selected.

My judge was very patient while I tried to resolve all of these technical difficulties. The only conclusion I was able to come up with was there were so many wireless devices being used at the same time that they were conflicting with one another. When I came to realize this was not going to be resolved easily, I resorted to using the old standby, my four-year-old laptop, to receive my realtime feed, and one of the new laptops strictly for internet research and the sending of the transcript. My four-year-old laptop does not have wireless capability, so I had to back up the realtime file onto a thumb drive, load the

file into the new internet-access-only computer, and send the file on to my scopist. I did this three to four times a day. I also pulled out all of those bulky, unattractive gray cables, started wrapping them around the courtroom to eventually reach the judge's laptop on the bench, and disconnected all wireless devices related to my realtime. Okay. Then I was ready to go.

After the jury was impaneled and the opening statements and testimony began I found a rhythm. I would edit the transcript as I wrote, so I would usually send my scopist a clean rough draft during our three breaks per day that just needed to be proofread and corrected. Of course, some "takes" were more difficult than others and at times required deciphering of steno and utilization of the Audiosync capability. What did we ever do before Audiosync and the internet?

Most days I was able to deliver the final product, via e-mail, the morning session when we adjourned court at 5:30 p.m. and the afternoon session by 9:00 p.m., with final paper transcripts being delivered the following morning. This trial

had far-reaching consequences both for future criminal prosecutions and civil fraud actions. Because of the high-profile nature of the trial the media closely monitored the proceedings. I received numerous requests for the transcripts both during and after the trial. The filling of additional transcript orders was accomplished by attaching the files in ASCII format and sending them via e-mail, saving me countless hours of printing.

I have reported many proceedings in my 26-year career in court reporting which required me to provide realtime and daily copy services, but, by far, this trial was the most rewarding professional experience.

The moral of this story is you can purchase all of the top-of-the-line equipment and software available, but be sure you pack all of your "old stuff" and be able to revert back to the old standbys. Your ability to write effective realtime and troubleshoot your equipment on the fly is a must.

Submitted by: Penny C. Wile, RMR, CRR

Amazingly Simple Home Remedies

- ◆ Clumsy? Avoid cutting yourself while slicing vegetables by getting someone else to hold them while you chop away.
- ◆ A mouse trap placed on top of your alarm clock will prevent you from rolling over and going back to sleep after you hit the snooze button.
- ◆ Have a bad toothache? Smash your thumb with a hammer and you will forget all about the toothache.
- ◆ Sometimes, we just need to remember what the rules of life really are: In life, you only need two tools - WD-40 and Duct Tape. If it doesn't move but should, use the WD-40. If it should not move and does, use the duct tape.
- ◆ Never pass up an opportunity to go to the bathroom.
- ◆ If you are choking on an ice cube, don't panic. Simply pour a cup of boiling water down your throat and presto, the blockage will be almost instantly removed.



Swearing In Over the Phone...



Virginia State Bar

THE SUPREME COURT OF VIRGINIA

Amendments to the Rules of Court

(Effective January 1, 2001)

Amend Rule 4:5(b)(7) to read as follows:

RULE 4:5. Depositions Upon Oral Examination:

(b)(7) Unless the court orders otherwise, a deposition may be taken by telephone, video conferencing, or teleconferencing. A deposition taken by telephone, video conferencing, or teleconferencing shall be taken before an appropriate officer in the locality where the deponent is present to answer questions propounded to him.

...An Example To Show Clients

Date

To: All attorneys and litigants conducting depositions in the
Commonwealth of Virginia

From: *Name*

In re: Rules regarding swearing in of witnesses over the telephone

Please be informed it is the policy of *Company* to follow the rules of the Virginia Supreme Court. (See other page)

In addition, according to the Virginia Notary Act of 1980, and as amended June 2001, the rules state:

“In taking an acknowledgment or administering an oath, the person whose act is the subject of the notarial act must personally appear before the notary.”

“Any notary who knowingly and willfully commits official misconduct under the Virginia Notary Act, may be convicted of a misdemeanor,”

“A notary who knowingly makes a false oath or certificate may be guilty of perjury.”

“The employer of a notary may be civilly or criminally liable for certain acts.”

“The employer may be liable for damages caused by the notary’s official misconduct if:

- 1. The misconduct was performed as part of the notary’s employment*
- 2. The employer knew about the misconduct, or should have known about it*
- 3. Any employer who encourages, threatens, or otherwise intentionally causes an employee to violate the notary laws may be found guilty of a misdemeanor.*

Unless directed by the court, no court reporter employed by *Company* will be allowed to swear in witnesses over the telephone.

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Recipe Corner

Summer Solstice Sake Sparkler

Ingredients

- 1 fresh basil leaf, chopped
- 6 fresh mint leaves
- 2 lemon twists
- 2 orange wedges
- 1/4 English cucumber, seeded and diced, very cold
- 1 1/2 ounces orange flavored liqueur (recommended: Cointreau)
- Ice cubes
- 250 ml bottle sparkling sake



Instructions

Put the basil, mint, lemon, orange, cucumber, and orange liqueur in a cocktail shaker. Add the ice, cover, and shake vigorously, or stir, until combined and chilled, about thirty seconds. (In general, the drink is ready when the shaker mists up.) Pour into chilled Collins glass and top with the sparkling sake. Drop in a pair of chopsticks to pick out the cucumber and oranges, if desired. Drink.